Reconciliation

The South African Truth and Reconciliation Commission:
deconstruction of a multilayered archive

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Promotor: Prof. Dr. Jan Blommaert
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# Acronyms

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<th>Description</th>
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<td>AC</td>
<td>Amnesty Committee</td>
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<tr>
<td>ANC</td>
<td>African National Congress</td>
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<td>APLA</td>
<td>Azanian People's Liberation Army</td>
</tr>
<tr>
<td>AWB</td>
<td>Afrikaner Weerstands beweging</td>
</tr>
<tr>
<td>AZAPO</td>
<td>Azanian People's Organisation</td>
</tr>
<tr>
<td>CALS</td>
<td>Centre for Applied Legal Studies</td>
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<tr>
<td>CDA</td>
<td>Critical Discourse Analysis</td>
</tr>
<tr>
<td>CSVVR</td>
<td>Centre for the Study of Violence and Reconciliation</td>
</tr>
<tr>
<td>DA</td>
<td>Discourse Analysis</td>
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<td>GALA</td>
<td>Gay and Lesbian Archive</td>
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<td>GHRV</td>
<td>Gross Human Rights Violations</td>
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<tr>
<td>HRV</td>
<td>Human Rights Violations</td>
</tr>
<tr>
<td>HRVCC</td>
<td>Human Rights Violations Committee</td>
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<tr>
<td>ICTJ</td>
<td>International Centre for Transitional Justice</td>
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<tr>
<td>IDASA</td>
<td>Institute for Democracy in South Africa</td>
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<tr>
<td>IFP</td>
<td>Inkatha Freedom Party</td>
</tr>
<tr>
<td>IJR</td>
<td>Institute for Justice and Reconciliation</td>
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<tr>
<td>IMN</td>
<td>Ideological Master-narrative</td>
</tr>
<tr>
<td>ISA</td>
<td>Ideological State Apparatus</td>
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<tr>
<td>KSP</td>
<td>Khulumani Support Group</td>
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<tr>
<td>LCC</td>
<td>Land Claims Commission</td>
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<tr>
<td>LPF</td>
<td>Language Facilitation Programme</td>
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<td>MDM</td>
<td>Mass Democratic Movement</td>
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<td>MK</td>
<td>Umkhonto we Sizwe</td>
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<tr>
<td>NEC</td>
<td>National Executive Committee</td>
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<tr>
<td>NGO</td>
<td>Nongovernmental organisation</td>
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<td>NP</td>
<td>National Party</td>
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<tr>
<td>PAC</td>
<td>Pan-Africanist Congress</td>
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<tr>
<td>PAIA</td>
<td>Promotion of Access to Information Act</td>
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<tr>
<td>RRC</td>
<td>Committee on Reparation and Rehabilitation</td>
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<tr>
<td>SABC</td>
<td>South African Broadcasting Corporation</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>SACP</td>
<td>South African Communist Party</td>
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<tr>
<td>SADF</td>
<td>South African Defence Force</td>
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<tr>
<td>SAHA</td>
<td>South African History Archive</td>
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<tr>
<td>SAP</td>
<td>South African Police</td>
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<tr>
<td>TRC</td>
<td>Truth and Reconciliation Commission</td>
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<tr>
<td>UDF</td>
<td>United Democratic Front</td>
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<td>UN</td>
<td>United Nations</td>
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CHAPTER ONE

Introduction

1.1. Central proposition of this thesis

In this work the South African Truth and Reconciliation Commission (TRC) will be regarded as a mechanism to produce power through discourse. Importantly, as will become clear towards the end of this text, the exertion of power will predominantly be regarded as a positive and highly productive aspect. One of the main findings will be that the term reconciliation was conceptualised in an open-ended manner at the TRC victim hearings. Consequently, this term could also be interpreted in various ways in post-TRC South African society, resulting in the extension of its power to a large number of socio-political and cultural domains. According to my findings, it is possible that the reconciliation-oriented master-narrative of the HRV hearings was deliberately constructed in a polysemic and vague manner. As a result, the majority of South Africans could relate to this concept, turning reconciliation into a highly inclusive term. Because of this vagueness the debate on reconciliation was and is sustained until today; reconciliation became South Africa’s national symbol, meaning that by keeping the debate on reconciliation going, the nation constantly gives meaning to its proper existence. In addition, the TRC consciously addressed all South Africans and tried to involve all of them in its process – this in an attempt to establish an inclusive national unity. Also this issue was part of the inclusive superstructure of the Commission. All of these side effects of the TRC proceedings might have turned the Commission into one of the factors leading to present-day peace and stability in South Africa.

Important to emphasise is that this study can be seen as an exploration of the semantic layeredness of the term reconciliation. Throughout this text I will consider reconciliation as a very vague and ambiguous term; as a term most people assume they can define, but which in reality seems to be extremely complex and polysemic. On a purely abstract level, it is a term we could give an ideal-typical interpretation – such an interpretation can be useful for the sake of clarity, also in this research. In the course of this text, though, we
will understand that at the TRC the actual - and thus highly diverse - interpretation of the term was only revealed through discursive practices.

### 1.2. South Africa and language – the compromise

South Africa has been a long-time fascination for me, starting way back when as a child I participated in demonstrations against apartheid. A couple of years later I was glued to the television when Nelson Mandela was released in February 1990 and when he was inaugurated as the first democratic president of South Africa, four years later. I was obviously thrilled when I received a grant to study at the University of Cape Town in spring 1997, thus getting the opportunity to experience the miraculous transformation to democracy firsthand. This study period in Cape Town convinced me to devote the rest of my academic career to African studies. I went back to South Africa once, in 1998, but the fascination for this country continued to grow, especially for its current socio-political situation. Therefore, after finishing my studies, I was quite determined to concentrate my doctoral research on an aspect of South Africa’s contemporary history.

The Truth and Reconciliation Commission can be considered as one of the symbols of South Africa’s change to liberty. By devoting attention to apartheid victims and perpetrators and by formulation visions for the future, the Commission embodied the entire transitional process. I was intrigued by this phenomenon, since it formed such a key concept in post-apartheid South African society. We then write the year 2001; a large part of the TRC proceedings had been concluded and the Commission’s report had been published in October 1998. By that time, the body of literature devoted to the TRC had expanded to impressive proportions. The TRC had been studied from a wide variety of different perspectives, ranging from the domains of law, psychology and political science, to sociology and religion. With a background as a linguist and also stimulated by Professor Blommaert, who is well-read in sociolinguistics and discourse analysis, I opted for a discursive analysis of the Truth Commission. Such a discursive approach would be rather innovative, hence it seemed a challenging field of research. In this way, this doctoral project became a combination of two of my areas of interest: society and politics in South Africa on the one hand, and the critical analysis of discourse on the other.
1.3. The doctoral process being concretised

As a Belgian researcher, analysing the TRC and its impact on present-day South African society posed a number of problems. To begin with, the main part of the TRC process had been finished about three years earlier; my investigation would thus necessarily be retroactive. In addition, although I carried out research visits to South Africa ranging from two to four weeks, about twice a year, I would never come close to gaining insight into this complex society. I therefore explicitly decided to study the TRC from the perspective of an outsider, meaning that I would be an outsider both with respect to history and with respect to geography. TRC discourse would be analysed without being influenced by emotional aspects that were present in South Africa at the time of the TRC process. At the same time, also current day sensitivities surrounding the TRC and South Africa’s post-apartheid socio-political life would have a minor impact on this research project. As a result, my knowledge of the TRC and of South Africa itself was to be based largely on primary and secondary material such as publications and audio-visual data. With regard to the TRC I tried to compile a database as complete as possible, a collection that finds its expression in my TRC Research Website (http://africana.ugent.be/trc.htm) and that will be reflected upon in Chapter Three.

Since the TRC Amnesty Committee is usually approached from a legal perspective and since I was interested in the ways in which TRC victims managed to combine their stories of traumatic apartheid experiences with the formulation of a reconciliation-oriented vision for the future, I decided to concentrate on the public hearings of the Human Rights Violations Committee (HRVC) – the Committee that offered a forum to victims of apartheid. Analysing HRV discourse involved that I needed discursive data, either textual or audio-visual. Fortunately, the Official TRC Website is really an impressive piece of work, containing almost all of the transcribed testimonies given before the Truth Commission. The amount of material on this website is so overwhelming that reading over all of these HRV testimonies and then selecting which narratives to focus on was quite labour-intensive. I also decided to get hold of a limited amount of audio-visual data, data which I refer to once in a while in the course of this work, but which I did not use intensively. It was a very fascinating phase in my research, getting more and more familiar with the TRC and with South Africa at large. However, it
was not until I started to understand which theoretical frameworks to employ, that my research was beginning to take shape.

1.4. Theoretical frameworks

Since I looked at a socio-political phenomenon from a discursive perspective, I decided to appeal to the academic field of Critical Discourse Analysis (CDA). Some of the aims of CDA are to explore power relations among discourse participants and to reveal how - ideologically coloured - power can be expressed through language. By reading over all of the HRV testimonies it became clear that specific discursive patterns could be distinguished – discursive patterns based on external rules, but also patterns that were constructed at the HRV site itself. In the coming into existence of these patterns, power relations definitely played a role, mainly power relations between commissioners and testifying victims, but also between testifiers and the audience or between testifiers and some of the contextual features (media, discursive setting, etc). Like in any - institutional - situation, power relations thus took shape in interaction between discourse participants.

To analyse and understand these relations, the insights obtained from CDA were helpful. However, I should stress that the CDA research I consulted solely functioned as background to my theoretical framework. In addition, as claimed by Fowler (1996: 8), Van Dijk (2001: 98) or Fairclough (2001b: 121) CDA does not contain clear-cut methodologies. CDA insights or ideas always have to be applied creatively – they should never be adopted indiscriminately. A lot of attention always has to be paid to contextual features, which means that CDA theories necessarily should be adapted to the historical, geographical, or socio-political context of the discourse under investigation.

CDA was thus mainly regarded as a source of inspiration, rather than a fixed theoretical framework. The framework I then developed consisted of a combination of Blommaert’s theory on discursive layering and of the notion of the archive as developed by Foucault. My basic aim became the deconstruction of the HRV archive, so revealing the discursive rules of formation that came into existence at the HRV hearings. In order to gain insight into this archive I discussed the ways in which this HRV discourse was layered on ideological, historical and identity levels. The purpose of this theoretical framework was to gain insight in the power relations exercised at the HRV setting. Since the TRC can be
seen as a state institution exerting considerable impact on South African society, I was interested as well in the implications of these internal power relations on post-TRC South Africa. For this aspect of my research I mainly appealed to post-structural theories from scholars such as Althusser, Bourdieu, Gramsci and again Foucault. It is thus obvious that my theoretical framework did not consist of ready-made theories copied from other domains of the humanities. Instead, I tried to construct an inventive frame which borrows from a number of other disciplines, but which is adapted to a very specific contextual situation. This frame has been implemented in a particular way, in order to gain insight into a unique phenomenon and – to a lesser extent – into a unique contemporary society.

1.5. Approach

As argued before, I will be looking at the TRC from an outsider’s perspective. In a number of respects this can be advantageous, although I am very much aware of the difficulties associated with such a perspective. Therefore, the findings made at the end of this thesis will not be called conclusions, but rather suggestions. I will have attempted to gain insight into a part of the TRC process and I will also assume an impact of the TRC on post-apartheid South Africa – all of these suggestions, though, will be formulated cautiously and provisionally.

Further, although my point of departure is the analysis of HRV discourse, I would like to stress that I would not classify this work as a linguistic study. The data used are much too inaccurate and incomplete to conduct a detailed discourse analysis or conversation analysis. Moreover, I will be using translated material, which makes it rather impossible to study grammatical constructions or lexical choices. First and foremost, this thesis is a social study. It analyses contextualised interaction patterns between groups of individuals, the impact this interaction experiences from the socio-political and historical situation and the power these constructed discursive indexicalities might exert on South African society. Quite central will be the notion of reconciliation, the manner in which this concept was constructed at the HRV hearings, the ways in which it was conceptualised by the testifying victims and the ways in which it reverberated in South African society at large. Therefore, South Africa’s apartheid victims and their visions on the past and the future are the central focus of this work. All this develops in interaction with issues such
as the media, the power of state institutions and South Africa’s attempts at building a reconciled nation. Discourse will be my main tool to deconstruct this intricate network, but this does not mean that this thesis is purely a linguistic analysis.

To sum up, the aim of this study is to analyse how, through a certain type of reconciliation discourse constructed at the HRV hearings, a reconciliation-oriented reality took shape in post-TRC South Africa. Basically, it is thus an investigation of the long-term implications a truth commission can exert on a traumatised post-conflict society. Conflict resolution and especially conflict resolution by using restorative instead of retributive mechanisms is an internationally relevant research domain. All over the world South Africa’s Truth and Reconciliation Commission is taken as a model of how nations can deal with their traumatic pasts. This work hopes to add to this expanding field on truth commissions as a means of peacekeeping. Although the TRC will be approached critically at certain points, overall this thesis hopes to demonstrate the value of truth commissions and the constructive contribution of the TRC to a relatively stable and tolerant post-apartheid South Africa. Also, criticism is crucial when attempting to improve an initiative as praiseworthy as the TRC, and this in order to implement it in other conflict-ridden situations.

1.6. Overview of the chapters

Chapter Two gives a very comprehensive overview of the South African Truth and Reconciliation Commission. Pre-TRC South Africa is dealt with briefly, by paying attention to the negotiations leading to the establishment of the TRC and by setting out which other alternatives were considered to deal with the apartheid past. A lot of time is then devoted to elaborating on the TRC itself: its mandate, its objectives, the selection of the commissioners and the mode of operation of the three subcommittees. The Human Rights Violations Committee is discussed extensively, because the discourse of victims testifying before this Committee forms the core of my research. The Amnesty Committee and the Committee on Reparation and Rehabilitation are dealt with more sparsely. I continue by summing up some of the unique and positive characteristics of the TRC, followed by an overview of some of its negative features. Further, since my investigative approach is discursive, I also pay attention to language and to discourse at the HRV hearings. In this chapter, ‘language’ will broadly be used to refer to discursive
practices, while ‘discourse’ is understood in a Foucaultian sense as “a group of statements that belong to a single system of formation”. I finish with justifying the amount of contextual information provided in this chapter. It is made clear that an elaborate overview of contextual features is indispensable in any discourse-oriented scientific study.

Chapter Three talks about the methodology employed. First I deal with the theoretical concept of the archive. The TRC archive is subdivided in the material archive and the archive as understood by Foucault. With regard to the material archive I first give a detailed overview of both the primary and the secondary data that exist on the TRC. It is made clear that the TRC has led to the production of a tremendous amount of material, not only in South Africa, but also beyond. The archive as defined by Foucault forms the theoretical core of my analysis and as a result I continue by dealing extensively with this Foucaultian archive and with related matters such as archontic power and the hierarchy of archons. By doing so, my methodological framework is touched upon and also the relation between discourse and power is introduced.

In the second part of Chapter Three I am getting more concrete by dealing with my actual sample. My data consist of both textual and audio-visual material, although it is predominantly the textual data that will form the basis of my discursive analysis. I talk about the process of gathering data, without ignoring some of the problematic characteristics of this material. I also justify my decision to make use of translated and transcribed textual data. My selected data – thirty HRV testimonies – are then classified according to five parameters: geographical area, gender, ethnic background, political affiliation and commitment to reconciliation. Each of these five parameters is discussed, paying a lot of attention to the parameter on reconciliation. Finally, my concrete selection is dealt with by presenting this selection statistically and by discussing each of the thirty testifiers separately.

Chapter Four forms the largest and probably most innovative part of this thesis. It is in this chapter that I try to gain insight in the rules of formation of the HRV discourse by applying Blommaert’s concept of layeredness. First an introduction is given on how I interpret ideological, historical and identity layering. I then analyse the discourse constructed at the HRV hearings by discussing twelve features, meaning particular discursive characteristics I associate with this discourse, based on my overall reading of
all of the 1819 testimonies given before the HRV Committee. The section on ideological
layering consists of five features: introducing reconciliation, stressing national
unity/community spirit, the TRC as a(n) (un)biased institution, respecting testifiers and
emphasising emotional discourse. Historical layering is subdivided in three features:
apartheid-talk, continuity between the past and the present and the audience as actor.
The section on identity layering consists of four features: struggling with an
Afrikaner/white identity, victim-perpetrator identity, pro-con ANC identity and a feature
on the ordinariness of testifying victims. These twelve features will be extensively
illustrated by means of fragments taken from the transcribed HRV testimonies\(^1\). On the
basis of this framework we will understand what kinds of utterances were preferred,
accepted or rejected at the HRV hearings and how these rules of formation came into
existence through interaction patterns between testifiers, commissioners and the
audience. All this will result in six ‘ideal testifiers’, testifiers who seemed to largely comply
with the discursive framing that was preferred by the commissioners. Their discourse
seemed to be the discourse that was aimed for and it was also this type of discourse the
TRC wanted to archive for future generations. It was their discourse that contributed
greatly to what I identified as reconciliation discourse.

It is then reconciliation discourse that is dealt with in more detail in Chapter Five. First I
explain how reconciliation discourse as an order of discourse can be linked to a
reconciliation-oriented regime of truth. As the most important component of the HRV
reconciliation discourse I consider the testifiers’ interpretations of the term
reconciliation. By referring to the six ideal testifiers and by comparing their
conceptualisation of reconciliation with the interpretations by ‘less-ideal testifiers’ I then
explain how reconciliation can be seen as a multidimensional notion at the HRV
hearings. Further, I elaborate on how this multifaceted interpretation of reconciliation at
the HRV hearings might have led to a multilayered reconciliation-oriented reality in
South African society. The manner by which reconciliation discourse seems to have
‘colonised’ domains such as politics, academics, arts and everyday language in South
Africa, is dealt with, also paying attention to other elements of this reconciliation
discourse such as *ubuntu* or ‘the rainbow nation’. The question posed here is whether
reconciliation discourse, which appears to be fairly present in post-TRC South Africa,

\(^1\) Throughout this text only fragments of the HRV testimonies will be given. The complete testimonies
can be found on the TRC website (http://www.doj.gov.za/trc/trc_frameset.htm).
might have led to a multilayered reconciliatory regime of truth. It is argued that the multilayeredness of this reality could create a potential for power in a wide variety of contexts. Possibly, reconciliation became acceptable to a large group of South Africans, especially because this concept was vague and at the same time highly multidimensional. This chapter is concluded by suggesting that since the HRV reconciliation discourse seemed to exert a tremendous amount of impact on South African society, the TRC could be regarded as a very powerful mechanism.

Chapter Six elaborates on this power exercised by the TRC, through its HRV discourse. First, I give a brief overview of the relation between power and discourse. Then, power exertion at the site of the HRV hearings is discussed. I do this by applying the theoretical framework of Foucault’s procedures of restriction to the findings made in Chapter Four. Many issues raised in Chapter Four will thus be repeated or summarised, providing a comprehensive overview of how the TRC managed to exercise power at the HRV hearings. The exertion of power is then projected onto South African society at large. It is suggested that the TRC did not solely try to reveal truths about the past, but that it also tried to fix and control future realities. The reasons for this power exertion might be connected to the historicity of the TRC process and to its nature as an authoritative state institution. Finally, I wonder whether the TRC can be characterised as a centring institution with a political, nation-building agenda on the one hand, but also with a reconciliation-oriented social agenda on the other.

In Chapter Seven, the conclusion, I put the power exertion of the HRV Committee in perspective, claiming that although power exertion seemed to be at stake – both on the level of the hearings, and with regard to society at large –, it should not solely be regarded as a negative force. At the actual hearings the construction of reconciliation discourse seemed to be a joint operation. The commissioners tried to control and direct this discourse, but the testifiers themselves also managed to impose their own interpretations. On the level of society, it seems as if the power exercised might have served the political agenda of the ruling parties. Overall, though, this power can be seen as very positive and productive: it might have contributed to the acceptance of a reconciliation-oriented reality among large parts of South African population and it might have added to the construction and preservation of South African’s belief in a united and peaceful nation.
It should be clear that when writing this thesis I have tried to compose a coherent whole, where each chapter is based on the previous one. Background to the TRC and information regarding the theoretical framework and the methodology employed are given in Chapters Two and Three. The actual analysis of the HRV discourse takes place in Chapter Four. Chapter Five links the HRV reconciliation discourse to a wider socio-political discourse and to a specific regime of truth. All this results in Chapter Six, where the relation between the TRC and the exertion of power is made more explicit. In conclusion, suggestions are offered regarding the possible contributions of the TRC to stability and reconciliation in post-apartheid South Africa.
CHAPTER TWO

The South African Truth and Reconciliation Commission

2.1. How it all began

The idea of a truth commission for South Africa first came from the African National Congress (ANC). As soon it was unbanned in February 1990, accusations were launched against the party that it had committed human rights violations in some of its training camps in Tanzania and in other southern African countries. The response of the ANC was to set up its own internal investigation commissions, amongst others the Stuart, the Skweyiya and the Motsuenyane Commissions. These Commissions confirmed that gross human rights violations had taken place in the camps during the time of exile, findings that were accepted by the National Executive Committee (NEC) of the ANC. However, in response to the Motsuenyane Commission’s report the NEC did call upon the government to “set up, without delay, a Commission of Inquiry or Truth Commission into all violations of human rights since 1948” (Boraine 2000c: 12).

It was especially professor Kader Asmal who, at his inaugural lecture at the University of the Western Cape on the 25th of May 1992, gave form and content to the ANC’s proposal to establish a truth commission once a political settlement had been reached. It was also in 1992 that others started to consider the idea of a truth commission for South Africa, for instance members of the Institute for a Democratic Alternative for South Africa (IDASA) after their visit to Eastern Europe. Upon their return they decided to organise two conferences in order to discuss the possibilities and modalities of a truth commission in South Africa. The first conference would be a preparatory conference, focusing on Eastern European and Latin American countries and their experiences in dealing with a traumatic past. This conference was called ‘Dealing with the Past’ and it was held in Cape Town in February 1994. It was Dullah Omar, the newly appointed Minister of Justice, who, on the 27th of May 1994, announced to parliament the decision of the government to set up a commission of truth and reconciliation. The second conference in preparation for the Commission was held in Cape Town, in July 1994; this conference was called ‘The South African Conference on Truth and Reconciliation’ and
its focus was more on South African participants - such as representatives from South Africa’s human rights organisations and political parties - than on international guests (Boraine 2000c: 43; Boraine & Levy, 1995: xxii).

In the summer of 1994 the stage for the truth commission was set and the work of drafting the Bill could begin. It took about four months of consultation, negotiation and legislation before all of the political parties reached an agreement; it was only in November 1994 that the Promotion of National Unity and Reconciliation Bill was published by the newly appointed government. The bill was signed into law in July 1995 and came into effect on the 15th of December 1995 (Boraine 2000c: 71). It was this Promotion of National Unity and Reconciliation Act 34 of 1995 (from now on ‘TRC Act’) by which the Truth and Reconciliation Commission was established.

Important to note is that the running up to this Act took place in an extremely transparent way: the draft bill was distributed to non-governmental organisations all over South Africa, seminars and workshops were held to help people in understanding the philosophy behind the Commission, the findings of these workshops and seminars were made available to the people working on the bill, thousands of booklets explaining the main ideas of the Commission were distributed and also a couple of radio programmes on the TRC were broadcast (Boraine 2000c: 50). All this resulted in the setting up of an institution, quite unique of its kind.

2.2. Other alternatives

It had taken more than three years, since the proposal of Kader Asmal in 1992, before the TRC Act was finally called into existence. In the course of these three years the negotiating parties also debated on the existence of possible alternatives for South Africa to deal with its apartheid past.

In the second half of the 20th century various options have been pursued by democratising societies in order to deal with a past of collective and sustained violence (Liebenberg & Zegeye, 1998: 541). The first possibility is to ‘forgive and forget’ (generally labelled amnesia), so to bury the past and to only focus on the building of a new future. This was an option followed by Spain, Namibia and Zambia after their change to
democracy. Another possibility is the *judicial prosecution* of the old regime perpetrators, as has happened in the Nuremberg trials after the Second World War and in the tribunals following the Serbo-Croatian war and the Rwandan genocide. The ruling government can also establish its *own commission of inquiry* to investigate abuses of human rights. This is usually carried out by governments that remain in power after the violations took place, such as in Zimbabwe in 1985, in Uganda in 1974 or in Israel in 1983. A fourth option is to set up a *truth commission*, usually initiated by the new democratic government and by the civil society. According to Hayner (2001: 9) about twenty countries have established such a commission over the past twenty years. Most of these initiatives took place in South American countries (Argentina, Bolivia, Uruguay, Chile), but also in countries as diverse as Chad, Nepal, Sri Lanka and Uganda. Finally, also a *mixed approach* is possible, where the above-mentioned options are combined (this happened for example in Romania, in Italy after 1945 and in Surinam in 1996).

In all of these cases, the implied goal is to enable social tolerance and to ensure political stability and justice. It is impossible to prescribe a specific approach for a specific country. Everything depends on the socio-political system of the country at stake, on the extent and time-span of the abuses, on the level of dividedness of the population, on the way in which the non-democratic regime was removed, etc. (Liebenberg & Zegeye, 1998: 543).

In South Africa, three options for dealing with apartheid seemed to be open by 1992. The perpetrators could either be prosecuted judicially (this judicial process could be instigated by the international community such as in the Nuremberg trials, or formal legal processes could take place nationally), they could be granted general amnesty, or a truth commission could be established (Liebenberg, 1996: 129). Although favoured by some members of the ANC and the Pan-Africanist Congress (PAC), judicial prosecutions were deemed unsuitable for a number of different reasons. Unlike Nazi Germany the apartheid government had not been defeated militarily; instead, it had entered the negotiations process after a political stalemate. In addition, a judicial process mainly focuses on the perpetrators of past violations, while the victims seem to be ignored. The negotiating parties agreed that in South Africa especially the victims should be given attention and this could not be effectuated by means of court cases. Another problem was that in judicial circles a lot of apartheid officials still remained in positions of
authority after 1994 and this would make it very difficult to get the apartheid perpetrators convicted. The fact that many apartheid officials had not been dismissed after 1994 was the result of one of the compromises between the ANC and the National Party (NP) during the negotiations preceding democracy. It would also be hard to sentence apartheid officials since there was not a lot of factual evidence available. One of the reasons was that the apartheid government had systematically destroyed evidence, especially after 1990, when the transition to democracy seemed irreversible. Instigating court cases against apartheid perpetrators would be extremely expensive as well, it would only reach a few perpetrators and most of the ordinary South Africans would remain outside the trial process (Asmal et al. 1997: 19). One of the most dominant factors to reject court cases, though, was that the NP would never have agreed to continue with the negotiations without the guarantee of a kind of amnesty process. Apartheid officials were only prepared to surrender power once a TRC process had promised them that they were not going to be prosecuted and that they would be able to largely continue living their lives the way they did (Tutu 1999b: 23). Dullah Omar, one of the ANC negotiators, simply explained that “without the amnesty provision, there would have been no political settlement” (Graybill, 2002: 59). To bring the NP on board, concessions were necessary and amnesty was a compromise the ANC was forced to strike because it came to power through a negotiated settlement.

To grant general amnesty to all perpetrators of apartheid was an option preferred by members of the former government and the security services. This possibility was unacceptable to the ANC, because in this way no justice would be done to the victims of apartheid. Some members of the liberation movements - and then especially of the military wings of these liberation movements, Umkhonto we Sizwe (MK) and the Azanian People’s Liberation Army (APLA) - did favour general amnesty, but only for freedom fighters (Mphahlele 2003: 9). This option was not even considered because it was entirely rejected by the NP. Moreover, general amnesty would not solve the existing feelings of frustration and dissatisfaction between different groups in society – reference is sometimes made to the general amnesty granted after the Anglo-Boer War in 1902, an amnesty process that resulted in ever-lasting frictions between the South African Afrikaners and the British (Tutu 1999b: 30).
The negotiating parties finally decided to establish a truth commission, which would serve as a kind of ‘moral tribunal’ to deal with the apartheid past (Liebenberg 1996: 129). Spurred by archbishop Tutu the term ‘truth commission’ was soon changed into ‘truth and reconciliation commission’. In this way it was emphasised that promoting national reconciliation would be one of the main objectives of the TRC.

2.3. The South African Truth and Reconciliation Commission

Hayner (2001: 14) uses the term ‘truth commission’ to refer to institutions that share the following characteristics: (1) truth commissions focus on the past; (2) they investigate a pattern of abuses over a period of time, rather than a specific event; (3) a truth commission is a temporary body, typically in operation for six months to two years, and completing its work with the submission of a report; and (4) these commissions are officially sanctioned, authorised and empowered by the state.

According to Hayner, at least twenty-one official truth commission have been established around the world since 1974, though they have gone by many different names. There have been ‘commissions on the disappeared’ in Argentina, Uganda and Sri Lanka; ‘truth and justice commissions’ in Haiti and Ecuador; a ‘historical clarification commission’ in Guatemala; and ‘truth and reconciliation commissions’ in South Africa and Chile. While these various institutions have much in common, their specific mandates and powers have differed considerably, in order to reflect the needs and the socio-political realities of each country (Hayner, 2001: 15).

The South African TRC was called into existence in the Promotion of National Unity and Reconciliation Act No 34 of 1995. This Act provided the framework within which the establishment and mandate of the Commission had to be understood. The mandate of the Commission, as set out in the TRC Act, was very ambitious. The Act identified that the TRC was to “promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past by

- establishing as complete a picture as possible of the causes, nature and extent of the gross violations of human rights which were committed during the period from the 1st of March 1960 to the 5th of December 1993;
- facilitating the granting of amnesty to persons who make full disclosure of all the relevant facts relating to acts associated with a political objective and comply with the requirements of this Act;
- establishing and making known the fate or whereabouts of victims and restoring the human and civil dignity of such victims by granting them an opportunity to relate their own accounts of the violations of which they are the victims, and by recommending reparation measures in respect of them;
- compiling a report providing as comprehensive an account as possible of the activities and findings of the Commission contemplated in paragraphs (a), (b) and (c), and which contains recommendations of measures to prevent the future violations of human rights” (TRC Report, 1998, 1/4: 54).

The TRC was seen as a bridge-building process between a past of injustice, discrimination and intolerance and a future founded on the recognition of human rights, democracy and equality. One of the main tasks of the Commission was to uncover as much as possible of the truth about past gross violations of human rights; it was believed that this task would be necessary for the promotion of reconciliation and national unity.

The TRC was to be understood in the context of a number of other instruments aimed at the promotion of democracy in South Africa, such as the Land Claims Court, the Constitutional Court and the Human Rights, Gender and Youth Commissions. As was made explicit in the TRC Report, also the government, civil society and even ordinary citizens had to play a role in achieving national unity and reconciliation. The TRC realised that South Africa would need to continue to work towards unity and reconciliation long after the closure of the Commission and it was acknowledged that the Commission could only be the start of a long reconciliation process (TRC Report, 1998, 1/4: 48).

Crucial for the functioning of the TRC and its ultimate success was the selection of commissioners. The appointment of commissioners followed a very democratic and transparent pattern. President Mandela decided that he would not personally nominate and appoint the Commission, but instead he would ask a specially appointed committee to draw up a shortlist. This committee consisted of members of parliament and some members of the NGO community, and it was chaired by a legal advisor to the President.
In a next step, a lot of organisations, political parties, churches and individuals were invited to nominate people to serve on the Commission. In the end, 299 nominations were received. The committee then made a first selection, public hearings were held and finally the committee sent twenty-five names to the President. People who were selected had to be capable of passing judgement impartially, they did not have an explicit political profile and they were no potential amnesty applicants. In consultation with his Cabinet President Mandela selected fifteen commissioners of this list of twenty-five (Boraine, 2000c: 71). He also added two new names in order to increase the representativeness of the Commission (Shea, 2000: 25). The final group was extremely diverse: Black, Brown, White and Indian, old and young, jurists, ministers, writers, academics, doctors and parliamentarians, people who had been on different sides of the struggle, representatives of all main religions in the country (Meiring, 1999: 14). According to Krog (1998a: 36) the final list of TRC commissioners was fairly predictable: the Afrikaner members were Wynand Malan and Chris de Jager, the English-speaking members were Alex Boraine, Mary Burton, Wendy Orr and Richard Lyster, the Indian members were Fazel Randera and Yasmin Sooka, and the Coloured members were Denzil Potgieter and Glenda Wildschut. The selected Black commissioners consisted of Dumisa Ntsebeza, Bongani Finca and Khoza Mgojo on the male side, and of Mapule Ramashala, Hlengiwe Mkhize and Sisi Khampepe on the female side. Archbishop Tutu was appointed as the chairperson of the TRC and the Methodist minister Alex Boraine became the deputy chairperson. Although members of the Commission came from each of the apartheid race categories, it is important to notice that the South African languages were not as well represented.

In addition to the commissioners, the TRC Act also allowed for the appointment of additional committee members to serve on the Human Rights Violations and Reparation and Rehabilitation Committees. These committee members had to assist the commissioners and they had to ensure that the membership of the Committees was representative in terms of race, gender and geographical origin (TRC Report, 1998, 1/6: 137).

Apart from the selection of the commissioners, it was also important for the TRC to be granted sufficient resources in order to be operational. On a financial level the TRC had 196 million Rand at its disposal - 165 million allocated by the South African government.
and 31 million coming from foreign gifts. In addition, 400 staff members worked for the Commission, either to carry out investigations regarding past human rights abuses, or to deal with the administrative matters of the TRC (Eyskens, 2001: 26). At the second meeting of the Commission in January 1996, it was agreed that the national office would be at 106 Adderley Street in Cape Town. To structure and coordinate the proceedings of the Commission, four regional centres were established in Cape Town, Durban, East London and Johannesburg. Each of these regional centres was led by a commissioner (TRC Report, 1998, 1/3: 45).

2.4. The TRC ready for operation

The TRC officially took off in December 1995 and according to the TRC Act it was given eighteen months to finish its work. The Commission consisted of three subcommittees: the Human Rights Violations Committee, the Amnesty Committee and the Committee on Reparation and Rehabilitation. In addition, the Commission retained a permanent Investigation Unit as an integral component. The Investigation Unit consisted of a staff of approximately fifty people and it was led by commissioner Ntsebeza. In a first phase, the Investigation Unit was required to provide an investigative service to the Commission's subcommittees (especially the Human Rights Violations Committee and the Amnesty Committee) and to initiate independent investigations as determined by the Commission. In a second phase, the Investigation Unit had to corroborate claims made by victims or witnesses in their statements or submissions to the other Committees (TRC Report, 1998, 1/11: 331). Although the Investigation Unit was considered to be one of the four keystones of the TRC, it was especially the three Committees that attracted most attention.

2.4.1. The Human Rights Violations Committee

The Human Rights Violations Committee (HRVC) was one of the most important components of the TRC. It was especially the media that brought this Committee to the attention of the national and international public; in this way the HRVC became the public face of the TRC.

The duties and functions of the HRVC were clearly stipulated in section 14 of the TRC Act. With reference to gross violations of human rights the Committee was mandated,
amongst other things, to enquire into systematic patterns of abuse, to try to identify motives and perspectives, to establish the identity of individual and institutional perpetrators and to designate accountability for gross human rights violations (TRC Report, 1998, 1/10: 267). According to the TRC Act ‘gross violation of human rights’ referred to “the violation of human rights through the killing, abduction, torture or severe ill-treatment of any person” (TRC Act, article ix).

The HRVC was made up of ten commissioners and ten committee members. The commissioners were:

Archbishop Desmond Tutu (Chairperson, Cape Town)
Ms Yasmin Sooka (Vice-Chairperson, Johannesburg)
Mr Wynand Malan (Vice-Chairperson, Johannesburg).
Dr Alex Boraine (Cape Town)
Ms Mary Burton (Cape Town)
The Revd Bongani Finca (East London)
Mr Richard Lyster (Durban)
Mr Dumisa Ntsebeza (Cape Town)
Adv Denzil Potgieter (Cape Town).
Dr Fazel Randera (Johannesburg)

The Human Rights Violations Committee members were:

Dr Russell Ally (Johannesburg)
Ms June Crichton (East London)
Mr Mdu Dlamini (Durban)
Ms Virginia GcabaShe (Durban)
Ms Pumla Gobodo-Madikezela (Cape Town)
Mr Ilan Lax (Durban)
Mr Hugh Lewin (Johannesburg)
Ms Judith 'Tiny' Maya (East London)
Ms Motho Mosuhli (East London)

2 The regional offices in which these people were located are indicated between brackets.
3 In this text, the terms ‘commissioner’ and ‘committee member’ will be used interchangeably. Usually, the term ‘commissioner’ will be used, for the sake of clarity and because also in the HRV transcriptions only this term is used.
The HRVC had a number of duties, among which setting up public awareness initiatives to communicate the mandate of the Commission to the wider population and contacting various structures and organisations to encourage individuals to appear before the Commission. Two of their most important tasks were to initiate the statement taking process and to organise public hearings.

The taking of statements developed along a number of phases. Statement takers were recruited, trained and then sent out to record oral testimonies of apartheid victims. This happened in close cooperation with local organisations; especially social and religious institutions helped to inform people about the TRC and they encouraged individuals to give statements to the TRC. These statement takers tried to reach as many people as possible both in the rural and the urban areas. People could also approach the Commission on their own initiative by going to one of the branches of the TRC to submit a statement. In this way, the HRVC gathered close to 22,000 statements, covering 37,000 violations - this is more than any other truth commission had achieved so far (Graybill, 2002: 8). The statements were then corroborated, verified and processed by means of an electronic database (TRC Report, 1998, 1/10: 282).

The HRVC was also in charge of organising public hearings. In each of the regions the Human Rights Violations Committee selected a number of statements for public hearing. About 10% (1819 more precisely) of the victims who gave written statements were selected to appear at the public hearings (Kgalema & van der Merwe, 2003: 2). In selecting the testifiers a number of criteria were taken into account. Their stories should be representative for the experiences of many people in the region, they should be able to resist the pressure and stress such a public hearing brought about, and they should be able to express their ideas straightforwardly (TRC Report, 1998, 5/1: 5; Buur, 2000a: 159).

4 Tiny Maya resigned from the Commission at the end of 1997 and she was replaced by Motho Mosuhli.
At these victim hearings a lot of attention was paid to the individual personae of the victims. Simultaneous interpreting services were set up in order to allow people to testify in the language they preferred and psycho-social support was provided for the testifying victims and their families – for instance, during their testimonies victims were constantly assisted by 'briefers', staff members of the TRC who had been trained in order to psychologically support survivors of human rights violations.

Apart from the public victim hearings, the HRVC also held theme hearings and institutional hearings. Theme hearings were hosted with the aim of understanding patterns of abuse and motives of gross human rights violations. Although the focus was on victims as well, their testimonies were important on a group level rather than on an individual level. Amongst others, theme hearings were held on women, on youth and children, on the issue of military service, and on a couple of well-known criminal offences – such as the Soweto 1976 uprising, the killing of the ‘Guguletu Seven’, the Bisho massacre or the ‘Trojan horse’ incident in Cape Town (TRC Report, 1998, 1/10: 280).

Institutional hearings focused primarily on organisations as opposed to individuals within those organisations. The idea behind the institutional hearings was to gather information on the role of certain institutions under apartheid. These hearings examined the prison system, the media, the legal system, the role of business during apartheid, the health care sector, the faith communities, the state security system, the role of the armed forces, and the involvement of the former state in chemical and biological warfare. In each of these hearings representatives of the institution at stake came forward to talk about the way their institution had functioned during the apartheid era (TRC Report, 1998, 1/10: 280). Some of these hearings were quite successful, like the hearings on the health care sector; others were disappointing, like the hearings in which the legal sector was scrutinised (Dyzenhaus, 1998).

The first HRV public hearing took place in East London, on the 15th of April 1996. From then onwards, hearings were organised all over the country in locations as diverse as local churches, town halls and schools. All in all, almost 90 hearings took place in over 63 places; the last public victim hearings took place in Cape Town in May 1997, and the last special hearings in June 1998 (Meiring, 1999: 380). The national as well as the
international media devoted a lot of attention to the hearings of the HRVC. They were covered in newspaper articles daily; over the radio people could listen to live recordings of the hearings; the HRVC was a recurring item on the news, and special television programmes of these victim hearings were broadcast weekly (Wilson, 2001a: 21).

The Committee on Human Rights Violations has been one of the most impressive aspects of the TRC. Hundreds of apartheid victims were given a voice and were offered a platform to talk about their experiences in the past. These testimonies revealed the extent to which apartheid has had a pernicious influence on the daily lives of many South Africans. In a later paragraph attention will be paid to some of the positive and negative features of this Committee, features that will be crucial for the overall understanding of the TRC process.

2.4.2. The Amnesty Committee

In many other countries where truth commissions have been established, the amnesty procedure was often a separate legal mechanism (see Hayner 2001). In South Africa, however, the Amnesty Committee (AC) was an integral part of the TRC. The Commission was allowed, though, to decide independently who was going to be granted amnesty.

The primary function of the AC was to consider applications for amnesty that were made in accordance with the provisions of the TRC Act. Following the Act, the AC consisted initially of a chairperson, a vice-chairperson and three other members; these members had to be South African citizens, they should be appropriately qualified and they should be representative of the South African community. Because of the heavy workload, the number of additional members was increased twice in order to complete the process in the shortest possible time. On the 27th of June 1997, an amendment to the Act increased the number of committee members to eleven, and on the 10th of December 1997, a further amendment increased the number to a chairperson, a vice-chairperson and seventeen members. The full Committee included six High Court judges, eight advocates and five attorneys, and its national office was based in Cape Town (TRC Report, 1998, 1/10: 266).
The final date for the submission of applications was midnight on the 30th of September 1997 and the total number of applications received before the deadline was 7127 (TRC Report, 1998, 1/10: 266). In a first phase, only few people applied for amnesty, but as time went by, more apartheid perpetrators came forward to ask for pardon from the AC (Boraine, 2000c: 122). Especially after some heavyweight members of the security forces and the liberation movements had come forward the number of amnesty applicants increased – mostly because people were implicated in earlier applications and were afraid of prosecution if they were not going to appear before the TRC. In the final two months before the deadline, about 1000 people applied. Out of the 7127 amnesty applications, approximately 3000 came from people already convicted of crimes and serving sentences. Few applications came from members of the National Party, the Inkatha Freedom Party and the former South African Defence Force; the majority of applicants were members of the liberation movements or of the former South African Police (Graybill, 2002: 67).

Most of the applicants - 5392 - were refused amnesty. There were indeed a number of strict criteria to comply with before amnesty could be granted. Initially, applicants could apply for amnesty in respect of any offence committed between the 1st of March 1960 and the 6th of December 1993. This cut-off date was later extended to the 10th of May 1994. In addition, the criminal act had to be associated with a political motive. This meant that offences committed for personal gain, or out of personal malice, ill will or hatred were not eligible for amnesty (Hayner, 2001: 43). The criteria according to which the Amnesty Committee decided whether the act was associated with a political objective were based on the so-called Norgaard principles. In 1990, these guidelines had been established by the Danish professor Norgaard, president of the European Commission on Human Rights, and this in relation to settling the problem of political prisoners in Namibia. Following these principles, some major factors to decide whether a crime was a political offence had to do with the motive of the crime, the nature of the political objective, the circumstances in which the offence was committed, etc. (Pienaar, 1995: 460).

Most importantly, though, in order to qualify for amnesty, applicants had to make full disclosure of their crimes. This also included revealing who had ordered the offence. Finally the AC took into account the proportionality of the crime as well, by trying to find out whether the crime was proportional to its motives. The amnesty applicants were
not required to show remorse when confessing their human rights violations. This was decided because one was afraid that making apologising required would lead to many insincere declarations of remorse. When amnesty was granted, applicants were to be immune in respect of all civil and criminal liability. In addition, the facts and revelations made known at the hearings of the AC could never be used as evidence against the accused before a court of law. If amnesty was refused, the accused ran the risk of being prosecuted in the future (TRC Report, 1998, 1/5: 123).

Not all of the amnesty applications could be dealt with in public hearings; the AC did not have enough time to do so. Applications were divided in three groups: ‘hearable matters’ (those applications involving gross human rights violations and requiring a public hearing), ‘chamber matters’ (applications involving violations of human rights which were not ‘gross’ as defined by the Act and which did not require a public hearing – they were considered by the AC in chambers), and ‘possible refusals’ (applications that, at least superficially, did not qualify for amnesty in terms of the Act – these applications first had to be corroborated by the Investigation Unit) (TRC Report, 1998, 1/10: 269; Eyskens, 2001: 31; Wilson, 2001a: 23). The public amnesty hearings lasted from the 20th of May 1996 till the 20th of July 1998. The activities of the TRC were suspended on the 29th of October 1998, but the Amnesty Committee was authorised to continue until it had completed its work – the President dissolved the Amnesty Committee with effect from the 31st of May 2001 (TRC Report, 2003, 6/1: 18).

Although this conditional granting of amnesty was unique in the history of truth commissions, the South African amnesty process was often regarded as very controversial. This will become clear in a later paragraph.

2.4.3. The Reparation and Rehabilitation Committee

The TRC Act gave a large number of responsibilities to the Committee on Reparation and Rehabilitation (RRC). Amongst others this Committee had to consider matters referred to it by the Human Rights Violations Committee and the Amnesty Committee; it had to gather evidence relating to the identity, fate and whereabouts of victims, and the nature and extent of the harm suffered by them; and it had to make recommendations to the President on measures for reparation and rehabilitation of victims and on measures
to be taken to restore the human and civil dignity of victims – these recommendations could include urgent measures on reparation to victims or they could refer to the establishment of institutions to create a stable society and to measures to be taken in order to prevent future human rights violations (TRC Report, 1998, 1/10: 284). The Committee was also involved in planning, preparing and conducting different hearings held throughout the country. Some of the event hearings (for example, the children and youth hearings) were the specific responsibility of the RRC.

The RRC consisted of five commissioners and five committee members and its head offices were located in Johannesburg. The duties of the RRC were difficult, because very soon it got confronted with a couple of problems. In fact, it was not clear at all who would qualify for reparations and what these reparations would consist of.

In the course of the hearings of the Committee for Human Rights Violations, it became clear that the requests of some victims were quite modest. People sometimes asked for a memorial or a tombstone for their dead family members. Others wanted their deceased loved one to be exonerated, after he or she had been wrongly branded as a collaborator of the apartheid regime. Some victims however, expected financial compensations and that was quite a problem for the Committee. The TRC did not have enough financial means at its disposal to financially compensate those victims. It could only formulate noncommittal recommendations, but the final decision lay in the hands of the government.

Since individual compensations would be difficult to realise, a lot of attention was paid to collective or symbolic reparations. Collective reparations included the improvement of infrastructure, medical care or education facilities in certain local communities. Building monuments, issuing death certificates, organising ceremonial reburials, or renaming streets, schools and buildings after fallen heroes were referred to as symbolic reparations (TRC Report, 1998, 5/5: 187).

This Committee for Reparation and Rehabilitation has been the least successful of the three TRC Committees, the main reason being that the existing expectations with regard to this Committee have not always been fulfilled (see later).
2.4.4. The TRC as a unique and favourable phenomenon

Before dealing with a number of positive features of the TRC, it is important to first say something about its uniqueness. Compared to truth commissions in other countries, the South African TRC was quite a unique institution. One such a unique aspect was that the TRC provided for individual amnesty while no blanket amnesty was granted. Amnesty was only granted if certain well-described criteria were met. It was thus a conditional amnesty, which was more often refused than actually carried out (Verwoerd, 1996; Werle, 1996; Theissen, 1998; Slye, 2000a; Boraine, 2003).

Also in contrast with other truth commissions, the TRC was the result of a parliamentary law. In other countries truth commissions were sometimes appointed by the President, so they were not established in as democratic a manner as in South Africa. A related feature was the transparency of the South African TRC. A lot of the hearings were public, which was not often the case in other countries. The commissioners were selected in a very democratic way, with not only the involvement of the President and his Cabinet, but also with the cooperation of civil institutions and ordinary individuals. The media as well devoted a huge amount of attention to the proceedings of the Commission. As a result, the TRC was exposed to a lot of criticism, on a national as well as on an international level.

Another element was that the TRC had impressive powers of subpoena, search and seizure. The Commission had the right to subpoena witnesses, who could be prosecuted if they refused to comply. The Investigation Unit of the TRC was allowed to consult all archives and documents it deemed necessary, also official documents that had so far been kept secret. This greatly promoted the investigation of past abuses and the uncovering of the truth (Rotberg & Thompson, 2000: 146). The South African hearings also included aspects of enquiry not seen elsewhere: for example, the institutional and special hearings. The TRC was the first to create a witness protection programme. This strengthened its investigative powers and allowed witnesses to come forward with information they feared might put them at risk.

Finally, the South African Commission was several times larger in terms of staff and budget than any commission before it (TRC Report, 1998, 1/4: 54).
The TRC was clearly unique in a number of respects and many critics are convinced that the Commission has been a crucial initiative with an eye to the future of South Africa. Many articles, books and dissertations have tried to explain the favourable characteristics of the TRC in comparison to truth commissions in other countries. Let me highlight some of these positive features.

According to a number of scholars (amongst others Minow, 1998: 331 and Mooney, 1998: 215) a first positive achievement of the TRC took place on a personal level. For many victims telling about their suffering under apartheid was a psychologically very important and healing experience (Govender, 1998; Fourie, 1999; Rakate, 1999). It was often extremely difficult to relive the past, but most people were very relieved after having opened their hearts to the Commission. By telling their stories, victims realised that their suffering had not been a private matter, but that it had been part of a social experience in which millions of people played a role. In this way it became easier for them to deal with the past trauma and with the powerlessness and humiliations they had been confronted with for so many decades (Minow, 1998: 67). For many of the victims it was not only important mentally to tell their personal stories, but also to hear the truth from the mouth of the perpetrators. For many years they had been kept in the dark concerning the whereabouts of their loved ones and they were often relieved to finally learn the truth (Goodman, 1999: 181).

The disclosure of ‘the truth’ was clearly one of the aspects of the TRC highly valued by many victims (see also the research carried out by the Centre for the Study of Violence and Reconciliation in Johannesburg in 2001 as reported in for example Chapman, 2003a, 2003b; Kgalema & van der Merwe, 2003; Phakathi & van der Merwe, 2003 and Picker, 2003). Especially, it was important that everybody in South Africa had been obliged to confront the terrible past. For many months South African society was flooded with information about the TRC. Each and every day the written as well as the spoken media devoted attention to the proceedings of the Commission, through special programmes and through live broadcasts. Children were given special courses on the TRC at school and many civil society associations or church groups set up information sessions. No one in South Africa – and beyond – could deny the apartheid past anymore, and this was psychologically very significant for many of the victims. For the first time in their lives, their suffering got acknowledged and they felt respected and valued by society. Many of
them had wanted the world to know about the past and therefore they greatly appreciated the opportunity given to them to tell their stories in public.

Because of the TRC, a collective and institutionalised memory was created, a memory of the past in which the gruesome details were revealed and which had to be accepted by the national and international community (Christie, 2000: 57). The TRC established an archive on South Africa’s past and, according to Derrida (2002: 48) this archive is bound to have an impact on the entire world.

Besides the revelation of a certain amount of truth, some scholars are convinced that also the second component of the TRC – the reconciliation part – has been a success. Many scholars argue that the aim of the TRC was not to achieve reconciliation, but rather to start a process of reconciliation (Godobo-Madikizela, 1997; Parlevliet, 1998a; Mxolisi, 2000; Villa-Vicencio & Verwoerd, 2000). A number of critics are convinced that this aim has been reached (Meiring, 1999; Tutu, 1999b; Boraine, 2000c; Gibson, 2004). According to them South Africans have started to listen to each other, since the TRC brought about a culture of debate and open discussion. In this way, people will start to get to know each other better and this might be the start of a more reconciled society. Some recent surveys from the Institute for Justice and Reconciliation in Cape Town indicate that parts of the South African population seem to have a positive attitude towards reconciliation and forgiveness indeed (IJR, 2004). According to the advocates of the TRC, the Commission played an important role in achieving this general attitude (Botman, 1997; Frost, 1998; Hay, 1998).

At the Human Rights Violations hearings, victims sometimes expressed individual feelings of reconciliation or forgiveness. At the Amnesty hearings, encounters between victims and perpetrators took place and also there the audience could witness some amazing moments of reconciliation (see Tutu, 1999b: 120). Some examples are listed in the IJR Report (2004), for instance the amnesty hearing where Ginn Fourie offered to forgive the APLA members responsible for the Heidelberg Tavern attack in which her daughter Lyndi was fatally wounded, and the amnesty hearing where three applicants responsible for the attack on the St James church – leaving 11 people dead and 60 wounded – shook hands with seventeen of the victims. Also outside of the hearings there were instances of reconciliation as a result of the proceedings of the TRC. For examples

These individual instances of reconciliation were often the result of the actual encounters between victims and perpetrators. A number of victims stated that the opportunity to meet the person who committed the human rights violation was one of the major benefits of the TRC (Picker 2003: 18). Being able to encounter the perpetrator within the settings of the TRC (so under altered conditions of power and powerlessness) could contribute to restore a sense of justice. This meeting could remain merely on the level of a factual (physical) encounter, but it could also turn into an encounter between two human beings. By listening to the stories of the perpetrator, the victim could start to realise that this person who had committed such terrible crimes was also a human being with a family life, with emotions and with motivations. The perpetrator on his side could be convinced that the victim was just an ordinary person as well, whose humanity and dignity he had formerly denied. Such an understanding of mutual humanity sometimes laid the basis for feelings of reconciliation (Zehr, 1997; Picker, 2003: 19). Also the fact that the confessions of perpetrators took place in public could have stimulated the reconciliation process. According to Norvall (1999: 511) reconciliation would never have been established so easily after individual approaches or private confessions.

Some critics are convinced that the TRC did not only establish precious moments of individual reconciliation, but that also on a national level a certain kind of reconciliation was brought about. According to these scholars, this would be the case because through the establishment of a collective memory the TRC succeeded in achieving national unity (see Asmal, Asmal & Roberts, 1997: 121; Lapsley, 1998: 750 and Minow, 1998: 345). In earlier times, these authors argue, black and white South Africans regarded each other as two distinct groups who happened to live together in the same country. After the proceedings of the TRC they saw each other as civilians of South Africa who were obliged to work together in order to build a new nation. The revelations of the TRC showed that each and every South African had a history in common, a history that could no longer be neglected and that brought about solidarity and feelings of togetherness. Day after day South Africans got confronted with their collective history and this could have created the beginning of a national consciousness. According to some
commentators therefore, the biggest achievement of the truth commission is its contribution to the building of a South African nation.

The Commission also became the symbol of openness in South Africa. It demonstrated that democracy, transparency and freedom of speech were cherished values in the new South Africa and that people now had the opportunity to openly express their opinions. These features were very important for the credibility of the new government, both nationally and internationally (Henderson 2000: 465).

The TRC was important morally as well. It highlighted the strength of the human spirit and its struggle to survive, which instilled in the minds of especially black South Africans feelings of pride and self-esteem (Lapsley, 1998: 746). These feelings of pride and self-awareness were enhanced by the media attention. Victims realised that their words would be heard all over the world and that by recounting their stories they could have an impact on the identity formation of many individuals (Minow, 1998: 68).

Finally, the TRC is often considered as an ideal example of the so-called ‘restorative justice’ (Carnegie Council, 1999; Llewellyn & Howse, 1999; van Zyl, 1999; Villa-Vicencio, 2000b). The basic aspect of this kind of justice is not to achieve individual satisfaction or compensation, but to establish equality, humanity and respect among members of a society. Restorative justice is about restoring victims, offenders and communities, so according to some critics it is an ideal way to address issues of justice in transitional contexts. Because of the advantages of restorative justice, a number of scholars are convinced that the TRC brought justice to the victims (Chapman, 1999; Duvenage, 1999; Ndebele, 1999; Rakate, 1999; Allen, 2001). They claim that the TRC tried to pay tribute to the victims and that justice was also achieved through the perpetrator's shame of public exposure and through the reparation policy (Ndebele, 1999; McGregor, 2001). Therefore, according to archbishop Tutu (1999b), the chairman of the TRC, the South African model could be adapted and then implemented in conflict situations all over the world, such as Congo, Angola, Sudan or the Middle East (see also Derrida, 1999: 129).

2.4.5. Negative critiques on the TRC

A negative aspect often brought up is that the TRC was a time consuming and very expensive phenomenon. During the TRC years more than 150 public hearings took
place, about 21,500 victim statements had to be processed and some 7200 amnesty applications had to be considered (Meiring, 1999: 370). All this took a lot of time, money and energy and some critics wondered whether this money could not have been used more productively – for example to materially improve the lives of many victims or to fight the current problem of criminality (Eyskens, 2001).

Right from the start the TRC was criticised severely by a number of political parties. The National Party and the Inkatha Freedom Party, for example, were convinced that the TRC was merely an instrument in the hands of the ANC and that its decisions were biased. They claimed that the TRC did not fully investigate the ANC gross human rights violations and that it brought about a view on the past favourable to the ANC. According to some critics, indeed, the TRC was politicised through the selection of commissioners - they said that the majority of the appointed commissioners could be considered as pro-ANC -, through the amnesty process and through the controversies on reparations and prosecutions (Seremane, 1997: 46; Robins, 1998b: 11; Shea, 2000; Cleveland, 2002: 14).

Especially white South Africans were convinced that the TRC was partial and that its proceedings would result in a witch-hunt against the white population of the country. They claimed that the Commission was one-sided and prejudiced and that the TRC favoured black victims, ignored black violence and idealised the ‘rainbow nation’. Some white authors even argued that the TRC was anti-Afrikaners, anti-Afrikaans and even anti-white (Roodt, 2000).

Very striking, though, also the ANC was dissatisfied with the decisions taken by the TRC. The Commission intentionally tried to be neutral by considering as gross human rights violations both the crimes committed by the apartheid regime and the crimes committed by the liberation movements. The ANC did not agree at all, since it claimed to have waged a just war against an unjust regime. Therefore, the human rights violations on both sides could not be equated. The Commission however, drew a distinction between a ‘just war’ and ‘just means’. It maintained that the liberation movements had indeed waged a just war, but that they had used unjust means. In its findings the TRC thus stated that the ANC, the PAC, the MK and APLA “committed gross violations of human rights in the course of their political activities and armed struggles, for which they
are morally and politically accountable” (TRC Report, 1998, 5/6: 238). The ANC did not accept these findings; it even castigated the TRC report after its release in October 1998. During a parliamentary debate on the 25th of February 1999 then Deputy President Thabo Mbeki made the following statement:

“...One of the central matters at issue was, and remains, the erroneous determination of various actions of our liberation movement as gross violations of human rights, including the general implication that any and all military activity which results in the loss of civilian lives constitutes a gross violation of human rights…We cannot accept such a conclusion…” (Hansard February 5 - March 26, 1999).

The fact, though, that the TRC made accusatory findings against all parties to the conflict made it seem as if the Commission had really been even-handed in its judgements (Boraine, 2000c: 231; Cherry, 2000: 6).

A second major form of critique came from a number of apartheid victims who were convinced that the TRC process was unjust. Perpetrators who appeared before the TRC and who met the criteria in order to be granted amnesty were acquitted from any civil or criminal liability. These individual perpetrators had to confess their crimes in public, which turned out to be a very difficult task on a psychological and a social level. The granting of amnesty was not guaranteed either and perpetrators who did not come forward could still be prosecuted.

Nevertheless, a lot of apartheid victims were convinced that the TRC process was perpetrator-friendly and that real justice solely involved the judicial prosecution and punishment of perpetrators. Advocates of the TRC process, such as chairperson Tutu and vice-chair Boraine, claimed that the Truth Commission stood for a different kind of justice - restorative justice - which especially emphasised the human dignity of the victims. A number of victims manifestly disagreed with this view and some of them - for example the family of Steve Biko - even challenged the amnesty principle of the TRC before court. They claimed that the amnesty procedure was unconstitutional, since the South African Constitution states that every citizen has the right to seek recourse in the court of law when he or she feels wronged (Motala, 1995; Manda, 1996). The Constitutional Court decided against these victims, on the premises that this conditional amnesty was justified because of the exceptional circumstances in South Africa’s transitional period. It stated that the amnesty process was indispensable in order to establish a peaceful and democratic future in South Africa (Biko, 2000: 195).
According to certain critics the South African amnesty process was also contrary to international regulations. International law stipulates indeed that genocides and crimes against humanity have to be punished and that victims have the right to full investigation and redress, as recognised under UN human rights treaties (Bronkhorst, 1995: 100). In 1984 the UN declared apartheid to be ‘a crime against humanity’ and that is why also Amnesty International did not agree with the amnesty process of the TRC. According to Amnesty International “impunity negates the values of truth and justice and leads to the occurrence of further violations” (Bronkhorst, 1995: 100).

Apart from these legal objections, a lot of victims felt that the TRC robbed them of any sense of personal justice since perpetrators went free, without any moral or material compensation for the victims (Mabry, 1997; du Preez, 1999). In addition, there was only a very slight chance that perpetrators who had not come forward or who had been refused amnesty would be prosecuted in the future – due to the inefficiency of the South African legal system and to the lack of evidence implicating those perpetrators. Victims were also convinced that many perpetrators had only told their version of a certain human rights violation, while they doubted that this version came anywhere near ‘the truth’. Jefferey (2001) states that the testimonies of amnesty applicants were often full of gossip, hearsay, lies and contradictions, so that they did not help the victims to really understand what had happened in the past.

With regard to the truth, a number of commentators wondered to what extent the TRC had actually revealed the truth\(^5\) about the apartheid past. An ‘objective truth’ had definitely not been revealed, since each witness had talked about reality from his or her own personal perspective. A number of critics also dispute the idea that truth is a commodity which can be discovered – it rather has to be constructed on the basis of individual experiences (Caruth, 1995; Adam, 1997; Henderson, 2000). Especially because of some practical problems it had been difficult for the TRC to reveal the whole apartheid truth – the main problem being that the old government had destroyed a huge amount of incriminating evidence, especially in the period 1990-1994.

According to the TRC mandate the term ‘gross violations of human rights’ was defined rather narrowly as ‘the violation of human rights through the killing, abduction, torture

\(^5\) I will come back to the notion of ‘truth’ before the TRC in Chapter Five.
or severe ill-treatment of any person’ (TRC Report, 1/4: 59). This meant that the structural evil of apartheid as a system was not taken into account. Millions of South Africans had suffered as a result of discriminating pass laws, forced removals, inferior education, the disruption of family life or daily humiliations. These kinds of oppression were not considered to be ‘gross human rights violations’, so there were not taken into consideration by the TRC (Nattrass, 1999: 373).

Another problem was that thousands of victims had indeed told their stories before the TRC, but that the vast majority of South Africans had not come forward. Especially the response of high-ranking officials was disappointing and if they had come forward, their testimonies had often been unbelievable (Dunn, 1997: 34; Stanley, 2001: 532). People got the impression that minor officials did come forward for fear of prosecution, but that their superiors got away. People like the former Presidents Botha and de Klerk refused to take their responsibilities and this was a huge disappointment to many South Africans (Goodman 1999: 179). Certain political groups, like the Inkatha Freedom Party and the Pan-Africanist Congress also boycotted the Commission.

According to Mamdani (1998; 2000: 61) the TRC only concentrated on the very narrow distinction between one particular kind of ‘perpetrator’ and one particular kind of ‘victim’. Mamdani argues that the vast majority of victims who appeared before the Commission were political activists – so no ‘ordinary people’ (see also Brent Harris, 1998: 26) – and that the majority of perpetrators were apartheid officials. Many apartheid victims, though, had not been activists; they had experienced apartheid as an evil system or they had been indirect victims. The latter was often the case with women whose husbands were active in the struggle against apartheid. If their husbands got arrested or killed it often became extremely difficult for these women to earn a living and to morally support their families. These women did not suffer from ‘gross human rights violations’, but still they had been victims of apartheid.

Mamdani further claims that there were also different kinds of perpetrators in South African society. The TRC only focused on individual perpetrators who had personally committed gross human rights violations. In addition to these people there were millions of South Africans who had never committed human rights violations, but who had taken advantage of apartheid as an economic and social system. This group of people forms
what Mamdani (1997, 1998) calls the ‘beneficiaries’ of apartheid. In the course of the TRC process these people went scot-free, without being obliged to confront the past or to take responsibility. The TRC did attempt to also deal with the ‘beneficiaries’ of apartheid by organising institutional hearings. At these hearings a number of institutions and social groups were called to testify regarding their – passive – complicity in apartheid. Still, a number of critics remain convinced that the TRC should have focussed on a larger segment of the South African population.

By concentrating too much on the dichotomy between victims and perpetrators the TRC was accused of simplifying the apartheid past. The complex network of apartheid was reduced to merely a simple opposition and no attempt was made to analyse the past more subtly. A number of commentators claim therefore, that the TRC only superficially investigated the apartheid past (Pons, 2000; Bell & Ntsebeza, 2001; Jefferey, 2001). The question is whether the Commission had time for a more thorough investigation. The pressure to produce results was strong and this could have prevented more detailed research (Mooney, 1999: 213).

All of these aspects caused critics to argue that the Commission had only revealed a partial truth and definitely not ‘the truth’ about the apartheid past (Chisholm, 1996; Mamdani, 1997; Cose, 1998; Cherry, 2000; Pigou 2003). In the words of Michael Ignatieff (1997: 8): “All that the truth commission could achieve was to reduce the number of lies that can be circulated unchallenged in public discourse.”.

With regard to reconciliation, critics admitted that there had been instances of individual reconciliation during the TRC hearings or as a result of the hearings. Nevertheless, certain people argue, reconciliation is such a personal feeling that it cannot be imposed by an official institution like the TRC (Hamber & Wilson, 1999; Miller, 2001; Stanley, 2001). Reconciliation cannot and must not be achieved by force – and certainly not as a result of a top-down political construction (Bizos, 1998; Frost, 1998; Norval, 1999: 509; Villa-Vicencio, 2003b). It is therefore questionable that individual reconciliation was brought about by the TRC, especially since reconciliation would be enhanced by signals of repentance, by apologies from apartheid leaders, or by white acknowledgement of past wrongdoings – elements that were often lacking during the TRC process (Pauw, 1998; Payne, 1999).
The idea that the TRC had actually been able to establish national reconciliation by creating a certain degree of national unity has been dismissed altogether by quite a lot of people (Hayes, 1998; Eades 1999; Johnstone, 2000; Nyatumba, 2000; Van Zyl Slabbert, 2000; Rigby, 2001; Stanley, 2001). Recent surveys on current day attitudes of South Africans (for example by the Institute for Justice and Reconciliation in Cape Town in 2003) indicate that, although there is a willingness to reconcile, there is still quite a lot of intolerance and racism in the country. Many white South Africans still feel superior to blacks, although they will no longer express their opinions openly. Racial prejudice still prevails in the country, racist feelings from whites towards blacks have remained unchanged and blacks do not feel more sympathetic towards their white compatriots (Jacobs, 2000; IJR, 2004).

Critics claim that not only the attitudes of people have remained the same in South Africa, the same holds true for the material differences between black and white. The economic power remains in the hands of the white population and it is especially black people who are being confronted with poverty, unemployment, criminality and the effects of the HIV epidemic. Many critics are convinced that reconciliation and national unity will never be possible in South Africa without redressing these socio-economic inequalities (Mooney, 1999: 212; Norval, 1999: 541; Orr, 2000b; Terreblanche, 2000; Sooka, 2003; Villa-Vicencio, 2003b). Without concrete improvements in the daily lives of people, they say it is an illusion to speculate about reconciliation and national unity.

The failure to realise material changes in the lives of apartheid victims is often seen as one of the biggest shortcomings of the TRC, and more specifically of the Reparation and Rehabilitation Committee. In the TRC Act provisions were made to grant material compensations to the victims of apartheid – these reparations were to compensate for the amnesty given to some of the apartheid perpetrators and were thus seen as crucial for the reconciliation process. The TRC Act mandated the TRC to “restore the human and civic dignity of victims by recommending reparation measures in respect of them”. Reparations were defined as including “any form of compensation, ex gratia payment, restitution, rehabilitation or recognition” (TRC Report, 1998, 5/5: 174). The RRC was to make recommendations to the President on appropriate measures for reparation and rehabilitation of victims and on measures to be taken to restore the human and civil dignity of victims (TRC Report, 1998, 1/10: 284). Many victims and survivors of human
rights violations expected the TRC to provide monetary reparations for them in exchange for their participation in the hearings. They mostly needed the money to cover medical expenses, to pay for education or to build a house (Picker, 2003: 8).

A first problem regarding this idea was that these reparations could only be recommended to the government by the TRC – they were not brought into effect immediately. The second problem was that the government was not very keen on establishing an effective reparations policy. In its 1998 Report the TRC suggested an annual sum of 500 million Rand to financially compensate the apartheid victims. It proposed that in addition to symbolic reparations - memorials, monuments, reburials, renaming of streets, days of remembrance, etc. - each identified victim would receive an individual grant for a period of six years with a minimum payment of 17.000 Rand per year (Graybill, 2002: 151). In November 1999, the South African parliament announced that the reparation budget would contain 300 million Rand, but in October 2000 only 25 million in interim relief had been distributed to 8000 victims (Streek, 1999). By April 2001 the amount had risen to only 42 million Rand to 13.504 survivors (Graybill, 2002: 150). In April 2003 President Mbeki said that the government would provide a once-off grant of 30.000 Rand to those individuals designated by the TRC (Stoppard, 2003). This offer left many apartheid victims - and also people closely connected to the TRC such as Wendy Orr (2000a) and Zenzile Khoisan (2001) - very disappointed; they had expected a bigger amount of money already many years ago.

In its Final Report (2003, 6/2: 137), the Commission itself also expressed its dissatisfaction with the reparation policy of the government. The Report argues that without reparation and rehabilitation – so an emphasis on justice for victims – the promise of national unity and reconciliation seems to be doomed. The Report quotes Dr. Danieli, director of the Centre for Rehabilitation of Torture Victims in New York, who says that “healing and reparation in South Africa should be prioritised as a cornerstone for transformation beyond the life of the Commission”. In the words of Wole Soyinka: “Reparations, we repeat, serve as a cogent critique of history and thus a potent restraint on its repetition” (TRC Report, 2003, 6/2: 139).

The government had always claimed that the necessary budget to pay reparations was lacking, an assertion that was invalid according to some critics. Hamber (2000), Jenkins,
(2000) and McGreal (2000) argue that the necessary budget is definitely available, but there does not seem to be a political will to pay significant compensations. The government also pointed at other difficulties: who would receive reparations and how much, would reparations have to be material or symbolic, is it not immoral to try to financially compensate people for the loss or torture of loved ones? As a result, reparations kept being retarded and this made a lot of victims feel neglected.

Many scholars are convinced that the government has to implement the reparations recommended by the TRC. Granting reparations is seen as necessary for the future of the entire nation and as an opportunity to restore the moral and social balance in South Africa (Leseka, 2000; Mofokeng & Hamber, 2000).

Although the government was to take responsibility regarding reparations, many victims actually blamed the TRC. Victims who participated in the TRC process felt that the TRC made a promise to them that it failed to keep. They thus felt disappointed and embittered after the proceedings of the TRC (Gibson & Gouws, 1999; Kinnes, 1999). This perception of a failed promise was enforced by the discourse of the commissioners at the HRV hearings. Namely, the commissioners often concluded the hearings by asking: “What can the Commission do to help you?”. This question suggested that it was within the Commission’s ambit and resources to directly respond to the wishes and claims voiced (Picker, 2003: 9).

Some groups also state that the South African government is not supposed to pay the reparations, since the government should not use the people’s money to compensate these same people (Jubilee, 2000: 21). A wealth tax levied on people who had benefited directly or indirectly from apartheid was suggested during the faith hearings and also by spokespersons during the business hearings. Professor Terreblanche of Stellenbosch University recommended that persons with assets over 2 million Rand be taxed 0,5% annually over ten to twenty years, with profits going to apartheid victims. Other people recommended a onetime payment of 1% of market capitalisation for companies listed on the Johannesburg Stock Exchange (Sooka, 2000; Graybill, 2002: 151). None of these suggestions have been brought into practice so far.

A final critical aspect of the truth commission I would like to highlight has to do with its socio-political function. Some scholars argued that the TRC came into existence purely as
The result of a political compromise. Wilson (2001a) for example claims that the TRC was based on a very pragmatic political compromise, solely established to achieve national unity and a human rights culture. He says that the TRC was an example of realpolitik by being too soft on certain political parties and by not well defining its basic concepts like reconciliation and truth. Also Derrida (2002: 52) and Brent Harris (2002: 164) argue that the ‘truth’ revealed by the TRC was politically-oriented, predominantly aimed at creating national unity and reconciliation. This political compromise might have served the nation as a whole. However, it did not take into account the emotions of individual victims. The result was an unequal deal, justified by pragmatic considerations like convenience and nation building. Also the fact that the TRC did not use its power to subpoena certain key figures was part of this political deal (Howe, 1998: 13; Henderson, 1999: 460). This socio-political dimension of the Commission will be referred to extensively in a later chapter.

I have been quite elaborate in discussing the positive and negative features of the TRC. This discussion will turn out to be indispensable in order to grasp the remainder of this work, especially the analysis of the victim testimonies in later chapters. For now, it is important to realise that it is very difficult to be straightforwardly positive or negative about the TRC. Tentatively, we could argue that it was a praiseworthy undertaking, necessary for the future of South Africa. Many of its features, though, could have been improved and some of its anticipated achievements or results turned out to be failures.

2.4.6. Language at the HRV hearings

Since this research involves a discursive analysis of the language used at the HRV hearings, it is necessary to conclude this general chapter with some background information on this highly complex HRV discourse. I will first dwell on the concrete use of language at the HRV hearings; in section 2.4.7 the TRC discourse will be approached from a Foucaultian point of view.

The TRC Act (section 11 (f), chapter 25) stipulates that “appropriate measures shall be taken to allow victims to communicate in the language of their choice” (http://www.doj.gov.za/trc/trc_frameset.htm), which means that right from the start the TRC got confronted with the complexities of South Africa’s multilingualism. The
statements of the victims who appeared before the TRC were taken down in the home language of the victim. These statements were supposed to be translated in English, but according to du Plessis & Wiegand (1997: 15) this was seldom done in practice.

About 10% of the victims who had given statements were then selected to tell their stories in public. Considering the victim-orientedness of the HRV hearings, special attention was paid to ensuring that the victims would feel at ease when testifying. Therefore, the victims were allowed to tell their stories in the languages of their choice, even if these languages fell outside of the eleven official languages of South Africa (TRC Report, 1998, 10/1: 282). In practice, the languages used at the hearings were predominantly some of the eleven official languages.

This multilingual provision demanded the establishment of an extensive interpreting service. The Language Facilitation Programme (LFP) of the University of the Free State was among the agencies that were approached to render this service. They were the ones who assisted the TRC in the training of the interpreters and the management of the interpreting service. The LFP’s team of interpreters covered practically all possible combinations of the eleven official languages; each hearing thus displayed a unique language situation. Never before had such an extensive and continual interpreting service been supplied in South Africa, never before had so many interpreters been trained and employed simultaneously and never before had the different African languages been used so consistently on such a scale in a high status function (du Plessis & Wiegand, 1997: 13). Only between April 1996 and February 1997, a total of 6 981 hours of hearings were interpreted, which resulted in 60.161 typed pages!

The LFP’s agreement with the TRC stipulated that no more than four languages would be used per hearing. For practical reasons, the channels available to listeners at the hearings were standardised as follows:

- Channel 1: Afrikaans (if requested, otherwise the channel was dead)
- Channel 2: English
- Channel 3: dominant language of the region

6 ‘African language’ is a controversial term in current day South Africa. Although the term LOTAE (Language Other Than Afrikaans and English) is claimed to be a better alternative (see du Plessis & Wiegand, 1997), I will use the term ‘African language’ to avoid confusion.
The fact that English service was provided at every hearing is an indication of the TRC’s language policy to use English as the main language of communication. According to a preliminary analysis carried out by du Plessis and Wiegand (1997), an Afrikaans translation service was provided at 64.9% of the hearings. This is a surprisingly high figure, since only a small percentage of the victims spoke Afrikaans. This figure could be attributed to a deliberate symbolic gesture from the side of the Commission: by supplying an Afrikaans interpreting service they tried to get the Afrikaans speakers more involved, which would enhance their favourable feelings towards the TRC. Of the African language services, the Xhosa, Zulu and Sotho services were used the most extensively. Further, the above-mentioned research also suggested that when testifying, the victims preferred their home language, or at least another language of wider communication, to English or Afrikaans. It was claimed, as well, that the few cases where non-English African speakers did prefer to testify in English brought to light the significant status of English in the black community; namely, the so-called upwardly mobile classes usually prefer to speak English (du Plessis & Wiegand, 1997: 22). I will come back extensively to the socio-political or ideological motivations behind the victim’s language choice in the course of the case study analyses.

As elaborated on widely in the field of translation studies, interpreting always involves a reconstruction and a re-composition of the original discourse. According to Walter Benjamin (quoted in Asad, 1993: 189) a translation has to try to “give voice to the intention of the original, not as reproduction, but as harmony, as a supplement to the language in which it expresses itself, as its own kind of intention.” (in Buur, 2000a: 213). Although the term ‘translating’ was given a word-oriented reading at the TRC (Blommaert & Slembruck, 2000: 29) - the interpreters were not supposed to interpret or evaluate the victims’ discourse -, it goes without saying that neutrality or objectivity were out of the question. It lies beyond the scope of this work to talk about the difficulties interpreters encounter when trying to reformulate the intention of the original. However, since the data used for this analysis consist predominantly of translated material, it is useful to give an idea of the problems the interpreters came across at the Human Rights Violations hearings.

Compared to the Amnesty hearings, language at the HRV hearings was more informal and the vocabulary tended to be of a more general nature. The testimonies were often...
heavily charged with emotion and they usually displayed a strong narrative structure. Importantly, the narrative technique could differ considerably from victim to victim: some victims were extremely eloquent and went into great detail when recounting their apartheid experiences; others were hesitant, needed a lot of feedback from the facilitator, or talked very incoherently. The majority of interpreters did not have a lot of experience in simultaneous interpreting and they could be unfamiliar with different language varieties as used during the hearings. Indeed, since the TRC victims came from different regional and social backgrounds and belonged to different age groups, there could be a wide variety of different speech styles. Moreover, the TRC victims were described as ‘ordinary people’ and most of them did not have any experience in public speaking. They thus tended not to take into consideration their rate or volume of speech. Many times, the facilitators had to urge testifiers to speak up or to speak slower, with an eye to the interpreters (du Plessis & Wiegand, 1997).

Many HRV interpreters found their work extremely stressful. They had to listen to horrifying stories for many days in a row and especially to identify with the victims was very demanding emotionally. This emotional component made interpreting at the HRV hearings very difficult. Also the fact that the interpreting booths in many of the venues provided a direct target for the media placed additional pressure on the interpreters – they usually knew that cameras were sometimes aimed at them. Although the debriefing service offered to the commissioners and officials by the TRC was also available to the interpreters, more attention could have been paid to these psychological features in the course of the training period (du Plessis & Wiegand, 1997: 18).

At the TRC, there was also an ongoing debate concerning the interpreting of taboo words and culturally sensitive matters. The testifiers were sometimes very explicit and used crude language when describing scenes of maltreatment. When these words were interpreted literally, according to du Plessis & Wiegand (1997: 19), it sometimes created disturbance among the commissioners. There were therefore requests that interpreters should use ‘civilised’ alternatives.

Finally, it was often difficult for interpreters to find a balance between, on the one hand adhering to the ideal discourse of a positivist translator, and on the other hand the practice of interpretation, where the emotional persona could not be dismissed. The interpreters...
could try to maintain their objective, professional persona, but this desired distance with the victim sometimes collapsed. As Buur (2000a: 231) testifies, interpreters sometimes gave their translated words a particular emotional tone in order to stress a victim’s humanity or mental situation. Although this was against the code of professional conduct, it seemed to be an unavoidable aspect of the HRV interpreting.

The interpreting service was primarily provided for the victims who appeared at the HRV hearings, and not necessarily for the audience – provision was thus made for only 75 listeners per hearings. People who wanted to listen to the translations could make use of headsets. The handling of the headsets was a continual source of difficulties, since it took a while before people got accustomed to the interpreting service (du Plessis & Wiegand, 1997: 15).

It seemed to be a general rule at the TRC that the commissioners tried to communicate in the victims’ own languages – this was possible to a certain extent since the HRV Committee consisted of commissioners from different linguistic groups in South Africa. More often, though, the chair of the hearing or the commissioner who acted as facilitator did not speak any of the languages of the testifying victim. Yasmin Sooka and Denzil Potgieter, for instance, knew both English and Afrikaans, but since the testifiers were mainly non-Afrikaans - African - speakers, they mostly used English. Alex Boraine often functioned as the chair of the hearing and he always spoke English. Also Desmond Tutu, although he sometimes used several languages when opening the hearing, usually spoke English when leading a testifier. This means that even when commissioners and testifiers had a common language, English was sometimes preferred as the language of interaction.

Not only commissioners, but also victims themselves sometimes reverted to English, without this being their mother tongue. As mentioned before, it was indeed the language policy of the TRC to use English as a communication language – although clear efforts were made to value each of the languages spoken by the testifiers. This language policy was manifested in several distinct ways, besides the concrete language practice at the hearings. The Official TRC Website, for instance, solely exists in English. All of the public testimonies given at the TRC are available on this website, but it is only the English discourse - of the testifier, but more often of the interpreter - that was transcribed. Only very rarely some words or sentences were transcribed in the original
language and this mostly happened when the testifiers uttered Afrikaans phrases. As we will see later, this use of Afrikaans often had a pragmatic meaning. Usually, there was thus an extra-linguistic motivation for the transcribers to shift to the originally uttered language.

When comparing the transcriptions as available on the website with the language of the interpreter as heard on the video- and audiotapes, you notice that they are not always identical. The language of the interpreters formed the basis for the English transcriptions, but at certain points this language was edited before being put on the website (personal conversation with TRC interpreters from the Free State University, June and November 2003). It would be interesting to explore when and why there is a difference between the English translations at the actual hearing site and the transcribed English, but at this point I will not go further into this linguistic feature.

Also the TRC Final Report is entirely written in English. It is only the brochure ‘Time to Act’, which was published by the Institute for Justice and Reconciliation and which contains a summary of the TRC recommendations as found in the Final Report that was translated in Afrikaans and in Xhosa (http://www.ijr.org.za/broch.html). The fact that even the meta-language of the Commission was English, i.e. the language through which the TRC was defined and conceptualised, is another indication of the hegemony of English in the proceedings of the TRC. Key notions like repentance, forgiveness or reconciliation for instance, were English terms, which could not always be easily translated in the other South African languages (Derrida, 2002: 66).

The media seemed to assist the TRC in realising its English-oriented language policy. The South African Broadcast Corporation (SABC) recorded each of the testimonies on video- and audiotape. Each of these testimonies existed in several different linguistic versions: there was the original language as spoken by the commissioners and testifiers, there was always a version in English, usually also in Afrikaans and also in the two dominant languages of the region. Apparently, each of these four or five different versions was taped separately by the SABC – so for each of the testimonies, four or five video and audio recordings should be available at the SABC archive (personal conversation with TRC interpreters from the University of the Free State, in June and November 2003). However, when fragments of the hearings were shown in the news or
in special programmes, it was always the English version that was used. Also when live footage of the hearings was broadcast on national television, only this English version was made available. In this way, both the national and the international audience got to know the TRC through the English language-medium.

This language policy of the TRC is understandable considering the international appearance of the Commission. The TRC wanted to stand as an example of restorative justice, not only in South Africa, but in the entire world. Especially the Final Report and the TRC website aimed at an international audience, so the choice of English was self-evident.

That English was the dominant language at the TRC could also refer to the language policy in the new South Africa in general. According to the new Constitution, eleven official languages were maintained in post-apartheid South Africa, each of which would be developed and promoted. Wherever practicable, everyone had the right to use and to be addressed in any official language of his or her choice (www.polity.org.za/html/govdocs/constitution/saconst02.html#bookmark=1#30). It is argued however, that these linguistic promises as proclaimed in the Constitution have not been kept in reality. These constitutional language provisions are so unrealistic that Ridge (2000: 47) even argues that they are written in ‘apocalyptic discourse’ (cited in Makoni, 2003: 144). Not linguistic equality, but asymmetric linguistic power relations seem to be at play in South Africa. Although they are only being spoken by respectively 15,03% and 9,01% of the population, Afrikaans and English are still the two dominant languages in South Africa (Satyo, 1999: 156). With an eye to efficiency, modernisation and universalism, the South African government generally seems to opt for English as lingua franca. English is clearly dominant in most sectors of society - in the justice system, as well as in parliament, in the media, in education, etc. -, and according to Dr Neville Alexander of the Pan South African Language Board, there is a “lack of political will” to make multilingualism work (Ailola & Montsi, 1999: 141; Phaswana, 2003: 122). Even when it comes to archiving, English and to a lesser extent also Afrikaans are the dominant languages (Peterson, 2002: 33).

It is sometimes claimed as well that South Africans tend to have a more positive attitude towards English than towards their mother tongues, be it Afrikaans or any of the African
languages. Because English is an important language socio-politically, the language has a lot of prestige. Knowing English still seems to be equated with success and ‘civilisation’. Moreover, English is a politically neutral language, as opposed to Afrikaans, which still has a rather ambivalent status and which is still sometimes seen as the language of the oppressor (Webb, 2002: 84).

Since the TRC was a state institution, it is understandable that it tried to adapt itself to the language policy of the new government by accepting English as the dominant language. However, the fact that basically everything was translated into English tells us that we should be cautious when interpreting the testimonies that originally were not performed in English (Derrida, 2002: 64). Within the circles of discourse analysis (see Hymes, 1981: 38; Duranti, 1997: 137; Hutchby & Wooffitt, 1998: 92; Schieffelin & Doucet, 1998; Cameron, 2001: 43; Edwards, 2001: 321) it is a commonly held principle, indeed, that researchers should work with original data; secondary material and translations are to be avoided. Since the data for this research are predominantly in English, it is important to stress that I am well aware of this interpretation issue.

The policy to translate everything in English could also have been disadvantageous to the victims who were not proficient in English. Hearing a story of human rights violations through the voice of the interpreter had a different impact than when hearing it directly from the victim involved. Especially lower-class people tended to testify in an African language and the translation in English thus often undermined rather than validated their testimony (Peterson, 2002: 32). When discussing my data in a later chapter I will come back to the reasons for using the translated material after all.

2.4.7. Discourse at the HRV hearings

At different stages of the TRC process different types of discourse seemed to be constructed. The term *discourse* is here understood in a Foucaultian sense, meaning a “group of statements that belong to a single system of formation”, such as “clinical discourse, economic discourse, the discourse of natural history, psychiatric discourse” (Foucault, 2002: 121).
In its day-to-day running, the most common discourse used was that of legal discourse: the setting at the hearings resembled a courtroom setting and terminology used included cases, witnesses, findings, testimonies, evidence, subpoenas, etc. (Stibbe & Ross, 1997: 20). It was especially at the hearings of the Amnesty Committee, where apartheid perpetrators came forward to apply for amnesty, that the dominant discourse was legal. Truth finding was the main concern at these hearings and the participants included lawyers, solicitors and judges, all of which familiar with the adversarial kind of legal discourse. The hearings were seen as a quasi-legal process, complete with witnesses, plaintiffs, defendants, rules of evidence, legal guidelines and procedures, translators and court reporters (Colvin, 2003: 8) - for more details on discourse used at the amnesty hearings, see de Klerk (2003a, 2003b).

Another framing narrative at the TRC was the political narrative of nation building (Wilson, 1996; Harper, 2000: 67; du Toit, 2002). One of the overall objectives of the Commission was to strive for solidarity among South Africans and especially the public hearings were central to this project of national unity. According to Humphrey (2000: 18) individual stories of past experiences were condensed and homogenised and thus turned into a new nationalist narrative.

Wilson (2001a: 104) distinguishes three framing reconciliation narratives at the TRC: the legal-procedural narrative, the mandarin-intellectual narrative and the religious-redemptive narrative. The legal-procedural narrative was dominant among TRC lawyers, especially at the Amnesty Committee. It was a legal positivist view of reconciliation, which emerged as a result of the application of legal principles contained within the Act, and which was immune to personal emotions or values. The mandarin-intellectual narrative rejected an individually-oriented notion of reconciliation and focused on a more abstract understanding of reconciliation. Within this approach, reconciliation was situated on the level of the nation; South Africans were urged to reconcile with their past instead of with each other. The religious-redemptive narrative pursued a notion of reconciliation as a common good, defined by confession, forgiveness and redemption, and the exclusion of vengeance. This kind of reconciliation discourse was mostly expressed at the Human Rights Violations hearings and it did not so much seek the reconciliation of the nation, but the reconciliation between individuals within the nation (Wilson, 2001a: 104-109).

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Ross (2003b: 13) has distinguished three discourses of recovery (medical, psychological and religious); Lars Buur (2000b) has written about the bureaucratic, positivist and technical discourses that underpinned the work of the TRC; and Posel & Simpson (2002: 11) have identified “science, law, global news, documentary drama, religious confessional, and the rhetoric of nation building” as some of the “distinct discursive domains” implicated in the production of the TRC’s ‘truth’. Finally, Leonard Praeg (2000) suggested that there are three distinct discourses constitutive of the general TRC discourse: a nationalist discourse, a Christian discourse and a discourse on ubuntu, or African humanism.

Clearly, the TRC’s discursive complexity has been addressed by a number of researchers already, although an extensive discourse analytic investigation has not been carried out so far.

This present PhD research focuses on the hearings of the Human Rights Violations Committee. These hearings did not so much concentrate on the veracity of the testimonies, and the discourse was not openly framed in a legal or quasi-judicial way. The language employed here was rather oriented towards reconciliation, forgiveness, compassion and sympathy. This HRVC discourse can be regarded as a combination of psychotherapeutic discourse - with an emphasis on the cathartic power of story-telling - , religious discourse - with an emphasis on the redemptive power of forgiveness and confession - , and to a lesser extent also courtroom discourse - with an emphasis on individual testifying, but also on interrogative techniques by the HRV committee members.

With regard to therapeutic discourse, for instance, the HRV commissioners often claimed that giving testimony would be positive and healing to the body. In fact, although the word ‘healing’ was absent in the TRC Act, the term became a very powerful and prominent metaphor amongst members of the HRVC and amongst journalists when referring to the Committee’s activities. Storytelling was framed as a therapeutic exercise and feelings of anger and vengeance sometimes seemed to be signs of underlying psychological pathologies (see Allan, 2000: 200; Chapman, 2003b: 27; Colvin, 2003).

The religious discourse mostly took shape through the religious and quasi-religious utterances and interventions of different members of the HRV Committee. Especially
chairman Desmond Tutu used to frame the HRV testimonies in a theological way, but this was a recurring feature as well amongst other committee members with a religious background, such as Alex Boraine, Piet Meiring and Reverend Finca. The dramatic figure of Desmond Tutu, dressed in his purple robe, urging not only victims, but all South Africans, to put the ethic of forgiveness into practice, has been an enduring image of the TRC (Colvin, 2003: 9). It thus seemed as if the Christian doctrine of forgiveness was continually invoked, together with other religious values such as the importance of the community and the sanctity of the truth (Corry & Terre Blanche, 2000: 9). Also the hall where the hearings took place was usually transformed into a proto-religious setting: the tables were covered in long white cloths, flowers were displayed, and a candle was lit at the beginning of the hearings (Bozzoli, 1998: 170).

When analysing our data later on, different examples of these types of discourse, as apparent in the testimonies of the victims, will be pointed out. Of course, none of these discourses can be easily isolated from the others; many individuals and groups before the TRC used several of these discourses at once, often ‘plagiarising’ from one to support another (Wilson, 2001a), as we will see later on.

Despite the apparent ambiguity and complexity present in the discourse used at the HRV hearings, many observers have noted how the victim hearings became ‘standardised’ and ‘ritualised’ very soon after the first ones were held in East London in April 1996 (Bozzoli, 1998; Graybil, 2002: 82, Ross, 2003a). In her ethnographic account of testifying before the HRVC, Fiona Ross (2003a: 13-15) describes some of the key elements of a prototypical hearing as follows:

“Each testifier was called to the stage, sworn in, asked to describe his or her family background and… the violation about which they had made a statement… in the initial hearings, testimonies lasted from between 15 minutes to more than an hour and a half. Towards the end of the Commission’s work, most testimonies lasted approximately 30 minutes… If a testifier stumbled or halted during testimony, the designated committee member asked “probing questions”… On a few occasions, when a witness cried, Archbishop Tutu led the audience in a hymn…. Usually, however, a silence was preserved in the hall until the testifier’s equilibrium was restored… When each testifier finished… the chairperson solicited additional questions (usually of clarification)…. Testifiers were not cross-examined… When no further questions were forthcoming… the testifier was thanked, dismissed from the stage and taken for “debriefing”. The next testifier was called and the process repeated.”

7 We should note that candles were not solely a religious sign in South Africa; before 1994 they had
Wilson (2001a: 111-112) pursues a similar analysis in his description of the ‘interpretative template’ laid across individual victims’ testimonies. He identifies four predictable chronological stages – recognising and collectivising suffering, the moral equalising of suffering, liberation and sacrifice, and redemption through forsaking revenge – that describe the routine ways commissioners took the stories of victims (Colvin, 2003: 3).

Not only the format of the testimonies was soon ‘routinised’; a similar process of standardisation took place at the level of the stories’ content. In fact, the stories at these hearings were primarily event-centred and individual accounts of physical suffering. Structural or everyday violations experienced by individuals, families and communities were not so much addressed (Colvin, 2003: 3). Usually, the narrative of the victim began with the critical event itself – the phone call, the sound of an explosion, etc. When testifiers did not describe the traumatic events straight away, they were told by the commissioners to address only the violations that they had mentioned in their statements.

Very soon, therefore, according to Colvin, one could notice the emergence of an ideal-typical testimonial process in the course of the HRV hearings. This kind of storytelling as promoted by the TRC has then become the predominant model for speaking about suffering in the past in South Africa. The fact is that not a lot of other accepted forms of public testimony about the apartheid past were in circulation. And, especially, not a lot of other storytelling genres existed with the same kind of public recognition and legitimacy as enjoyed by TRC testimonies (Colvin, 2003: 3).

Until today, indeed, a number of victim-oriented organisations in South Africa make use of the story-telling format as it was developed during the HRV hearings. Let me give the example of the Khulumani Support Group (KSG). As a non-governmental organisation KSG was established in 1995 by the survivors and families of the victims of South Africa’s apartheid regime. Khulumani means "Speak Out" in Zulu and was formed as an umbrella body operating under the Centre for the Study of Violence and Reconciliation (CSVR), until it de-linked itself in 1999. In its initial phase, KSG helped South Africans to get access to the TRC process and it dedicated most of its time and resources in addressing the demands of the Truth and Reconciliation Commission. From 2000 also been a characteristic of the silent protest against apartheid.
onwards it assisted victims to voice their opinions and make known their needs, amongst others by organising discussion groups where people can talk about their experiences under apartheid (http://www.khulumani.net/index.htm).

After the closing down of the TRC, voices were raised that the process should be repeated on a smaller scale. It was claimed that schools, churches, companies and private institutions, for instance, should establish their own internal truth commissions to investigate atrocities committed under apartheid. These internal mini-TRC’s would provide a space for people and organisations to confront the past and they would also produce sets of recommendations. The Faculty of Health Sciences at Wits University has launched an internal reconciliation commission process and it is claimed that such an initiative could be an effective mechanism for achieving change at the local level (Goodman & Price, 1999: 18).

Both these internal commissions and the discussion groups at Khulumani are examples of forums where the story-format as standardised at the HRV hearings was brought into practice. We will see that the thirty case studies used for this analysis also correspond to this testimonial standard. However, although this standard functioned as an overall template, participants still used different discourses, with different connotations and different indexicalities. These discourses were layered, combined and intertwined with each other in a highly complex manner. Trying to shed light on this discursive complexity - and especially on the reasons behind this complexity - is one of the aims of this research. This section has merely served as a general introduction to HRV discourse; a number of interesting topics, ideas and approaches have been raised and many of these items will come back later on in this text.

2.5. Too much context?

This chapter, which has provided background information to the South African Truth and Reconciliation Commission, has been extensive. This extensiveness is the result of my theoretical assertion that the contextual aspects of communication are at least as important as the linguistic aspects. In this section I would like to clarify this assertion, thus justifying the amount of attention attached to context in this study. Blommaert (2005: 43) defines context as something that “addresses the way in which linguistic forms
– ‘text’ – become part of, get integrated in, or become constitutive of larger activities in
the social world”. Van Dijk (1997a: 11) provisionally defines context as “the structure of
those properties of the social situation that are systematically (that is, not incidentally)
relevant for discourse”. In their seminal work on language as an interactive phenomenon
Goodwin & Duranti (1992: 1-42) claim that it does not seem to be possible to give a
precise, technical definition of context. They merely give a tentative description by
stating that the context is “the frame (Goffman, 1974) that surrounds the event being
examined and provides resources for its appropriate interpretation”. Since the mid-1960s,
they claim, language has been defined as a constitutive feature of social life, hence the
unavoidable link between discourse and context. In fact, context is an inherent element
of language, since it is the way in which language fits into context that creates meaning.
Context is actually pact and parcel of the text itself, since it defines its meaning and
conditions of use – it is not something that can just be added to text (Blommaert, 2005:
49). When talking, speakers select from an available repertoire, a selection largely based
on the social context. As Lee (1992: 14) states, it is also the social context that decides
which language varieties will be used by the speakers – an assertion that will prove to be
highly relevant with regard to the HRV testifiers.

Van Dijk (1997b: 11-16) defines discourse as “being produced, understood and analysed
relative to contextual features”; discourse is thus describes as “taking place or as being
accomplished ‘in’ a social situation”. However, Van Dijk also stresses the opposite
relation. As much as discourse is unstable or ambiguous, also context is flexible and
changing. Discourses may be conditioned by context, but they also influence and
construct them. That is, as Van Dijk (1997b: 15) puts it: “discourses are a structural part
of their contexts and their respective structures mutually and continually influence each
other”. Just like discourse, also contexts are interpreted, constructed and inherently
subjective. The fact that discourse creates context was very prevalent at the HRV
hearings. The complex layering of various discursive features turned the HRV discourse
into a very specific kind of discourse, a discourse that influenced the immediate
situational context, but also the national space of South African society, as will be
explained later on.

In the domain of CDA, where the relation between discourse and power (social, political,
cultural,...) takes a central position, the way discourse is situated in the context is crucial.
However, as criticised by Verschueren (2001: 59-82) or Blommaert (2005: 55), in some CDA research a lot of a-priori contextualisation is going on. Context is often considered as self-evident, a taken for granted background to the discursive event, which does not need a lot of further investigation. This might lead to an unambiguous reality, where extremely complex relations and concepts are simplified or ignored. Also other disciplines within discourse analysis tend to pay scant attention to contextual features. Conversation Analysis, for instance, is often solely concerned with a particular piece of discourse – with these discursive features that demonstrably emerge from the conversation itself. The context of this piece of discourse often remains unexplored. Both of these disciplines interpret the notion of context very narrowly, strongly focussing on explicit linguistic and textual forms, while largely overlooking the modes of production and circulation of discourse (Blommaert, 2005: 232). It is these pitfalls that I have tried to avoid by dwelling on the contextual features of the HRV discourse in this chapter, and that I will try to avoid in the following discursive analysis.

To complete the notion of context, Blommaert (2001a: 13-32; 2005: 60) introduced the term *forgotten contexts* – let me briefly clarify this term and try to indicate how also these forgotten context have been or will be paid attention to in this text. The first forgotten context has to do with linguistic resources. People speak different varieties of languages, they have different proficiencies and they possess different communicative skills. These linguistic means shape their discourse and they can be seen as an inherent component of the discursive context. When describing the context of the HRV discourse I have elaborated on the discursive varieties employed at the hearings. The communicative skills of the selected testifiers and the manner in which they mastered the testifying language will be dealt with when discussing the individual profile of the testifiers and when concretely analysing their discourse.

The second forgotten context can be connected to discourses’ ‘text trajectories’ – the “shifting of discourses across contexts” (Blommaert, 2005: 66). Through summaries, reports, translations, citations and discussions, discourse is constantly recontextualised – transferred to a different context, thus bestowed with different indexicalities, associations and connotations. This process by which discourses are decontextualised and recontextualised into a new context is also referred to by the term *entextualisation* (Silverstein & Urban, 1996: 1-17). These different contexts - or layers of context - are not
accessible to anybody, which impacts on the interpretation of the piece of discourse under investigation. With regard to the HRV testimonies, these text trajectories refer to the ways in which the victims’ discourse was translated, transcribed, reported and reflected upon. This involved a production and reproduction through written, audiovisual or digital material, a contextual element that will be described in section 3.1.

The third forgotten context is labelled ‘the history of discourse data’ (Blommaert, 2005: 68). This refers to the fact that when analysing discourse attention should be paid to the time, place and occasion of data gathering. How has the data under investigation come into existence, how has it been recorded and treated by the analyst? Which route has the data been following and which intermediate obstacles had to be overcome in order for the material to become the focal point for the researcher. The history of the discourse data used in this study will be discussed in section 3.2. The related issue that certain phenomena can only be investigated at certain moments in time will be dealt with towards the end of this text, in Chapter Six.

As should be obvious by now, context is an indispensable feature of any discursive analysis. Especially in storytelling the interactional context is crucial, as claimed by Hutchby & Wooffitt (1998: 131). Also the interpretation of life stories is largely dependent on the social context, according to Linde (1993: 97). In fact, all utterances and interpretations in relation to personal storytelling are based on presuppositions connected to the context. Narratives are always firmly anchored in the socio-cultural context. That is, they never describe the world in an objective context-less manner and they are always adapted to the values of the surrounding society (Kerby, 1991: 52).

In this study, the term contextualisation will be used regularly. Based on Gumperz (1982) contextualisation will pertain to the ways in which people make relevant any aspects of context, the way in which they ‘make sense’ in interaction (Blommaert, 2005: 44). In Gumperz (1992: 230) contextualisation is defined as the “speakers’ and listeners’ use of verbal and nonverbal signs (…) to maintain conversational involvement and assess what is intended”. At the HRV hearings we will see that certain testifiers possessed a lot of voice, meaning that, with regard to their utterances, they were able to establish an interpretation that approached their own contextualisation. Also the term recontextualisation will be employed here, referring to the way in which testifiers produce
earlier pieces of discourse by transposing them to a different time, a different setting and thus using them for different purposes and giving them different connotations.

Context operates at various levels, from the very small to the very big. The very small could refer to the immediate linguistic context of an utterance – the sentences, phrases or sounds that precede and follow the utterance under investigation. On a bigger level, context could refer to the immediate communicative setting, in our case the HRV hearings. Even more generalising, the context of the HRV discourse also refers to the entire TRC process, to South Africa’s socio-political and historical setting, or to the global phenomenon of truth commissions. As Blommaert (2005: 44) puts it: “context is potentially everything and contextualisation is potentially infinite”. Chimombo & Roseberry (1998: 6-102) distinguish a large number of contextual components, among which culture, discourse participants, the relation producer-interpreter, setting, channel, aim, topic. Gumperz (1992: 231) states that features such as prosody, paralinguistic signs, code choice and choice of lexical forms are part of the linguistic context. All of which highlighting that the concept of the context is much more elaborate and complex than might be anticipated.

When dealing with the notion of context in this chapter I have selected a number of contextual features that seemed most important when trying to get insight into the HRV discourse. I have made this selection on the basis of my theoretical objectives and my research aims. Indeed, as Van Dijk (1997a: 16) argues: “Some properties may be part of a theory of context, others of a theory of discourse structure, depending on our perspective or theory”. This selection is not – and could never be – exhaustive. As said, the immediate linguistic context of the utterances expressed at the HRV hearings has not been addressed here, since it will be highlighted later on. However, the background provided in this chapter should be sufficient for the reader to gain an understanding of the TRC process. It should also provide a sound foundation for the upcoming discursive analysis.
CHAPTER THREE

Methodology: the Problem of Data

3.1. The TRC Archive

In this chapter the archive will be dealt with in a twofold way: attention will be paid first to the material TRC archive, whereupon in a second part the archive will be discussed in a Foucaultian sense.

3.1.1. The ‘Archive’ as a concept

The establishment of the Truth and Reconciliation Commission, its proceedings and its final results, were seen as an attempt to reconstitute South Africa’s apartheid past. The apartheid experience was to be reconstructed and then recorded and treasured to serve as a reminder of the past for future generations. Thousands of testimonies were gathered, many of them were distributed in public, a Final Report summarised the Commission’s findings and many books, articles and dissertations reflected on the proceedings and the outcome of the Commission. In this way, the TRC can be considered as a place of archive; more particularly, it is a public archive (Derrida, 2002: 49).

The word ‘archive’ derives from the Greek arkebê, which, according to Derrida (1996: 1), refers both to “there where things commence”, “there where men and gods command” and “there where authority, social order are exercised”. As a number of authors testify, the archive is a remarkable concept. It is an uncommon place, “at the intersection of […] the place and the law, the substrate and the authority”; it “marks this institutional passage from the private to the public” (Derrida, 1996: 2-32). The archive is a dual concept, which refers not only to the past, by means of repetition and remembrance, but rather to the future. Derrida (1996: 68) thus calls the archive “the affirmation of the future to come”. Further, the archive is a troubling concept, since it is irreplaceable and unique on the one hand, and meant to be translated, reproduced and iterated on the other hand (Derrida, 1996: 68).
Although archiving is traditionally understood as an act of remembering, at a profound level it is also an act of forgetting. (Verne Harris, 2002a: 81; Derrida, 2002: 54). The archive determines what can be forgotten or destroyed, so we can claim that destruction - Derrida (1996: 94) even calls it *archival violence* - is an inherent element of the process of archiving. The fact that archiving involves forgetting can be understood in a dual way. Firstly, by deciding what will be included or excluded from the archive, the archivists decide what will be remembered and forgotten in the future. Because of this monopoly position, the society invests an enormous amount of power in the archivist, what Derrida (1996: 3) calls ‘the archontic power’. Secondly, the aspect of forgetting also works within the inclusions of the archive. The archived records are being stored away in order to be able to forget them – because you know that it will be possible to retrieve them again when needed. Or, as aptly illustrated by Derrida (2002: 54): “When I handwrite something on a piece of paper, I put it in my pocket or in a safe, it’s just in order to forget it, to know that I can find it again while in the meantime having forgotten it”. Mbembe (2002: 24) also refers to this dual significance of the archive when he states: “Commemoration (…) is part of the ritual of forgetting: one bids farewell to the desire or willingness to repeat something”. In this way, the archival record is a creation of remembering, forgetting and imagination. It is a creation, though, that only provides a “sliver of a window into a certain event, or into the experiences of a country or person” (Verne Harris, 2002b: 151).

An archive is often not closed either; it is usually characterised by open-ended layerings of construction and deconstruction. The archive can be considered as a “quasi-infinity of layers, of archival strata that are at once superimposed, overprinted and enveloped in each other” (Derrida, 1996: 22). To read and investigate the archive requires an activity that Derrida equates with geological or archaeological excavations. An archive is always a reconstruction and a re-interpretation of the past – which means that it is crucial for an understanding of the present and future of a society. In short, the archive is “the foundation of the production of knowledge in the present, the basis for the identities of the present and for the possible imaginings of community in the future” (Hamilton et al, 2002: 9).

Finally, Derrida (1996: 91) argues that some people have a desire for the archive, “they have a desire to return to the origin, a nostalgia to return to the most archaic place of absolute commencement” – this is then what he calls *mal d'archive* or *archive fever*. 
In this dissertation the word ‘archive’ will be a key term. In essence this research can be defined as an investigation/exploration of the TRC Archive. When talking about ‘the TRC Archive’ a distinction will be made between the prevailing, day-to-day meaning of archive as a physical record on the one hand, and the term ‘archive’ in a Foucaultian sense on the other. Initially, attention will be paid to the first significance of ‘the TRC Archive’, by which the term archive, in accordance with the Oxford Dictionary, will be defined as a “collection of historical documents or records of a government, town, etc.” or a “place where such records are kept” (Oxford Advanced Learner’s Dictionary, 1992: 50). Our understanding of the ways in which the TRC recorded and preserved its physical data will then serve as a point of departure for the construction of the ‘Foucaultian TRC Archive’. Foucault’s view is that an archive is not simply an institution, but rather the law of what can be said, the system of statements, or rules of practice, that give shape to what can and cannot be said. In this way, archives are often both documents of exclusion and avenues to particular configurations of power (Hamilton et al, 2002: 9). Therefore, an inquiry into the TRC Archive will involve an attempt to understand the conditions and circumstances of preservation of the material, as well as investigating the relations of power determining inclusion and exclusion of data from the record. Since Foucault’s image of the archive is central to the theoretical framework applied in this study, I will come back to it extensively later on.

By using the archive as a central concept, this dissertation inscribes itself in a current societal tendency in which increasing attention is paid to archiving the past. Publications such as ‘The Imperial Archive’ (1993, Richards), ‘Archive Fever: A Freudian Impression’ (1996, Derrida) and ‘Refiguring the Archive’ (2002, Hamilton et al) prove that the archive is a central theme in international scholarly thinking, and that all over the world archival discourse is being refigured. At the end of the 1990s, a number of theoretical debates on archiving took place in academic institutions and publications. Already in 1994, an international colloquium entitled ‘Memory: The Question of the Archives’ was organised in London, at the initiative of, amongst others, the Freud Museum and the Courtauld Institute of Art. In 1998 and 1999 the British journal History of the Human Science devoted two issues to exploring the archive from different disciplinary perspectives. In the year 2000 the journal ‘Archival Science’ was launched, focussing on international archival discourse; and during the academic year 2000-2001 the University of Michigan’s centre for International
Studies hosted a programme entitled ‘Archives, Documentation and the Institutions of Social Memory’.

Gradually, though, people are realising that the archive is not only the concern of researchers; archiving is understood to be part of the everyday activity of identity formation by ordinary people as well (Hamilton et al, 2002: 11). Projects such as the archiving of testimonies by the Survivors of the Shoah Visual History Foundation in the US, and the collection of past memories by truth commissions throughout the world - in South Africa (1995), as well as in Sierra Leone (1999), East Timor (2001), Ghana (2001), Nigeria (1999), Panama (2001) (see Hayner, 2001 and http://www.usip.org/library/truth.html for a full list of the countries where truth commissions have been established up till now) - indicate that both societies and governments are anxious to record past experiences, especially under the form of oral testimonies.

In South Africa, the concern for archiving the past developed alongside the political transformations. Between 1990 and 1994 the apartheid government and its political allies negotiated a transition to democracy with the opponents of apartheid. According to Verne Harris (2001) it was in this period that a so-called “transformation discourse in archives” emerged. This was a discourse informed by the assumption that archives required redefinition and reinvention in order to establish a democratic South Africa. After the elections of 1994, the National Archives and Records Service of South Africa Act (Act No 43 of 1996 as amended) was drafted. This piece of legislation was to be the key instrument for developing a new national archival system for the country, and it transformed the former State Archives Service into a National Archives and Records Service (in short, the National Archives) (http://www.national.archives.gov.za/). The initiative to transform South African archives also had an impact on independent archives, such as the South African History Archive (SAHA). The SAHA was established in 1988 by representatives of the Mass Democratic Movement (MDM), as the first democratic archive in South Africa. The SAHA was mainly committed to fighting for justice, and this both as an instrument and as a documenter. After the transition to democracy the SAHA increasingly concentrated on documenting the struggle against apartheid, rather than engaging struggles for justice (http://www.wits.ac.za/saha/history.htm). In 1997 the Gay and Lesbian Archives (GALA)
was launched, mainly documenting the history of the lesbian and gay civil rights movement in South Africa. Both the SAHA and the GALA contain a lot of objects that are not usually placed in archival custody, for example political banners, posters, personal memorabilia and art works, which shows that South African society also wanted these ‘marginal archives’ (Hamilton et al, 2002: 11) to take part in the archival mainstream.

In order to complete South Africa’s archival transformation process and to meet the country’s urge for transparency and accountability, the Promotion of Access to Information Act (PAIA) was designed in March 2001. This Act guarantees the right of access to information or records held by the State or by a private body, if that record is required for the exercise or protection of any rights (http://www.acts.co.za/prom_of_access_to_info/index.htm).

All of these archival institutions, services and acts deal with the collecting of historical documents, be it physical objects or oral testimonies and memories. The TRC’s attempt to record the apartheid past was thus clearly a central aspect of this revitalisation/reconstruction of South Africa’s archiving enterprise. Also in practice there was a link between the TRC and the National Archives of South Africa. According to the TRC Act, one of the Commission’s specific mandates was “to determine what articles had been destroyed by any person in order to conceal violations of human rights or acts associated with a political objective” (Promotion of National Unity and Reconciliation Act, 1995, section 4(d)). This meant that the TRC was to investigate the destruction of public records by the apartheid state. The National Archives gave support to the TRC by identifying the nature and extent of this illegal destruction of public records (http://www.national.archives.gov.za/).

Whether or not with the help of other archiving institutions, the TRC process finally resulted in the establishment of the ‘TRC Archive’. Notice that I am still using the term archive in its ‘day-to-day’ sense of a collection of historical records. Further on in this chapter I will also refer to this type of TRC archive by means of the words ‘physical TRC archive’ or ‘material TRC archive’.

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3.1.2. The material TRC archive

**Primary data**

This physical TRC archive consists of different kinds of material. The construction of this archive already started before the inception of the Commission. Numerous articles were written in anticipation of the TRC (see for example Simpson, 1993; Miller, 1995; Minnaar, 1995; Newham, 1995), and there were some official publications on the coming into existence of the Commission – publications that resulted in the TRC Act as the Commission’s formal starting point. Also, in preparation of the TRC, the Centre for the Study of Violence and Reconciliation in Johannesburg issued a cartoon where the objectives and working procedures of the Commission were explained. By means of uncomplicated language, this cartoon tried to make the TRC concept accessible to South Africans who were beyond the reach of regular media.

The main part of the TRC archive however, took shape after the TRC Act had been accepted by parliament in July 1995. The first component of the archive to consider should be the Truth and Reconciliation Commission of South Africa’s Report. The compilation of this Report was mentioned as one of the Commission’s objectives in the TRC Act: “the objectives of the Commission shall be to promote national unity […] by compiling a report providing as comprehensive an account as possible of the activities and findings of the Commission […] and which contains recommendations of measures to prevent the future violations of human rights”. (TRC Act, chapter 2, article 3, 1(d)). This indicates that this Report was meant to be an officialised reflection on the TRC process, as well as an authoritative archive of the apartheid past. Therefore, the TRC Report can be considered as one of the main pillars of the material TRC archive.

This Report consists of two separate issues: there is the Interim Report (finished in 1998) and then the Final Report (finished in 2003). The TRC’s Interim Report was handed over to President Mandela in October 1998, after the proceedings of the Human Rights Violations Committee had come to a conclusion. This Report was published by the Capetonian publisher Juta & Co and it is a remarkable and very impressive piece of work. It is a five-volume publication, counting more than 3500 pages. It is nicely edited, with hundreds of
figures, statistics and quotes from people who testified before the TRC. The Report gives an extensive overview of the coming into existence of the Commission and the working of its different components. It elaborates on each of the special hearings, on the institutional hearings and on the special investigations carried out by the Commission. It then gives regional profiles with information on the historical context of the different South African regions and on the kind of violations typical for those regions. The fifth volume of this Interim Report contains the conclusions reached by the Commission, including analyses, findings and recommendations.

In this Interim Report the Commission made findings about the responsibilities of the political parties, the South African Defence Force, the State Security Council and the South African Police, as well as organs of the civil society, such as the churches, the press and the business sector. The primary finding of the TRC was that the predominant portion of human rights violations had been committed by the former state through its security and law enforcement agencies. However, all sides came under condemnation of the TRC, including the Inkatha Freedom Party - who was found to be “the foremost perpetrator of human rights violations in KwaZulu and Natal from 1990-1994” - , the ANC - who was responsible for civilian casualties, abuses in its exile camps and other violations of human rights - and the Pan-Africanist Congress - whose actions towards civilians and Whites were found to have been gross violations of human rights as well. None of those found guilty of human rights violations were happy with the Report (Graybill, 2002: 147). Nevertheless, the Report was seen as the official version of the apartheid past. It was an important element of the public archive created by the TRC, an archive that was seen as the point of departure for post-apartheid South Africa’s social memory and official historiography (Derrida, 2002: 48; Verne Harris, 2002: 137).

The Interim Report was given a lot of attention, both nationally and internationally. The media devoted articles, television and radio programmes to the publication of the Report and also in schools information was given on the conclusions reached by the TRC. The Institute for Justice and Reconciliation in Cape Town published a booklet – ‘Time to Act’ - with a summary of the recommendations made by the TRC. They did so in the interest of promoting public debate of what was contained in the TRC’s recommendations and on how
these recommendations could be implemented (IJR, 1998: 1). The five-volume Interim Report was distributed all over the globe and it was made available to university libraries throughout the world. Some South African Embassies – for example the one in the Netherlands – even published an executive summary and guide to the Interim Report of the TRC in order to get as many people as possible to be informed about the work of the Commission (Embassy of South Africa, 1998). Outside Africa the Interim Report was published by Macmillan Reference Ltd. and it was Macmillan who also distributed the CD-ROM version of the South African TRC Report.

Because the work of the Amnesty Committee continued well into the year 2001, the TRC was only officially dissolved in April 2001. When the Interim Report was published in October 1998, it was already stated that additional volumes of the Report would appear once the Amnesty Committee had finished its work. Publishing the two final volumes of the TRC Report took longer than expected and it was not until the 21st of March 2003 that the complete Report was handed over to President Mbeki (Thamm, 2003). These two volumes were based on the amnesty hearings conducted and on the findings made since October 1998 (Embassy of the Netherlands, 1998: 6). Both of these volumes were very extensive and they filled a number of gaps left by the 1998 Interim Report.

In Volume Six each of the three Committees report on their work, administrative issues are dealt with and a lot of information is given regarding the findings and recommendations of the TRC – also paying attention to the legal framework within which the Commission made findings within the context of international law. Volume Seven mainly consists of one big section, namely a summary of the victim findings - this volume is described as a tribute to the victims of apartheid. The TRC received statements from 21,290 people, of whom more than 19,050 were found to be victims of gross human rights violations. In addition, more than 2900 victims emerged from the amnesty process. Volume Seven records the names of those who have been victim of gross human rights violations and it gives a brief summary of each victim’s story. These summaries seldom count more than 50 words, and the Commission acknowledged that this brevity did not provide a complete picture of the pain and suffering of many victims (TRC Report, 2002, 7: 3).
Compared to the publication of the Interim Report, not nearly as much attention was paid to the launch of the Final Report. This is quite understandable since the TRC basically disappeared from the public scene once the public hearings were over in 1998. The images of a new South African rainbow nation and of victims and perpetrators from the apartheid past who had to be reconciled, had still been inspiring at the time when the Interim Report was published.

By the year 2003 matters were slightly different. On a national level people started to look forward to the future instead of still turning back to the past. Internationally, the mythical proportions of South Africa and its leaders were gradually reduced. The old leaders who had made name during the struggle against apartheid, such as Nelson Mandela, Desmond Tutu, Joe Slovo and Walter Sisulu, were gone - at least on a public level -, and the outer world started to regard South Africa as yet another African country that had to fight against inequality and poverty. The world had moved on and to a large extent the TRC was already part of history. Therefore, in 2003, there were only few international journalists who devoted some time or space to the conclusion of the TRC chapter. Along the same line, international libraries were less eager to buy the final two volumes of the Report. By 2003 the financial problems of the TRC had reached a critical level, which meant that it was less obvious to make the hardcover version of the Final Report available across the globe. In short, the Final Report was distributed, but mainly within South Africa and not as widely as the Interim Report.

In addition to the TRC Report, another important pillar of the TRC archive is the Official TRC Website (http://www.doj.gov.za/trc/trc_frameset.htm). By making use of the World Wide Web the TRC attempted to increase the accessibility of its archive – a clear indication that transparency and accountability were cherished values in the TRC ideology. This website gives a very extensive overview of the Commission and it contains many extremely valuable documents, which cannot easily be consulted in any other way. The site provides the transcripts and decisions of each and every amnesty hearing, the submissions before the TRC of the political parties, the transcripts of all of the human rights violations hearings, the special hearings and the institutional hearings, and the policy documents and workshop transcripts of the Reparation and Rehabilitation Committee. In addition, the press releases of
the TRC and the news reports of the South African Press Association are made available on the site, and the legal background to the TRC is explained. The site also offers access to the Register of Reconciliation, a register that gives members of the public a chance to express their regret at failing to prevent human rights violations and to demonstrate their commitment to reconciliation. Further, the site gives links to many related sites, such as the sites of political parties, media links, legal resources and general links dealing with reconciliation, racism and conflict resolution. Finally, an executive summary of the five volumes of the Interim Report can be found on the site. Volumes six and seven can be downloaded entirely, which also accounts for the fact that the hardcover version of these two volumes was not widely distributed across the globe. The site is updated regularly (the last update dates from 10th April 2003) and it is an indispensable source of information for TRC researchers. Until January 2002 this website was operated by the Truth Commission itself. Following the Promotion of Access to Information Act (March 2001), it was transferred to the Department of Justice and Constitutional Development of the South African government.

Besides the TRC Report and the Official TRC Website, the material TRC archive also consists of a wealth of primary data that was collected during the life span of the Commission. These records include the written statements taken from the 21,290 victims, the transcripts of the workshops and in camera hearings held by the TRC, reflections on the research carried out by the Investigation Unit, etc.

The Department of Justice is not only in charge of the TRC website, it is also the custodian of the entire TRC records. After the closing down of the TRC, these records are physically kept at the National Archives in Pretoria. In theory, these records that are kept at the National Archives should be readily accessible to the public. However, in recent times questions have arisen around the restriction of access to these TRC documents (see also Hamilton, 2002: 11). From different angles complaints have been expressed about the fact that the TRC archive is not as open to the public as it is supposed to be. Verne Harris (2002c), for example, claims that certain ‘sensitive’ TRC records - apparently a list of apartheid informers and a confidential submission by the ANC - are not to be found in the National Archives.
Right from the start Harris has been critical about the so widely proclaimed openness of the TRC. At the 1999 conference ‘TRC: Commissioning the Past’ at the University of the Witwatersrand in Johannesburg, he already wondered why certain TRC hearings were held in camera and why the records of protected witnesses were secret. Verne Harris (1999: 15) also stated that information on certain decision-making processes and of internal disputes and tensions was kept out of the public domain.

Since the Department of Justice is the custodian of the TRC records, all requests to do research at the TRC archives have to be submitted through the Deputy Information Officer’s office of that Department. In order to get access to the TRC records, official forms have to be completed. The person requesting access has to provide a number of details regarding his or her personal intention, request and access fees have to be paid, and the researcher is notified in writing whether his or her request has been approved or denied. This is quite a time-consuming process and researchers can never be sure that they will actually get access to the TRC archives. Dissatisfaction about this process has been expressed because - also due to a lack of personnel - it sometimes takes a long time before scholars are notified with regard to their request (it can take up to six months). In addition, once they are allowed to consult the TRC archives, they sometimes notice that still not all of the documents are accessible (personal conversation with South African scholars, such as John Daniel, Chris Saunders, Mary Bock, Kay McCormick, in the years 2002, 2003 and 2004).

In South Africa the archive of the TRC should be the outstanding example of an archive open to and widely used by the public, so it is disturbing that exactly this archive seems to be far from accessible (Verne Harris, 2002d). The openness of the TRC archive was actually one of the first test cases for the effectiveness of the Promotion of Access to Information Act (PAIA). Since a request submitted on the basis of the PAIA could not identify the whereabouts of particular documents (the above-mentioned ‘sensitive’ TRC records), let alone secure access to these documents, Harris (2002d) claims that this tells us a lot about the efficacy of the Act.
The Constitution of post-apartheid South Africa is widely claimed to be one of the most progressive and democratic constitutions in the world. However, according to Derrida (1996: 4) there is always one essential criterion to measure effective democratisation, namely “the participation in and the access to the archive, its constitution and its interpretation”. Future developments in the South African archiving policy will thus have to prove that also with respect to the TRC archive, the country lives up to its democratic image. In October 2003, the then Minister of Arts, Culture, Science and Technology, Mr Ngubane, promised that the documents of the TRC would be made public once they will have been properly catalogued and preserved by the South African National Archives. Thereafter, historians and researchers will be able to make use of the collection to rewrite history for future generations. Until then, researchers have to be patient or they have to use the TRC material that is available – for example on the website or in the TRC Report.

Both the TRC website and the TRC Report offer an abundance of research material. There is yet another important part of the TRC archive to be considered, though, namely the original audio-visual data. This material is not readily available and it has not been thoroughly scrutinised by researchers so far. With regard to audio material, all of the TRC public hearings were recorded by the radio service of the South African Broadcast Corporation (SABC). Many hours of live recordings were transmitted over the radio and most South Africans got in touch with the Commission predominantly through these radio broadcasts – quite a number of South Africans do not regularly read newspapers and also watching television is restricted to a certain social group (personal conversation with former TRC staff at the University of the Free State in Bloemfontein, 2003). The audio recordings of the TRC public hearings are available at the SABC and they can be consulted by researchers.

The SABC also recorded each of the public hearings of the TRC on video and all of these tapes are in the possession of the SABC in Johannesburg. As said in the previous chapter different versions exist of one and the same testimony: there is the tape where the testifier talks in his or her original language and there are other tapes with the voice of the interpreter spoken over. In this way there could be as many as five different video versions of one and the same testimony – in the original language and the translations in English, Afrikaans and
in the two dominant languages of the region. By directly contacting the SABC it is possible
to buy the videotapes of the TRC hearings. These tapes are quite expensive and personal
experience told me that it usually takes a long time before you can finally get hold of them. It
is easiest to get the tapes with the voice of the English interpreter spoken over. The tapes in
the original languages and the translations in different languages are more difficult to obtain.

The above-mentioned material - the TRC Report, the website, the records kept at the
National Archives and the audio-visual data - make up some of the most interesting parts of
the physical TRC archive. I have hinted already at the fact that some of these records are
difficult to access. However, researchers often got confronted with yet another problem
regarding these TRC documents. The fact is that scholars are complaining profusely about
the sloppiness of the TRC record keeping. Much of the original TRC data - especially the
SABC audio-visual material - is in a state of complete disarray, which makes researchers very
reluctant to immerse themselves in (personal conversation with researchers such as Mary
Bock and Antjie Krog in the years 2003, 2004). Many of the videotapes are in a very bad
condition, large fragments are missing and some of them are even completely taped over. In
September 2002, Verne Harris stated that “a large part of the TRC’s electronic memory is in
a tenuous condition and probably has significant gaps. We know that many TRC staffers
removed organisational records when they departed. And we know that,….., there is already
evidence of records seen by the TRC now being lost”. In a later section I will indicate to
what an extent the deficiencies of these material TRC documents have had an impact on my
own research.

It is clearly not always easy to obtain primary TRC material. Nevertheless, it is important to
emphasise that this data is actually available to researchers – contrary to the primary data of
many other historically significant events. This shows that although the TRC archive is not
as accessible as many critics would have desired, quite a lot of efforts have been made
already. The TRC website, the seven-volume-TRC Report and the audio-visual material are
all, for the most part, open to the public. For now, it is only the rest of the TRC documents
that remain hidden in the National Archives. One can only hope that the promise of
Minister Ngubane will be kept and that all of the TRC documents will soon be accessible.
For the time being, one should stress the positive aspects of the material TRC archive, by
realising that efforts have been put in to make the TRC material available to the public. All over the world the TRC is being reflected upon, studied and scrutinised; its findings and recommendations are interpreted and re-interpreted and its proceedings are deconstructed from different academic perspectives. This indicates that a large part of the necessary data is available – although there is still a lot of space for future improvement.

**Secondary data**

So far, I have only talked about primary TRC documents. However, a large – if not the largest – part of the material TRC archive consists of secondary material. The number of articles, books, dissertations and scholarly papers produced on the South African TRC is basically immeasurable. Especially at the time of the actual TRC proceedings (mainly between April 1996 and October 1998), national – and to a lesser extent also international – newspapers devoted a lot of attention to the Commission. Certain newspapers had journalists working full time on the TRC and the Commission appeared in many of the national newspapers on a daily basis. Giving an overview of all of the popular articles on the TRC that appeared in magazines and newspapers is an almost impossible task. This part of the TRC archive is thus accessible, but it is so vast that also here the researcher is confronted with methodological problems. There is however, research material available for many more generations to come.

Also the number of scholarly publications has increased continuously over the last couple of years. In academic circles all over the world the TRC has been reflected upon from every possible perspective, be it judicial, psychological, religious, linguistic or political – to mention but a few. In the initial phase of the TRC, these publications were merely descriptive; later on they turned out to be rather evaluative. A very comprehensive bibliography of – mainly – academic TRC publications is provided by Graybill (2002). Also the TRC Research Website ([http://africana.ugent.be/trc.htm](http://africana.ugent.be/trc.htm)) gives an updated overview of the worldwide production on the South African TRC.

Evidence of the continuous academic interest in the TRC is also to be found in the number of conferences, workshops and seminars organised almost monthly. Some of the conferences only had the TRC as topic, such as the 1999 conference “TRC: Commissioning
the Past’ in Johannesburg and the 2003 symposium ‘Rhétorique et droits’ in Paris. Even more frequently, the TRC is the topic of one of the panels, lectures or discussion sessions at internationally renowned conferences such as the annual meetings of the African Studies Association or the Canadian Association of African Studies. All over the world PhD students are concentrating on the TRC and even special courses or semester programmes deal with the Truth Commission. All of this has resulted in a huge network of authors and researchers focussing on the TRC. The list of people involved in truth commission research on the “TRC: Commissioning the Past”- website (http://www.trcresearch.org.za/network) gives a slight impression of the existing network – unfortunately the list has not been updated for some years now and it is no longer operational.

In addition to articles, books and academic research, there is also an increasing amount of audio-visual secondary material being produced. Throughout the lifetime of the TRC, special radio and television programmes were broadcast, especially by the South African Broadcast Corporation. The most popular of these special programmes was probably the television series ‘Special Report’. This programme was broadcast every Sunday evening from the 21st of April 1996 till the 29th of March 1998; altogether 87 Special Reports have been transmitted. Special Report was quite a remarkable programme: it did not only give an overview of the proceedings of the TRC, it also contextualised the stories of testifiers by putting television news clips from the apartheid years next to the truth as revealed during the TRC hearings (John van Zyl, 1997). Special Report was a very successful programme. In the course of 1996 it had the biggest audience of any televised current affairs programme ever broadcast in South Africa – with on average about 1,2 million viewers weekly. In 1996 it also won the South Africa Award for Outstanding Journalism (du Preez, 1998).

Also special documentaries have been made on the TRC, both inside South Africa and abroad. Two of the best knows video documentaries are ‘Long Night’s Journey into Day’ and ‘Facing the Truth’. ‘Long Night’s Journey into Day’ was produced by an American film company in the year 1999. It tells the story of four famous TRC cases, it gives background information about the Commission and it interviews a couple of commissioners. In January 2000, the documentary was awarded the Grand Jury Prize for Best Documentary at the Sundance Film Festival (http://www.irisfilms.org/longnight/index.htm). ‘Facing the Truth’,
with Bill Moyers, was also produced in the US in 1999. It gives an in-depth overview of the coming into existence and proceedings of the TRC. The Truth Commission also features dominantly in the South African-made production ‘The Guguletu Seven’. This TV-documentary gives an account of the killing of these seven young men and the way the truth behind their death was revealed before the TRC. Finally, some interesting video material is available at the Centre for the Study of Violence and Reconciliation in Johannesburg. This study centre and its former daughter organisation ‘Khulumani Support Group’ have made a number of documentaries, especially on the image testifying victims had/have from the TRC (http://www.khulumani.net/about/background.htm).

Regarding the secondary audio material, there is one big project that needs to be mentioned. In the year 2000 the SABC produced a collection of six CD’s, called ‘South Africa’s human spirit – an oral memoir of the Truth and Reconciliation Commission’. This six-hour-documentary is a combination of fragments from the TRC public hearings where survivors testified about gross human rights abuses on the one hand, and on the other a lot of contextual audio material by well-known musicians, storytellers, poets, former political prisoners, exiles and most of the TRC Commissioners. This was a commercial enterprise aimed at making accessible the viewpoints, memories and emotions of South Africa’s history (http://www.sabctruth.co.za/).

Especially with the advent of online resources, the material archive of the TRC is expanding on a daily basis. When looking for ‘Truth and Reconciliation Commission South Africa’ at any of the online search engines you get thousands of hits (more than 249.000 with Google and even more than 296.000 with Yahoo – in May 2005).

Finally, one last word should be mentioned about a facet of the TRC archive that is not always taken into consideration: artistic creations and material objects. Literature, theatre, dance and art all offer archival possibilities to release information about the past. Literature about the TRC is on the rise and already a number of novels and plays have the Truth Commission as their main topic – for instance ‘Ubu and the Truth Commission’ by Jane Taylor (1998) or ‘Red Dust’ by Gillian Slovo (2001).
For the people who were involved with the TRC the Commission will continue to be remembered through a number of material objects as well. The buildings where the regional headquarters were housed - and especially the TRC main office at 106 Adderley Street in Cape Town -, and the town halls, churches and schools where the hearings took place will always be embodiments of the Truth Commission. As a result of the TRC, commemorative monuments and tombstones were erected and schools and streets were renamed. All of these constructions and spaces carry with them a memory of the TRC and in a broad sense they can thus be considered as elements of the material TRC archive.

The preceding paragraphs have attempted to give a - definitely incomplete - impression of the existing material archive of the TRC. It should be clear that it will be impossible to ever close this TRC archive. One part of the archive - consisting of the primary records - has been closed already, when the data collection was concluded, when the hearings were over and when the Final Report was published. The largest part of the archive will never be closed, however. Everyone will be able to add something to this archive, to criticise it or to reinterpret it. This archive will be open infinitely to readings, interpretations and contestations, so there will never be a final closure (Derrida, 2002: 76).

This insight into the material TRC archive will now be the starting point of our investigation of the TRC archive as understood by Foucault. As hinted at in the beginning of this chapter, archiving involves a complex network of inclusion, exclusion, forgetting, remembering, construction and reconstruction, all of which being determined by power relations. It is this exploration of power relations that lies at the basis of Foucault's understanding of the archive.

3.1.3. The archive in a Foucaultian sense

The concept of the archive takes a central place in Foucault’s ‘Archéologie du Savoir’ (1969) – translated as ‘Archaeology of Knowledge’ (1972, 2002). In this work Foucault claims that the history of ideas predominantly consists of discontinuities, which means that historical analysis needs to consider discontinuities as a core feature of analysis. He then continues by investigating the ways in which such discontinuities can be identified and analysed.
According to Foucault the existing continuities in the history of ideas have to be deconstructed and this history has to be reduced to its raw material: statements. Therefore, the historian’s project consists of “a pure description of discursive events as the horizon for the search for the unities that form within it” (Foucault, 2002: 29-30). This project can be easily distinguished from an analysis of language, since it involves far more than such a linguistic analysis:

“The question posed by language analysis of some discursive fact or other is always: according to what rules has a particular statement been made, and consequently according to what rules could other similar statements be made? The description of the events of discourse poses a quite different question: how is it that one particular statement appeared rather than another?” (2002: 30).

Foucault claims that an analysis of the domain of statements is the key to describing the discontinuities in the history of ideas, for:

“The domain of statements thus articulated in accordance with historical a priori, (...) and divided by distinct discursive formations, no longer has that appearance of a monotonous, endless plain that I attributed to it at the outset when I spoke of ‘the surface of discourse’. We are now dealing with a complex volume, in which heterogeneous regions are differentiated or deployed, in accordance with specific rules and practices that cannot be superposed” (2002: 145).

He continues by saying:

“(…) we have in the density of discursive practices, systems that establish statements as events (with their own conditions and domains of appearance) and things (with their own possibility and field of use). They are all these systems of statements (whether events or things) that I propose to call archive” (2002: 145).

It is clear that for Foucault the archive does not refer to the material archive, as described with regard to the TRC in the previous paragraphs:

“By this term I do not mean the sum of all the texts that a culture has kept upon its person as documents attesting to its past (...); nor do I mean the institutions, which, in a given society, make it possible to record and preserve those discourses that one wishes to remember and keep in circulation.” (2002: 145).

Foucault then gives a long list of definitions of what he does mean by the term archive, among which the following are especially relevant to our present theoretical framework:
The archive is first the law of what can be said, the system that governs the appearance of statements as unique events. But the archive is also that which determines that all these things said do not accumulate endlessly in an amorphous mass (...). It is that which, at the very root of the statement-event, and in that which embodies it, defines at the outset the system of enunciability. It is that which defines the mode of occurrence of the statement-thing; it is the system of its functioning (...). It is that which differentiates discourses in their multiple existence and specifies them in their own duration (...). It reveals the rules of a practice that enables statements both to survive and to undergo regular modification. It is the general system of the formation and transformation of statements.” (2002: 145-146, italics in original).

The archive can thus only be established by contextualising the statement: “we must grasp the statement in the exact specificity of its occurrence; determine its conditions of existence, fix at least its limits, establish correlations with other statements that may be connected with it, and show what other forms of statements it excludes” (Foucault, 2002: 30-31). Foucault (2002: 55-58) hints at three principal aspects of the archive that need to be investigated. The researcher must find out who is speaking, he must describe the institutional sites from which the discourse is produced and he should also take the specific situation into consideration. Since discourse is always linked to certain historical conditions and to specific periods in history, it is crucial to find out why a certain discourse took shape exactly at a specific time (Foucault, 1969: 61-62). Based on the principle that everything is never said, researchers have to describe why certain statements are more exceptional than others, why they are bestowed with a greater value and therefore selected to be produced (Foucault, 1969: 157).

According to Foucault, it is obvious that the archive of a society, culture or civilisation cannot be described exhaustively, nor can it be described in its totality. To the researcher, the archive emerges in fragments and levels and the greater the time distance between the object of research and the researcher, the fuller his or her understanding of the archive might be. Finally, Foucault also argues that it is “impossible for us to describe our own archive, since it is from within these rules that we speak, since it is that which gives us what we can say (...)” (Foucault, 2002: 146). For the never completed, never completely achieved uncovering of the archive, Foucault uses the term archaeology – which is also the term Derrida uses to refer to the unlayering of the material archive (see above).

When a researcher understands how the archive has been established and why one statement appears instead of another, he or she will get an insight into the regimes of power that are operating behind the use of a certain discourse. Archivists have a tremendous amount of
power, both by deciding which documents are to be included in the archive and by defining what sort of statements are allowed to be expressed. As said before, archives can thus be seen as monuments to particular configurations of power. The archontic power involves the unification, identification and classification of records, and in this sense it is always determined and motivated by socio-political configurations of power. Foucault’s archaeology refers to the deconstruction of these societal power relations.

In this dissertation I will try to get an insight into the TRC archive (actually the archive of the TRC human rights violations hearings) in this Foucaultian sense: why did victims talk about certain aspects of their past experience, why did the TRC commissioners only ask particular questions, how did victims relive the past by reverting to past discourses, why were certain expressions prohibited and therefore excluded from the TRC archive? The archive of the HRV hearings will be interpreted in a broader sense as well, by investigating why exactly these victims were selected to come forward, or why the hearings had a particular structure, both discursively and materially.

The deconstruction of the TRC archive will occur on the basis of the discursive analysis of a selection of human rights violations testimonies. I will illustrate how these testimonies are layered, both historically, ideologically, and on the level of identity formation. We will see how the victim’s discourse was sometimes framed during the hearings, and how some of these survivors managed to get round this discursive framing, by maintaining their individual position. We will thus get an insight in the way power relations were created in the course of the HRV hearings. I will refer to the power displayed by the TRC commissioners as a particular level of archontic power. The archontic power related to the TRC archive had a number of different components, as will be elaborated on next.

3.1.4. Archontic power

Just like in any other archive, also the guardians of the TRC archive had been granted a large amount of power by South African society. The Commission was to give an officially acknowledged and legitimised version of the apartheid past. The TRC archive was to be an institutionalised reflection of the past, a past that could no longer be disregarded, neither by
the official establishment, nor by South African society at large. The people who establish and guard an archive are usually called archivists. In the case of the TRC archive, the term archons might be more appropriate (Derrida, 1996: 2). ‘Archons’ does not solely refer to the people who collect the documents, but rather to the ‘entities’ that command and control the archived material. The archons have to unify, identify and classify the records and, according to Derrida, they also have the power to interpret the archive. It is in these latter functions that their archontic power is manifested. When considering the TRC there are a number of different layers regarding the archons of the archive.

The TRC was established by a parliamentary act of July 1995. This Act stipulated in great detail how the Truth and Reconciliation Commission was to function. Amongst others it determined that the TRC would consist of three Committees and that only a specific group of victims of gross human rights violations would be taken into account – the Act included strict definitions of ‘victims’ and ‘gross human rights violations’. It described the functions and objectives of the TRC and its Committees, it stipulated how the commissioners and committee members were to be elected, it explained how each of the TRC bodies was to proceed in practice, and it also mentioned the publication of the TRC Report (http://www.doj.gov.za/trc/trc_frameset.htm).

This Act was negotiated during the transition period 1990-1994 and this mainly between the then ruling National Party and the largest ‘opposition group’, the African National Congress. As a result of the elections of April 1994, the South African National Assembly consisted of seven political parties that were voted to power: the African National Congress (62,6%), the National Party (20,4%), the Inkatha Freedom Party (10,5%), the Freedom Front (2,2%), the Democratic Party (1,7%), the Pan-Africanist Congress (1,2%) and the African Christian Democratic Party (0,5%) (http://www.electionresources.org/za/). Since the new South African Constitution had enunciated the principle of power sharing, a Government of National Unity (GNU) was established, including ministers from three parties – the ANC, the NP and the IFP (Calland, 1999: 3).

The TRC Act was voted by the National Assembly composed of the above-mentioned parties and it was under the power of the GNU that the Truth Commission eventually came
into effect. Since the TRC Act clearly stipulated how the TRC was to go about its work, this Act already gave a first indication of how the TRC archive was to be constructed. The Act was the legal as well as the institutional guideline for the work of the TRC. It was the manuscript for the TRC’s tragedy and the South African catharsis process. It stipulated what the boundaries of the tragedy would be and what could be performed and what not (Kjeldgard & Nexo, 1999: 49).

By talking, amongst others, about the fact that the TRC hearings would be open to the public (section 33 of the act), by mentioning the TRC’s commitment to compiling a final report (section 3 (d)), and by deciding who was to participate in the TRC, both on the level of the commissioners and on the level of the victims (section 1), the TRC Act drew the outline of the TRC archive to be. For instance, the Act already indicated that publicly held testimonies and an extensive written report would be major elements of the TRC archive structure. Because we can suggest that the National Assembly had a hand in the construction of the TRC archive, we might say that the political parties represented in the National Assembly – and especially the dominating parties – composed the first layer of TRC archons.

The TRC Act attributes quite a large amount of rights and obligations to the President of South Africa: “the seat of the Commission shall be determined by the President” (section 2 (2)), “the President shall appoint the commissioners in consultation with the Cabinet” (section 7 (2)), “the President may remove a commissioner from office on the grounds of misbehaviour, incapacity or incompetence” (section 7 (7)) and “the President may prescribe measures to provide for the protection and the safety of a victim” (section 35 (4)). Because of this legally stipulated impact of the President on the Commission, and because it is known that the then President Nelson Mandela had strong positive ideas regarding the TRC, we could claim that President Mandela was a prominent element of this first layer of TRC archons.

The next level we should consider is the human rights violations hearings. The archons present at the hearings were, first and foremost, the commissioners and committee members. They decided who was going to testify and for how long the victim was allowed to talk. They also decided which questions were to be asked and how to anticipate to the
emotions and utterances of the victims. In the first place, these decisions were made against
the background of the TRC Act. The time limit of 18 months for the completion of the
TRC’s work, for example, was stipulated in the Act (section 43 (1)), and this time limit
obliged the commissioners to sometimes curtail the testimonies of the victims. Which victim
was to appear on which day, the order of the victims and also the appointment of the
committee members for each of the hearings, were aspects decided upon before the hearing
took place. Preceding the hearings, commissioners, committee members and staff members
of the TRC held meetings where these practical matters were discussed (Buur, 2000a:
chapter five). We could call these pre-hearing meetings a first sub-layer, while the actual
hearings can be regarded as the second sub-layer of this particular level. All of these
decisions, taken both at the pre-hearing meetings and in the course of the HRV proceedings
themselves, determined the outlook of a major aspect of the TRC archive – who was going
to question which victim on which day and for how many minutes would be an inherent
element of the future TRC archive. It is this layer of archons that I will discuss in great detail
later on.

Once the human rights violations hearings were over, a next step was taken in the archiving
process. Based on testimonies, submissions and investigations, findings had to be
formulated. Together with a large amount of background information, these findings would
be an integral part of the TRC Report. The authors of the Report can be considered as major
archons of the TRC archive: they ordered part of the TRC documents, they unified and
classified them in order to fit the format of the written TRC Report.

The writing of the report had already started many, many months before, but especially from
March 1998 the authors had to start their race against the clock. Although this report was
scheduled for the end of July 1998, it was not completed until the end of October 1998 (Orr,
2000a: 339). Every commissioner and committee member was to be completely involved in
the report-writing process. Each of them was given the opportunity to express opinions,
request changes, add or delete things, rewrite parts of the text, etc. According to former
commissioner Orr (2000a: 343) this Herculean task resulted in a tedious, time consuming
and frustrating process. Preliminary drafts of chapters were read, debated, changed and
rechanged at infinitum. Finally, when time was running out, the commissioners had to break
into smaller groups, each group being responsible for a specific chapter. Although there were speculations about who had actually written the TRC Report, Orr (2000a: 344) testifies that it had mainly been the task of the TRC commissioners themselves. However, other voices claim that most of the report writing was done by researchers, or people outside the TRC, such as Nicky Rousseau from the University of the Western Cape, Madeleine Fullard from the University of Cape Town and John Daniel from the Human Science Research Council of South Africa (personal conversation with Lars Buur, spring 2004). All of these authors had a huge responsibility, considering the prominent place the Report would take in the overall TRC archive.

The Official TRC Website was set up quite early in the TRC process, in the course of 1996. The designers of this website contributed greatly to the establishment of the TRC archive. They clearly opted for a very informative website, containing a large amount of unique data. Nevertheless, they still had to select which material to include and by doing so they determined an important facet of the TRC archive. When it was decided that the public testimonies were to be included on the website, these testimonies had to be transcribed. This was done by the transcription company Veritas Transcription Services (PTY) Ltd from Cape Town (personal conversation with Lars Buur, spring 2004). As referred to by Ochs (1997), Bucholtz (2000) or Blommaert & Slembrouck (2000), transcribing involves a great deal of changing, interpreting and selecting. In section 2.4.6. I have talked already about translating and transcribing at the HRV hearings and also in this chapter I will come back to it briefly; for now it suffices to emphasise that also the people responsible for the TRC website can be considered archons of the TRC archive.

A next layer of archontic power lay in the hands of the people responsible for the media representations of the TRC. During the main part of its proceedings, the TRC has been inseparable from the media. TRC Deputy Chairman Alex Boraine even stated: “the TRC owes a huge debt to the media of South Africa. Without coverage in newspapers and magazines and without the account of proceedings on TV screens and without the voice of the TRC being beamed through radio across the land, its work would be disadvantaged and immeasurably poorer” (Garman 1997, 12). The success of the TRC was partly a result of the media attention. The TRC depended on the media to communicate its message to the
nation, and therefore the media were given a central position in the work of the TRC, right from the start.

As referred to earlier, all of the public hearings were recorded by the media, both on audio- and on videotape. Radio and television transmitted a couple of hours each day of live TRC footage, and summaries of the day’s events were given in the news and in special programmes. Also coverage by the written press was extensive, as articles on the TRC appeared almost daily. The TRC itself was well aware of the media importance and the Commission regularly issued press releases on hearings, amnesty decisions and other relevant information. This close connection between the TRC and the media meant that public perceptions were predominantly formed by what people saw on television, heard on the radio or read in the newspapers, and this made the TRC media representations very influential (Hamber & Kibble, 1999: 6).

The position the media should take in covering the TRC was a burning issue among the people concerned. This became clear during a workshop organised by the Media Peace Centre in Cape Town in 1997. Some participants, like SABC KwaZulu-Natal general director Mkhize and academic Jane Taylor were convinced that the media should support the reconciling work of the Commission. Also John van Zyl (1997) claimed that journalists had to act responsibly and adopt a human rights perspective when covering the TRC. Radio journalist Antjie Samuel, on the other hand, argued that journalists should remain critical, also with regard to the TRC (Braude 1997, 7; Taylor 1997). Most of the journalists at the workshop seemed to be convinced that the media had to be critical when covering the TRC. Journalists had to question some basic premises of the TRC and they should not accept concepts and definitions imposed by the Commission (Laufer 1998).

When consulting the existing literature, a fair amount of criticism is expressed regarding the way the media represented the TRC. The media is stated to be sensationalist and partial and to oversimplify the entire TRC process. Critics claim that especially the hearings with important personalities, such as Winnie Madikizela-Mandela or former President de Klerk, were one big media spectacle (Pons, 2000: 103). Because of the media, Posel & Simpson (2002: 7) argue, the TRC was seen by the world as a “compelling drama of confession,
suffering and sometimes repentance”. Also Bester (2000) and Legassick & Minkley (1997: 25) claim that the media turned the TRC into a sensational trauma spectacle. The TRC process became a theatrical representation of pain suffered during the apartheid era; the trauma of the individual victim was transformed into a public spectacle and in this way the dignity of the individual victim was disregarded.

In some cases, it seemed as if the media was biased when covering the TRC, meaning that highly positive or negative opinions on the Commission were expressed overtly. The Afrikaans written press, for instance, was often very negative about the activities of the TRC, and this in contrast with coverage in the English-speaking written press. Especially the editorial comments of most of the Afrikaans papers could be openly negative. The TRC was accused of prejudice against the Afrikaners and of sympathy for the ANC (Verwoerd 1996, 72; du Plessis 1998, 56). Also Hamber (1997) claims that the media have been biased in their presentation of the TRC. He states that the media have not challenged the assumptions put forward by the TRC, for example that the truth is the road to reconciliation. In addition, the media have merely reflected the activities of the TRC and they did not try to delve beyond it.

The media selected who and what would be shown or heard, obviously, and according to Posel & Simpson (2002: 7) this selection was clearly determined by racial and gender criteria, by the profile of the case, and by the viewpoint of the journalists. In addition, the performative priorities of the media were essential. That is why a lot of emotional scenes were shown, without providing enough background information. Especially international networks like CNN wanted to show gripping television, which was simplified and did not dig into the complexities of the past. Because the media tended to homogenise all apartheid victims, it sometimes gave a distorted and simplified image of the past and of the TRC process as a whole. In addition, the media might have reduced the richness of the TRC, for example by only rarely reporting on the work on the Investigation Unit or the Committee for Reparation and Rehabilitation (Verwoerd, 1996: 70; Bird & Garda, 1997: 331).

In all this, not only individual preferences of the journalists or programme directors were decisive. Also practical matters, commercial motives or political decisions had an influence on the form and content of TRC media representations. The well-known SABC television programme *Special Report* for instance, lasted for half an hour during the first 18 months of
its existence. Thereafter, this was changed to one hour, which was an explicit choice by the advisory board of the SABC. Nevertheless, in the beginning of 1997, about halfway through its life span, the SABC cut its spending on *Special Report* by one third (Braude, 1997: 7). Decisions like these also determined the outlook of the programme and its significance in capturing the past with an eye to future generations.

That media representations can give a distorted image of current events is a fact widely addressed in communication studies (see amongst others Fairclough, 1995b, 1998; Allan, 1998; Garrett & Bell (eds.), 1998; Van Dijk, 1998a; Cameron, 2001). For our present case, it has been important to briefly illustrate how the media reflected on the TRC, since the process of selection, representation and construction conducted by the media determined a crucial part of the TRC archive. This sometimes biased, sensationalised or simplified view was a valuable memory of the TRC. These media reports did not only influence the way the TRC was perceived by South Africans, but they were also a reflection of the prevailing attitudes of South African society vis à vis the Commission. I will not go further into the relation between the TRC and the media, but it is sure that analysing various facets of TRC media representations will continue to be an inspiring research topic. At present, we solely have to stress that the individuals (journalists, directors) and institutions (television networks, press alliances, newspapers) in charge of the TRC media representations possess(ed) a large amount of archontic power with regard to the TRC archive. Especially because the TRC as a whole was so closely connected to the media, the archontic power of the media has been influential, both in South Africa and beyond.

Finally, as described, the TRC archive continues to be constructed and reconstructed by authors and scholars, artists and teachers, students and researchers. All of them possess a certain amount of archontic power; all of them have the power to identify, classify and interpret the TRC records.

To conclude, I should emphasise the existence of *hidden archons*, referring to archons who also have an influence on the TRC archive, but who tend to stay invisible. In section 3.1.4. we have defined *archons* as “entities that command and control the archived material”. In addition to the archons mentioned above there have definitely been other people who have interpreted and assessed the TRC material, but rather on a local, non-official level. Examples
of such hidden archons are the community members, relatives and friends people went back to after having given their statements, told their stories, or confessed their committed atrocities before the TRC. Back in their communities, amongst friends or family members, the stories of these people were repeated and evaluated. Sometimes, these stories were received with disbelief, anger or sympathy, mainly depending on whether the testifier had gone to the Amnesty Committee or to the Human Rights Violations Committee. Quite regularly and especially among testifying victims, their appearance before the TRC had been the first time to talk about the traumatic event; very often it was the first time the apartheid experience was related in public – especially in the case of sexual violence (see for instance Dube, 2002: 120 and the TRC Report, 1998, 4/10: 294). With regard to the amnesty applicants, relatives and friends were sometimes not aware of the committed human rights violation. Knowing that their family member or friend had actively participated in the TRC process could result in various - new - local opinions vis à vis the Commission.

These local attitudes towards the TRC helped to construct public opinion about the Commission. We are talking here about a specific kind of archontic power, which could have a limited impact on a national or international level, but which could be very influential on the community level. It is very hard to come to grips with these local interpretations of the TRC material. A number of anthropologists have attempted to go into the communities in order to collect local opinions towards the TRC and to investigate how the TRC material has been dealt with on a grassroots level – for instance Matshoba (2002) or Fiona Ross (2003a). Also victim support groups have been set up, where both victims and their relatives or friends could come forward to ventilate their opinions and attitudes vis à vis the TRC process. One of the best known of these victim support groups is the Khulumani Support Group (KSG), which I referred to in an earlier chapter.

As said before, KSG still organises discussion sessions where TRC victims and their relatives and friends have an opportunity to assess the TRC process. It is thus one of the rare institutions that can bring the opinions of these hidden archons to the surface. The way in which these archons interpret the TRC archive is seldom addressed in public forums, although the results of the Khulumani discussion groups have been published in a number of articles, mainly by the Centre for the Study of Violence and Reconciliation. These hidden
archons have to be taken into consideration when assessing the TRC archive, since they can influence people on a level often inaccessible to established archons like the media, the written press or academic researchers.

3.1.5. A hierarchy of archons

As shown, in the extended archive of the TRC archontic power is displayed by a large number of different actors. This power is unevenly distributed amongst these actors however, it is related to the envisaged audience of the actors and to the action radius within which they are operating. In the present era of globalisation texts tend to move across different archives, having a different impact within each of these archival layers (Blommaert, 2005: 121). Depending on the context and the available resources, people have different access to TRC texts or to the entextualisations of TRC texts. Not every context is accessible to everyone and the way people interpret TRC discourse depends on who has access to which contextual space (Blommaert, 2005: 66). Especially when discourses are being deterritorialised - so transferred from one cultural sphere to another - this recontextualisation can have a significantly different influence on the audience involved.

Briggs (1997) already argued that the way texts are made available across different contexts involves questions of power (Blommaert, 2001a: 24). It is thus productive to investigate how the archontic power related to the TRC archive is hierarchised. Different archons entextualise the TRC material differently, they make use of different technologies and they reach different audiences, dispersed over a wide variety of different contexts.

The political parties of the National Assembly who designed the TRC concept in 1995 had a very strong and pervasive influence on the TRC archive, just like the archons at the hearings themselves – the commissioners. Both of them helped to establish the outlook of the Commission and both of them determined to a large extent how the TRC was to be interpreted. I thus consider the 1995 politicians and the TRC commissioners as the most influential archons.

The writers of the TRC Report and the composers of the TRC Website possessed a considerably smaller amount of archontic power. The TRC Report is only accessible to
literate people – an aspect important to consider in a country where 14% of the population is still illiterate (see the CIA World Factbook South Africa, January 2004). Besides, the publication was predominantly bought by large institutions and libraries, which tells us that its outreach towards South African communities must have been rather limited. Especially abroad the TRC Report is the main reference work on the TRC, so its indexical power might be more elaborate outside than inside South Africa.

These same aspects also hold for the archontic power of the TRC Website. The World Wide Web has led to an archival earthquake (Derrida, 1996: 16) – an earthquake that not only accelerated, but also transformed the archiving process. Because of these new archiving technologies the TRC archive took a particular structure and it influenced different strata of society differently. However, this earthquake has only had important implications for a small part of the world’s population. The TRC Website is an invaluable source of information, but maybe rather in the West than in South Africa itself.

The entire network of TRC researchers and academic authors contributes greatly to the construction of the TRC archive, but again this archive is not open to the majority of the population – especially not in South Africa. The same, but then in a reverse direction, holds for the hidden archons I distinguished. These archons can exercise a fair amount of archontic power on the community level, but they are rarely recognized in national or international forums.

In addition to the South African political forces and the TRC Commissioners, the main holders of archontic power are presumably to be found in the media. It was the media that reflected on the TRC already before its coming into existence; it was the media that sent images and sound to South African families as well as to the international community. The media brought the TRC to the world, and, as we have seen earlier, it also brought the world to the TRC. Within South Africa, the written press only had a limited impact on the way the TRC was conceptualised. The impact of the television, and especially the radio was more extended. Radio and television makers determined the general understanding of the Commission, which turns them into the most influential archons. An analysis of the TRC should therefore include material drawn from these media sources.
After having established the hierarchy of TRC archons we should not forget that also the present researcher, Annelies Verdooolaege, has a considerable amount of archontic power. As a re-interpreter of the TRC archive my position is on top of the hierarchy of archons. I am overlooking the archontic hierarchy, analysing it and applying it to a specific field of research. My position can be described as a post-hoc archon, an archon who surveys and summarises the existing manifestations of archontic power and who, by deconstructing this archontic power, tries to gain insights relevant in a particular academic domain. I have the audacity to say that while writing this dissertation I am temporary at the top of the TRC archontic hierarchy, since I interpret the TRC archive in a unique way, applying a specific theory to a specific kind of case-studies.

3.1.6. Conclusion

I have devoted a lot of attention to the TRC archive, both as a depository of material data, and as a concept referring to the rules of formation of the TRC discourse. The TRC archive has been extremely important in South Africa’s transition process, since it was crucial in the construction of a collective South African memory. The TRC produced not only a new history of the new South Africa but also the archive upon which that past was constructed. It did so through memorising, forgetting, inclusion, exclusion, and also occlusion – “the obstruction of the recording of, and for memory” (Brent Harris, 2000: 130). The TRC presented itself as an institutionalised representative of the nation – and thus it had the right to interpret the past. It was hoped that this interpretation of the past would herald a new, non-racial and united nation. Quite likely, elements of the past that were excluded (or occluded) from this archive, so parts of the past that were not consigned to the past by the TRC, would only in a very limited way be (re)read, (re)visited or (re)interpreted in the future. This is why it is so important to thoroughly investigate the ways in which the TRC archive came into existence.

This chapter has focused on the construction of the TRC archive as a whole. When talking about the data used for this research, I will elaborate on the establishment of the subarchive that consists of my research material. As I will explain, the primary data for this study are
taken from two sources – the TRC Website and the live video recordings of the hearings. By doing so, both the local and the global of the TRC archive have been taken into consideration. The TRC Website is a manifestation of the international impact of the TRC archive, while the video recordings are a reflection of the TRC archive as it was experienced by a large number of South Africans at the time of happening itself. It is the conceptualisation of these specific research data that will be the topic of the next section.

3.2. The sample

One of the theoretical domains backing this dissertation is Critical Discourse Analysis (CDA). One of the main purposes of CDA is to analyse “opaque as well as transparent structural relationships of dominance, discrimination, power and control as manifested in language” (Wodak, 1995: 204). CDA has been liable to a number of critical reactions, for instance by Widdowson (1995, 1996, 1998), Schegloff (1997), Wetherell (1998), Slembrouck (2001) – for an overview, see Blommaert (2005: 35-42) or Blommaert & Bulcaen (2000).

According to one of these critical debates, critical discourse analysts tend to establish power relations already before the actual analysis of discourse has taken place (see Blommaert, 2001a: 16). They thus assume the a priori relevance of aspects of context in CDA work. Instead of taking the data as a point of departure, they tend to project their own ideas onto their data and analyse them accordingly (Blommaert & Bulcaen, 2000: 455). In this way, interpretations are made in advance and the discursive material is only considered relevant when corresponding to these interpretations.

My explicit intention has been to work inductively, so to start from the collected data in order to formulate research questions. By making use of different theoretical concepts the assembled data were then analysed, and this without sticking to one single theory, but by applying a multitude of theoretical frameworks in a creative way. In this way, the collected material was the starting point for the entire research process. Since this ethnographic approach has been my guideline throughout the research, it is important to devote a considerable amount of attention to the way in which my database took shape.
3.2.1. Textual data

Since my aim was to investigate the discourse constructed at the Human Rights Violations hearings, I needed discursive primary material. These HRV hearings came to a conclusion in 1998, which means that for this retrospective study I had to make use of data collections that had already been established. The only textual data accessible were the transcripts of the hearings as available on the Official TRC Website (http://www.doj.gov.za/trc/trc_frameset.htm).

A little over 1800 apartheid victims told their stories before the Human Rights Violations Committee, and my plan was to select between twenty and fifty case studies. Making a selection beforehand did not seem to be the appropriate method, since at that point I did not yet know what discursive features I was looking for. Bearing in mind the inductive approach discussed above, I wanted to get a general overview of the available material before deciding what would be relevant for my research.

Initially, I thus read over all of the HRV testimonies, which would then provide a sound basis for delineating a limited number of cases. Reading hundreds of gruesome stories about gross human rights violations committed under apartheid was quite a demanding task. For each of the testimonies I wrote down some key characteristics: the age, gender, ethnic background and political affiliation of the speaker, the nature of the human rights violation and the comportment of the speech participants in the course of the hearing – whether victims were emotional, angry, relieved to tell their stories, whether the audience was noisy or subdued, and whether the commissioners were sympathetic or rather harsh when talking to the testifier.

I soon found out that the testimonies seemed to correspond to a standardised format. Many other observers have noted, indeed, how the victim hearings became standardised and ritualised very soon after the first ones were held in East London (Bozzoli, 1999; Graybill, 2002: 82; Ross, 2003a: 13-15). Also Wilson (2001a: 111) makes note of the ‘script’ that was followed at the HRV hearings; he even talks about an “interpretative template [that was laid] across individual victims’ testimonies” (see my earlier discussion in section 2.4.7.).
During my reading I thus noticed that the stories usually had the same structure, that the same questions were asked by the commissioners, and that remarks of the victims were received by the commissioners in a routine way. I then started to note down other features that seemed interesting, for example how victims responded to certain questions on reconciliation or reparations, and how the commissioners reacted to emotional statements of the victims. Since most of the 1819 testimonies were seven to fifteen pages long (so lasting between 30 minutes and one hour), it took me several months to read all of them.

It was clear, right from the start, that this textual material contained a number of limitations and deficiencies. On the TRC website, the victim testimonies are grouped according to the geographical area where they were given. Four areas are distinguished: the areas around Cape Town, East London, Johannesburg and Durban, whereby these towns correspond to the four regional offices established by the TRC (TRC Report, 1998, 1/3: 45). Within each of these four subdivisions different towns are distinguished where a set of hearings took place. At each of these locations the victims who gave testimony are listed.

However, on the website this listing happens in different ways, so fairly inconsistently. For the hearings in the regions of Cape Town, Johannesburg and East London the names of the testifiers are listed under the name of the town. In a specific town, usually two or three days of hearings were held. All of the victims are listed together, though, independent of the day on which they came forward and also independent of the order in which they appeared. For the hearings in the region of Durban, not the names of the testifiers, but the days of the hearings are listed under each town. When then going to day 1 of the hearings in Bloemfontein, for instance, you get the full text of all of the testimonies that were received on that day, in the correct order.

Below, these different ways of listing the testifiers on the website are illustrated. First I give the beginning of the list of testifiers who appeared in the hearings at East London. Thereafter, you can see how the victims appearing in the region around Durban are listed differently. You can notice that in East London there is no way to find out in which order the testifiers came forward.
1. East London - 1
15 - 18 April 1996
[NB: the first TRC Hearing]

NOMONDE CALATA; SINDISWA MKHONTO;
NOMBUYISELO MHLAWULI (88 Kb)
NYAMEKA GONIWE (39 Kb)
ELISABETH HASHE; NQUABAKAZI GODOLOZI;
RITA GALELA (90 Kb)
FEZILE DONALD MADODA JACOBS (16 Kb)
JOE THETHINENE JORDAN (51 Kb)
ROBERT KOHL (39 Kb)
CHARITY KONDILE (51 Kb)
MIKE KOTA (25 Kb)
ERNEST MALGAS (17 Kb)
NTSOMIKAZI EVELYN MATA (18 Kb)
TONI LILLIAN MAZWAI (24 Kb)
JACKSON MBOVANE (23 Kb)
BESSIE MDODA (25 Kb)
FEZIWA MFETI (46 Kb)
THEMBISA CONSTANCE MGINYWA (21 Kb)

2. Bloemfontein
2 - 4 July 1996

DAY 1 (20 Kb)
DAY 2 (23 Kb)
DAY 3 (14 Kb)
testimony. More detailed information is then given, but - which is quite problematic - there
appears to be no consistency at all when comparing the different regions. The exact date,
place and case number are given in each of the three geographical areas. Confusing is,
though, that in the regions around East London and Johannesburg the testimonies are listed
under the name of the testifier, while in the region around Cape Town the testimonies are
listed under the name of the victim. In East London and Johannesburg you can often only
deduce the name of the victim in the course of the testimony itself, although this is not
always obvious. Sometimes, the nature of the violent act is mentioned at the beginning of the
testimony. Usually, this is not the case, and since the stories are sometimes confusing or
incoherent, it turned out to be quite difficult to find out what exactly had happened to the
testifier.

Most of the times, it is clearly stated which committee member functioned as chairperson of
the hearing or as facilitator of the testifier. However, I also came across a number of
testimonies where only the terms ‘chairperson’ or ‘commissioner’ were used, without
mentioning who is referred to. The fragments of the hearings I will give in later chapters are
copied exactly from these website-texts. When I mention ‘commissioner’ or ‘chairperson’
instead of the real names, it is thus a matter of lacking information and not of sloppiness
from my part.

Another problem was that a number of web pages are highly incomplete. Sometimes, the
testimony breaks off in the middle of a sentence; sometimes only the first couple of
sentences uttered by the testifier is given and sometimes the testimony is not accessible at all.
Also other scholars have complained about the careless way in which the TRC website is
maintained (see for example Brent Harris, 2000). Moreover, I could only assume that the
lists of testifiers as given on the website included indeed ALL of the testifiers. There is no
way to check this completeness, but according to my figures the lists on the website could be
complete – I counted 1819 HRV testifiers, which should also be the official number
(Kgalema & van der Merwe, 2003: 2).

Some of the parameters I considered in order to classify the testimonies were gender,
political affiliation and ethnic background – see below for more details about these
parameters. When only taking into consideration the names of the testifiers, gender was not always obvious – especially not since most of the names were African names, unfamiliar to me. Fortunately, in the course of the testimony, people were usually addressed by means of ‘Mr’, ‘Mrs’ or ‘Ms’, which indicated them being male or female.

It was sometimes difficult as well to get insight into the political affiliation of the testifier or the victim. Regularly, however, victims mentioned membership of a political party or a trade union, which gave an indication of their political affiliation.

The hardest category to get information about was the category of ethnic background. This information could only be traced by looking at the names of the testifiers, which required some knowledge about South African names. Laloo Chiba, for instance, is an Indian name, while Muhammad Ferhelst refers to a Coloured person. Johannes Frederik van Eck is clearly a white Afrikaner, and Patrick Morake is a black man. These names did not always give sufficient information, though. For example, the name Williams could refer to black, Coloured or white persons. Additionally, also certain phrases uttered in the course of the testimony could give an indication of the ethnic background. Examples are “He too was a black man”, or “My son was a member of this Indian youth group”.

This lack of explicit information and the fact that I had to deduce a lot of individual characteristics from the testifiers indirectly, made the task of reading over the testimonies long and tiresome. It speaks for itself that the selection and the analysis of the testimonies were hindered to a certain extent by the shortcomings of this textual material.

Nevertheless, I decided to select a representative sample of thirty testimonies from the 1819 testimonies that were presented before the HRV Committee. I should stress that this selection did not take place in accordance with the methods usually employed in social science research. Since I had read over all of the testimonies I took this personal experience as the main basis for selection. It is on the basis of my knowledge of the entire corpus of HRV hearings - so on the basis of features that I noticed to be inherent to these testimonies - that I decided which parameters to choose and which concrete testifiers to select. Although the thirty case studies are not an exact numeral representation of the different groups of HRV testifiers, the representativeness has been taken care of as much as possible.
In fact, this selection of thirty case studies could be replaced by an entirely different, but as valid sample. Following the selected set of parameters I could have chosen thirty other testifiers, also at random but still meeting the same criteria. Hence, this sample is unique, but not irreplaceable. Also, statistical techniques such as weighing and stratification have not been applied here, since the selection is too small.

As will become obvious from what follows, this selection is based on the same criteria of representativeness as employed by the TRC itself. I have added one criterion – the testifiers’ attitudes towards reconciliation –, which is based on my understanding of the very TRC process and its uniformising manner of handling the victims’ narratives. Therefore, I would prefer to call this selection a descriptive sample. It is meant to describe the main features of HRV discourse, without pretending to have taken into account each of the possible characteristics of the testifiers or their discourse.

Before paying attention to the parameters used for this sample, I will give some more information about my second kind of data.

3.2.2. Audio-visual material

The testimonies at the HRV hearings can be considered as types of traumatic storytelling. Colvin (2003, 2004) defines traumatic storytelling as storytelling about traumatic events, whereby its form and content are guided by the psychotherapeutic language of trauma. In addition, it is a kind of storytelling that can itself be traumatising to the teller. Understandably, affect and deep emotions were inherent aspects of these - traumatic - HRV testimonies. Language is often inadequate, though, to deal with intense traumatic feelings. Especially at the TRC past experiences were so horrific that they were often simply indescribable (McCormick, 2003; Gobodo-Madikizela, 2003a: 28). When analysing the TRC testimonies, Krog (1998a: 64) even states that language ceases to exist at the moment pain begins. In fact, also extra-linguistic features, such as body language, gestures, pauses, facial expressions, tears and sobs are crucial to get an idea of the expression of affect (Biber & Finegan, 1989).

Since affect was a central feature at the HRV hearings, and since not all affect can be communicated verbally, I soon realised that my textual data would be insufficient to analyse
the HRV discourse. Also, because I did not actually witness the HRV hearings myself, audio-visual material was indispensable to back up my discursive analysis. Just like Lynch & Bogen (1996: 7), who discussed the discourse used at the Iran contra-hearings, I also felt that in order to gain insight into the hearings’ discourse I had to visually examine fragments of this ‘intertextual spectacle’. As explained before, the South African Broadcasting Corporation recorded all of the TRC hearings on audio- and on videotape. Through contacts within the SABC I managed to buy the video recordings of the thirty selected testimonies.

These tapes have a number of advantages as compared to the transcribed testimonies. Now, for the first time, I could get a real impression of the person whose language I was analysing. I could put a face on the name and in this way I could also closely identify with the story this person was telling. Because of the videotape I could check whether my assumptions regarding ethnic background of the testifiers were correct. I could also see which commissioner was leading the testifier and which committee members posed questions – detail often not given in the transcriptions. The tapes also showed when a testifier broke down, how the audience or commissioners reacted, and how a victim regained strength to continue (often after having been given a glass of water or a tissue by the briefer).

Not only non-verbal elements of the testifiers’ discourse, but also background noise and certain interruptions by the commissioners were usually not represented in the transcriptions. These features as well, which are inherent elements of the discursive situation, were revealed through watching the tapes. The video recordings also provided insight in the discursive setting of the HRV hearings: the positions of the audience, of the testifiers and briefers and of the committee members were shown, and one could also get an impression of the hearing hall, often decorated with banners, candles, and flowers. The camera usually focused on the person who was talking, either the testifier or the committee member. Also the general audience, the briefers and family members of the testifiers were regularly put on the screen. In this way, the videotapes compensated for some of the limitations inherent to the textual material.

However, it would be an overstatement to claim that these tapes comprised some ideal research material. To begin with, it was quite a problem to get exactly the thirty tapes I asked
for. Apparently, the SABC does not have an obvious TRC database, according to which the tapes can be found easily. Next, not all of the tapes were complete; sometimes a tape broke off halfway, or the visual quality became very poor. It turned out, fortunately, that I did have visual images of most of the discursive fragments that were interesting for my analysis.

In addition, these tapes did not always give me sufficient and unambiguous information about the language that was spoken at the hearings. On those thirty tapes the voice of the English interpreter spoke over the original language of the speech participants. Only once in a while I could catch a word of the original language. Usually, the original language did not tell me anything, since I did not know which African language was spoken. The original language was interesting, though, when the testifiers or commissioners spoke Afrikaans – which happened a number of times in my selected testimonies. The English voice of the interpreter on the videos and the English transcriptions did not always coincide. I then realised that the transcriptions had been edited before putting them on the TRC website – which was indeed later confirmed to me when speaking with TRC interpreters at the Free State University in Bloemfontein.

Although not perfect as research data, the video material has been indispensable when trying to understand the ways in which this HRV discourse was constructed, as will be revealed in the discursive analyses in later chapters.

3.2.3. Translating and transcribing

Both the English transcriptions and the video data that I decided to use for this analysis are edited material. Within the circles of discourse analysis it is usually argued that researchers should work with original data, as I mentioned already in section 2.4.6. Indeed, a transcription is considered to be merely “an abstraction, in which a complex phenomenon is reduced to some of its constitutive features and transformed for the purpose of further analysis” (Duranti, 1997: 137). I am aware of the shortcomings of this material, but it might be useful to try to justify my decision to make use of this translated and edited data.

To begin with, it was the English translation that was transcribed, and not the original discourse of the testifiers. I have already referred to the difficulties encountered by the TRC
interpreters. The fact that the used material is translated thus adds a first layer of interpretation and manipulation to the victims' discourse.

Most of the times, it was the exact wording of the interpreter that was written down by the transcribers. Typical features of oral language, such as false starts, hesitations or repetitions were usually not transcribed. There are other minor inconsistencies - words are deleted occasionally in the transcriptions, or ambiguous sentences are sometimes rephrased -, but apart from that the transcriptions are fairly accurate.

Transcribing involves two important analytical operations, selection and simplification – one only concentrates on a very small set of actions the speaker performed, and one simplifies the speaker’s performance by presenting an abstraction of the actual speech (Duranti, 1997: 138). When transcribing, different factors have to be taken into consideration, such as accuracy, authenticity, readability, interpretative relevance and credibility (Blommaert & Slembrouck, 2000: 23). In fact, a transcription has to achieve the right balance, taking into account both theoretical and pragmatic considerations. A transcription has to provide enough theoretical information about the discursive characteristics of the speech fragment, but it also has to be accessible and inviting to read.

This means that a choice has to be made between either conventional orthography or phonetic symbols - Bucholtz (2000: 1461) talks about naturalised and denaturalised transcriptions. The advantage of conventional orthography is that it is accessible to a larger audience. A disadvantage is, though, that such a representation makes it very hard to imagine what the speaker actually sounded like – since this standard orthography does not do justice to certain paralinguistic phenomena, such as sound play. Another problem in using standard orthography is that it serves best speakers of the standard dialect, since this is the variety the writing system is designed to represent (Duranti, 1997: 139). Indeed, also the conventional orthography used to transcribe the TRC testimonies did not represent the variety of English used by all English-speaking South Africans – not to mention the non-English speaking people. For quite some time now, phoneticians have developed phonetic alphabets. These alphabets build on traditional orthography, but they favour actual pronunciation. However, one needs to be linguistically trained to read these alphabets. Besides, especially for conversation-analytic purposes, phonetic transcriptions are unnecessarily burdensome.
(Goodwin, 1981: 47). Some researchers also tried to find a compromise by adapting traditional orthographies to their theoretical needs.

Importantly, no transcription, not even the close phonetic one can ever count as a neutral or transparent depiction of how the speaker sounded. A transcription always represents the vision of the transcriber, it is always an inadequate and biased misrepresentation, it always involves both representational and interpretative decisions, and it always relies on and reinforces ideological conceptions of language (Du Bois, 1991: 71; Hutchby & Wooffitt, 1998: 92; Bucholtz, 2000: 1439; Edwards, 2001: 321). No transcription convention originates in a sociolinguistic, political or ideological vacuum, which means that power relations are always at play. Important to stress is, though, that transcribers are not necessarily conscious of every interpretative choice and its representational consequences – consequences that can be serious in institutional settings that involve asymmetrical power relations, such as court rooms (Bucholtz, 2000: 1446-1455).

There is no need here to elaborate further on the deficiencies of transcriptions, especially since I did not have to transcribe the TRC testimonies myself. Trying to get hold of the videotapes first and using them as the basis for my own transcription would have been another possibility. The problem then would have been that I did not know which transcription convention to use – since I could not predict beforehand what would be relevant for my research.

The Capetonian transcription company Veritas clearly opted for a very accessible transcription format. Standard English orthography is used throughout the transcriptions; only abbreviations, such as ‘ma’am’, ‘don’t’ or ‘won’t’, differ from the standard orthography. The narrative structure of the spoken discourse is maintained as much as possible: turn taking is made explicit and longer stretches of speech are usually not subdivided in paragraphs. Veritas’ decision is absolutely understandable, since the TRC transcriptions were meant to reach an audience as large as possible – and not to be analysed linguistically.

I decided to use these English transcriptions, first of all because they are a fairly accurate representation of the interpreters’ speech. However, my main reason for choosing the
English transcriptions had to do with matters of social relevance. The translated transcriptions are the only ones available, since it was only the English version of the testimonies that was transcribed and put on the TRC website. It is these English translations that are circulating throughout the world and it is predominantly through these English texts that the apartheid victims tell their stories to the world. The ideas formed by people about the TRC - especially by people who had not directly witnessed the proceedings of the Commission - are based to a large extent on these transcriptions. Clearly, when taking into consideration the social impact of the TRC material, these English translations are ranking high. Important as well is that the transcriptions were put on the internet purposely, especially because transparency and accessibility were highly cherished values at the TRC. Hence, by focusing on this data I was also mindful of this point of interest of the TRC.

The same holds for the audio-visual data that I used. Indeed, also here it is not the original speech of the participants that I analysed, but mainly the English translations. The original videotapes do exist. Apparently, though, they are not open to the public and they remain hidden in the TRC or SABC archives. Also when looking at special programmes (for instance ‘Special Report’) or documentaries dealing with the TRC, the English-dubbed video material is always the only material used. Thus, the way the TRC was - and still is - visualised by the outer world is almost exclusively based on the English SABC recordings.

In short, from the viewpoint of social relevance it seems to be much more appropriate to analyse data that is accessible to the international community than original material that is only available to a select group of researchers. Based on the - almost exclusive - availability and accessibility of both the English transcriptions and the English video material, I would even suggest to define this material as primary data.

3.2.4. Which parameters?

I have distinguished five parameters in order to classify the thirty selected testimonies: geographical area, gender, ethnic background, political affiliation and whether or not testifiers supported the idea of interpersonal reconciliation.
Geographical area
The parameter of geographical area was taken into account because in different South African regions the apartheid experience had been somewhat different. For instance, in the region around East London some testifiers came from the former homeland Transkei, where apartheid had been experienced in a very distinct way – totally different than for example in the area of Cape Town. Moreover, in the region around Johannesburg more urban people came forward, while in the region around East London, a larger part of the testifiers came from rural areas. Also the TRC statistics divide the HRV victims on the basis of their geographical origin (TRC Report, 1998, 1/6: 165). By selecting testifiers from each of the four regions, I thus tried to be as representative as possible.

Gender
The parameter of gender was a crucial one before the TRC. According to the statistics 55,3% of all victims who came forward to the TRC was female, while 44,7% of them was male (TRC Report, 1998, 1/6: 168). Strikingly, though, it soon became clear that the TRC failed to address the different gender dimensions that had existed under apartheid. For instance, the TRC’s narrow interpretation of ‘severe ill-treatment’ meant that although women had suffered from forced removals and pass arrests, and although they often had to take responsibility in disrupted families, they were not identified as victims of gross human rights violations. Before the HRV Committee, women also tended to testify primarily as mothers or wives of victims. They rather talked about violations their husbands or sons had suffered, instead of addressing their own victimhood. In this way they often identified as secondary rather than as primary agents in the struggle against apartheid injustices. These gendered inequalities were taken up by the Centre for Applied Legal Studies (CALS), which presented a set of recommendations to the TRC to increase women’s participation (Goldblatt & Meintjes, 1997: 8). One of these recommendations was to organise special women hearings, where women would be offered a space to speak about themselves. This was agreed upon by the Commission, indicating their sensitivity for gender issues in post-apartheid South Africa (see TRC Report, 1998, 4/10).

Regarding the prevalence of gender dimensions in the TRC process and the TRC discourse, it was appropriate for me to also take this parameter into consideration. Throughout the
Methodology: the Problem of Data

TRC Report reference is made to male and female testifiers as two distinct categories, which also led me to take gender as an inherent feature of my selection. In my sample of thirty testifiers I have selected fifteen men and fifteen women. Obviously, I looked at the gender of the testifiers, and not at the gender of the victims people spoke about.

**Ethnic background**

The parameter ethnic background requires some more explanation. The South African population is commonly divided into four racial categories, and this for the purposes of research or to explain the demographic realities and/or socio economic conditions in the country. These four racial groups are African, Indian, Coloured and White and they are often referred to as population groups, ethnic groups or national groups. I will maintain the terms ‘ethnic groups’ or ‘population groups’.

As James and Lever (2000: 44) note: “The use of these categories is unavoidable [in South Africa] given the fixity that they have come to acquire both in popular consciousness and official businesses”. However, these racial terminologies differ from the way in which racial categorisation may be understood in other societies. This subdivision goes back to the apartheid era; it was especially the Population Registration Act, 30 of 1950 according to which all citizens of South Africa should be classified according to racial or ethnic origins (Gibson, 2004: 25-26). The enforcement of this Act was very important, since it legalised, amongst others, separate neighbourhoods and separate public facilities for the different ethnic groups. Belonging to one of these four categories totally determined which laws and regulations one was subjected to and this in each possible sector of society.

As a direct response to this fixed racial categorisation of the apartheid regime, the ANC endorsed the ideology of nonracialism. This policy rejected race as a social construct and supported the principle of equality for all (see the ANC Manifesto, [www.anc.org.za/elections/manifesto/manifestotext.txt](http://www.anc.org.za/elections/manifesto/manifestotext.txt)).

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8 In accordance with the orthography used in the TRC Report, I will write the terms ‘African’, ‘Indian’, ‘Asian’ and ‘Coloured’ - being proper names - with a capital letter. Still following the TRC Report, the words ‘white’ and ‘black’ will be written with a small letter - except when they are used in an abstract way or as a noun and thus referring to an ethnic/political category (for instance ‘the Whites’, ‘he is a Black’).
Because of its strong connotation with apartheid this fourfold division is sometimes rejected in post-1994 South Africa. However, the political and social realities created under apartheid, now coupled with political strategies such as affirmative action, still reinforce and politicise racial consciousness involving these specific categorisations (James & Lever, 2000: 45). For almost 50 years this division in African, White, Coloured or Indian determined the existence of South Africans. There are still wide socio-economic differences between the different ethnic groups; different groups experienced apartheid differently and they still relate to apartheid in different ways (see Gibson’s survey, 2004: chapter 2).

Given the individual experience of these ethnic categorisations, the class positions, and the social-historical realities of their members, the division into these four groups thus seems to be justified. Gibson (2004: 26) even argues that to ignore race would be to fail to recognise that South African society continues to be shaped by its racist history. Indeed, most researchers seem to agree that these terms are still very convenient and socially relevant, and the terms tend to be used continuously in present-day discourse. A lot of scholars still work with this division to characterise South African population, although they often add a footnote stating how controversial and loaded the terms are in present-day South Africa. By incorporating this fourfold racial division into this analysis I merely acknowledge that apartheid shaped – and continues to shape – South African reality. I obviously do not accept anything with regard to this ideology.

In the TRC Report, these ethnic categories are used without reservations. All of the people approaching the TRC were thus subdivided into African, Coloured, Indian or White. In the words of the TRC (TRC Report, 1998, 1/6: 167):

“The apartheid state was fundamentally based on racial and ethnic groupings and this is still one of most important explanatory variables in any sociological and historical analysis of contemporary South Africa. Moreover, the conflicts of the past affected ethnic groups in very different ways, as did the consequences of the violations. Therefore, statement-takers asked deponents to which population group they had been allocated in terms of apartheid terminology.”

and:

“The apartheid state classified people into one of four population groups, namely African, Coloured, Asian and White. Since the Commission’s focus is on violations in the political context of apartheid, this terminology is retained.”
Striking is, though, that throughout the Report the terms ‘race’ or ‘racial group’ are seldom used. They are usually replaced by the terms ‘ethnicity’, ‘ethnic group’ or ‘population group’. This indicates that it is still all but self-evident to use ‘race’ in a South African context and that also the TRC felt uncomfortable referring explicitly to racial issues – I will come back to this aspect in Chapter Five. With regard to the population groups of my selected testifiers, I have tried as much as possible to be representative of the overall numbers of testifiers that came forward to the HRC Committee.

**Political affiliation**

The use of the parameter ‘political affiliation’ is a personal initiative. South African society is highly politically divided. Earlier research documented huge differences across South African population in terms of a wide variety of political attitudes (Gibson, 2003; Gibson & Gouws, 2003). Especially the animosity between the African National Congress (ANC) and the Inkatha Freedom Party (IFP) was quite intensive in the early and mid 1990s.

Different political parties also held different opinions vis à vis the TRC. This was clearly illustrated in the political submissions before the TRC. According to the TRC Report (1998, 5/6: 196) the usefulness of these submissions varied widely, but they were generally disappointing and did little to further the work of the Commission. For instance, the appearance before the Commission of former President FW de Klerk as spokesperson of the National Party (NP) was a particular disappointment to the Commission. The submission of the ANC was more cooperative - the ANC took responsibility for the gross human rights violations it had caused -, although the Commission was still left with a number of unanswered questions. Also the experience with the United Democratic Front was unsatisfactory. The Inkatha Freedom Party (IFP) made no pretence of co-operating with the Commission, and according to the TRC Report (1998, 5/6: 199), its submission was “singularly unforthcoming, evasive and defensive”. Finally, the submissions of the Pan-Africanist Congress (PAC) were disappointing as well: APLA, the military wing of the PAC, was highly critical about the Commission – it claimed that the TRC wanted to criminalise APLA and it was not prepared to apologise for its military actions carried out under apartheid (for more information on the political submissions before the TRC I refer to the TRC Report, volume 5, chapter 6).
The political viewpoint of their parties was sometimes reflected in the testimonies of the supporters who appeared before the HRV Committee. By selecting testifiers with different political affiliations I thus tried, again, to be as representative as possible. Obviously, testifiers were subdivided on the basis of their own political affiliation, not on the basis of the political affiliation of the victims they sometimes represented.

**Commitment to reconciliation**

The final parameter used here is whether or not testifiers were supporters of the idea of reconciliation. I have taken reconciliation as a central concept in my analysis, mainly because it also took a central position in the TRC as a whole. According to the TRC Act, the objectives of the Commission were “to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past” (TRC Act, section 3, 1). A number of scholars claim that the TRC was not supposed to establish reconciliation, but rather to start a process of reconciliation (see amongst others Gobodo-Madikizela, 1997; Parlevliet, 1998a; Goris, 1999; Villa-Vicencio & Verwoerd, 2000). It is quite likely, indeed, that many people, both in South Africa and abroad, saw the TRC as an important symbolic instrument to enhance reconciliation.

The fact that the TRC seemed so closely associated with the concept of reconciliation can also be attributed to the role of the TRC chairperson Archbishop Desmond Tutu. Especially during the Human Rights Violations hearings he strongly emphasised the need for reconciliation to safeguard a peaceful future for South Africa. Moreover, he clearly gave a religious connotation to the term, by equating it to interpersonal forgiveness. Some people – also commissioners and staff members – thought the hearings too overtly religious and Tutu’s definition of reconciliation too Christian (see Verwoerd & Mabizela, 2000: 151). Others, though, viewed Tutu as the perfect person to lead South Africa in the process of national reconciliation (Pons, 2000: 182; Graybill, 2002: 27).

But although the concept of reconciliation took such a prominent position in the proceedings of the Commission, the TRC mandate gave very little direction as to how the Commission was to pursue the goal of promoting reconciliation. According to Chapman (2003b: 2): “this mandate to promote reconciliation was heavy on rhetoric and lean on
specifics”. It did not stipulate the activities intended to contribute to the process of reconciliation; it did not identify who was to be reconciled with whom; and it did not offer guidelines to evaluate the contribution of the TRC to reconciliation (Borer, 2001; Chapman, 2003a). In the TRC Report itself, reconciliation was defined as both a goal and a process, but the Report was void of any further directions.

It is commonly stated that in the context of the TRC, reconciliation should be considered on two distinct levels: on a micro-level, reconciliation refers to the relation between victims and perpetrators of gross human rights violations; on a macro-level, the concept can also refer to reconciliation on a societal level, more specifically, reconciliation between different population groups in South Africa. A distinction thus needs to be made between individual and national reconciliation, but also this was not addressed by the TRC as such (Odendaal, 1997; Winslow, 1997; Hamber & van der Merwe, 1998; van der Merwe, 1999; Boraine, 2000c: 365; Villa-Vicencio, 2002).

As we will see later on, it could be possible that at the TRC the term reconciliation was deliberately kept vague. By not giving it one specific meaning, reconciliation could be interpreted in various different ways. Some people would rather identify with a political understanding of reconciliation, others with a religiously-oriented reconciliation concept, or with a purely individualistic interpretation of reconciliation. In the course of this work, we will try to gain insight into the conceptualisation of the term reconciliation at the TRC and we will notice that during the TRC process the term seemed to lead a life on its own. The term was intangible; it was accepted by a wide range of different testifiers and if necessary, it could also be adapted to the personal attitudes and desires of people.

For now, we can argue that reconciliation seemed to be ill-defined by the TRC, and it is sometimes claimed that up till today no one seems to know exactly what reconciliation means (Gibson, 2004: 12). Mark Hay (1998: 13) even calls reconciliation “one of the most abused words in recent history in South Africa”. According to de Gruchy (2002: 25) ‘reconciliation’ is a very vague and contestable term: “The word is so overloaded with ambiguity in some contexts and so emptied of significant meaning in others, that we may well wonder whether it remains a useful term in universal discourse.”. De Gruchy quotes
Rowan Williams who defines reconciliation as “a seductively comfortable word, fatally close to ‘consensus’”. However, he stresses, “talk about reconciliation becomes meaningful when the circumstances and context are such that the overcoming of hostility and enmity, often expressed through violence, demand that we find a solution. Such circumstances and contexts force us beyond the facile and banal uses of the word.”. In certain contexts, such as the South African TRC process, it is thus crucial to explore the different interpretations of the term reconciliation.

The majority of authors seems to be convinced that achieving reconciliation is an enduring, strenuous and difficult task. Let me illustrate this by quoting the well-known words of TRC chairperson Tutu (TRC Report, 1998, 1/1: 16):

“Reconciliation is not about being cosy; it is not about pretending that things were other than they were. Reconciliation based on falsehood, on not facing up to reality, is not true reconciliation and will not last.”

However, a number of attempts have been made to actually define reconciliation. Hamber & van der Merwe (1998: 1) for instance, propose five different kinds of reconciliation: a non-racial ideology of reconciliation, reconciliation as an ideology based on an intercommunal understanding, a strongly religious ideology of reconciliation, a human rights approach, and the understanding of reconciliation as a form of community building. In the handbook on reconciliation after violent conflict (Bloomfield et al, 2003) it is argued that the reconciliation process consists of three stages: replacing fear by non-violent coexistence, building confidence and trust, and moving towards empathy. Further, it is said that burying the past in a reconciliatory way requires the mobilisation of a variety of techniques, such as healing, truth telling, restorative justice and reparation. All of these techniques were, in one way or another, embodied by the TRC. Hay (1998: 14) defines reconciliation as “the establishment or recovery of human dignity and humanity of every person, rooted in human rights, and the acceptance of this by the individual and the society”. For Charles Villa-Vicencio (2000c: 208) reconciliation involves the restoration and sometimes the establishment of a hitherto non-existent relationship of trust. De Gruchy (2002: 26) distinguishes four interrelated ways to speak about reconciliation: a theological, interpersonal, social and political dimension. In South Africa, he continues, reconciliation is about restoring justice, interpersonal and social
healing and the restoration of humanity. Gibson (2004: 17), finally, claims that reconciliation in South Africa involves interracial reconciliation, political tolerance, respect for human rights and recognising the legitimacy of state institutions.

Clearly, there exists a great diversity of perspectives on the meaning of the term reconciliation in South Africa. Whether or not the TRC actually started a reconciliation process is highly controversial. Some authors are convinced that the TRC did not work towards reconciliation, mainly because not enough truth was revealed and not enough attention was paid to the reparations policy. Also signals of repentance, apologies of apartheid leaders and white acknowledgement of past wrongdoings were items that were lacking at the TRC, but which could have enhanced feelings of reconciliation. Many scholars have written about this failure of the TRC reconciliation process, see for instance Verwoerd, 1996; Wilson, 1996: Dugard, 1998; Hayes, 1998; Robins, 1998b; Soyinka, 1999; Burton, 2000b; Gerwel, 2000; Van Zyl Slabbert, 2000; Jefferey, 2001; Khoisan, 2001. Other authors were more positive about the capacity of the TRC to work towards reconciliation, since it enhanced a culture of debate and respect among people, since it established an acknowledgment of the past, and since it attributed blame to all parties in the struggle over apartheid (see, amongst many others Sampson, 1997; Connor 1998; Frost, 1998; Hay, 1998; Christie, 2000; Ntsebeza, 2000b; Sacks, 2000; Gibson, 2004).

The debate on the possible instigation of a reconciliation process as a result of the TRC is much more developed than this brief overview might suggest. For a deeper insight into this debate I refer to the above-mentioned literature and to the TRC Research Website (http://www.avrug.be/trc.htm). Although at this point it is difficult to state that the TRC actually contributed to reconciliation in South Africa, it could be possible to argue that the TRC certainly did not contribute to “irreconciliation” (Gibson, 2004: 335). One of the issues raised later in this text is whether the TRC might have added more to the reconciliatory-oriented climate in South Africa than initially expected – and this mainly on a subconscious, non-tangible manner.
In any case, since the term reconciliation took a central position in the work of the TRC, and also in the writings of people reflecting on the TRC, it seemed to make sense to take the TRC victim’s attitude towards reconciliation as a central concept in my analysis.

Because of the failure of the TRC to convey a clear and well-developed view of reconciliation, Commissioners and staff often pursued different approaches to reconciliation. Some of the Commissioners were looking at reconciliation from a religious perspective, mainly linking reconciliation with repentance and forgiveness. Others put forward a more political or judicial concept of reconciliation (Chapman, 2003b: 3). As we will see, also the testifiers interpreted reconciliation in a wide variety of different ways. I have mentioned earlier that Wilson (2001a: 104) distinguishes three framing reconciliation narratives at the TRC: the legal-procedural narrative, the mandarin-intellectual narrative and the religious-redemptive narrative, all of which being used interchangeably. Chapman (2003b: 4) claims that at the TRC hearings reconciliation was usually conceptualised in the context of an interpersonal relationship between two persons who are in conflict with one another. Very rarely, also national reconciliation was raised or there were discussion on the need for reconciliation between the different South African population groups.

For all these reasons it is quite impossible to clarify exactly how to define reconciliation when analysing the HRV testimonies. Therefore, when analysing my data I will not limit myself to one interpretation of the term reconciliation. The interpersonal definition of reconciliation is only one of the conceptualisations that will be revealed. Reconciliation will be considered as an extremely broad concept, that could – and was – interpreted in a lot of divergent manners. In accordance with for example Yandell (1998: 45) and Shriver (1998: 136) I will consider individual forgiveness as a necessary – though not sufficient – condition for reconciliation. Therefore, also references to forgiveness will be seen as inherent elements of the TRC reconciliation discourse. The richness of the term reconciliation will be illustrated throughout this work and gradually its semantic multiplicity will be revealed.

**Five parameters and...**

In addition to these five parameters I also paid attention to the chronology of the hearings. The HRV hearings started in East London on the 16th of April 1996 and they ended in Cape
Town on the 20th of May 1997. I made sure to select testimonies throughout this period, since the discourse used at these hearings - and also the topics addressed - might have developed over time (see Kgalema & van der Merwe, 2003: 6; Picker, 2003: 8). Finally, I also tried to cover a range of different apartheid experiences as large as possible. Gross human rights violations talked about in the thirty selected testimonies are shootings, torture and detention by the South African Police and attacks by the extreme-right wing Afrikaner Weerstandsbeweging, but also attacks and bombings by the ANC, the PAC or the IFP, necklacings, or maltreatment in the ANC training camps. By selecting such a variety of human rights violations I thus tried to be representative of the impartiality that was a hallmark of the TRC (see Villa-Vicencio, 2000a: 29; Villa-Vicencio & Verwoerd, 2000: 284; Gibson, 2004: 75).

3.2.5. My concrete selection

The only figures I have regarding the five parameters I selected are the figures obtained through my own manual counting. The fact is that official statistics or figures about the people who appeared at the public TRC hearings do not exist. There are overall statistics, listing how many men or women, how many Indian, African, Coloured or white people, how many supporters of the ANC, IFP or NP and how many people from each of the four geographical areas gave statements before the TRC. These statistics are available in the TRC Report (1998, 1/6: 164-168) and I copied some of them in order to give an impression of the different groups that came forward to the TRC.

Table 1: Statements given before the HRVC – according to population group

<table>
<thead>
<tr>
<th>Population group</th>
<th>Number of statements</th>
<th>% of statements</th>
</tr>
</thead>
</table>
Table 2: Statements given before the HRVC – according to gender

<table>
<thead>
<tr>
<th>Population group</th>
<th>Females %</th>
<th>Males %</th>
</tr>
</thead>
<tbody>
<tr>
<td>African</td>
<td>55,9</td>
<td>44,1</td>
</tr>
<tr>
<td>Coloured</td>
<td>38,0</td>
<td>62,0</td>
</tr>
<tr>
<td>Indian</td>
<td>20,5</td>
<td>79,5</td>
</tr>
<tr>
<td>White</td>
<td>40,1</td>
<td>59,9</td>
</tr>
<tr>
<td>Total statements</td>
<td>55,3</td>
<td>44,7</td>
</tr>
</tbody>
</table>

Table 3: Statements given before the HRVC – according to region

<table>
<thead>
<tr>
<th>Area</th>
<th>% statements from each region</th>
<th>Total population in each region, in 1.000's</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cape Town</td>
<td>8,3</td>
<td>4,864</td>
</tr>
<tr>
<td>East London</td>
<td>13,4</td>
<td>5,885</td>
</tr>
<tr>
<td>Durban</td>
<td>48,6</td>
<td>12,485</td>
</tr>
<tr>
<td>Johannesburg</td>
<td>29,1</td>
<td>16,415</td>
</tr>
<tr>
<td>Total</td>
<td>99,5%</td>
<td>40,649</td>
</tr>
</tbody>
</table>

These statistics give some interesting information about the total number of South Africans that came forward to the TRC – these were the people that gave a statement to the statement takers, statements that were written down and later on processed by means of an electronic database. I should emphasise again that there are no statistics whatsoever available on the 1819 people who testified publicly before the HRV Committee (personal conversation with Madeleine Fullard, TRC staff member, in the year 2003).

To carry out my analysis there was simply no other possibility than counting the testimonies manually in order to subdivide them on the basis of the five selected parameters. The thus obtained figures are as follows:

9 According to the TRC Report (1998, 1/6: 165) there is also 0,5% of the statements coming from another region – further explanation is lacking.
Table 4: Manual counting of the public testifiers – according to region and gender

<table>
<thead>
<tr>
<th>Area</th>
<th>Females</th>
<th>Males</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cape Town</td>
<td>120</td>
<td>120</td>
<td>240</td>
</tr>
<tr>
<td>Durban</td>
<td>188</td>
<td>148</td>
<td>336</td>
</tr>
<tr>
<td>East London</td>
<td>305</td>
<td>325</td>
<td>630</td>
</tr>
<tr>
<td>Johannesburg</td>
<td>321</td>
<td>292</td>
<td>613</td>
</tr>
<tr>
<td>Total</td>
<td>934</td>
<td>885</td>
<td>1819</td>
</tr>
</tbody>
</table>

Table 5: Manual counting of the public testifiers – according to population group

<table>
<thead>
<tr>
<th>Area</th>
<th>African</th>
<th>Coloured</th>
<th>Indian</th>
<th>White</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cape Town</td>
<td>172</td>
<td>56</td>
<td>0</td>
<td>12</td>
<td>240</td>
</tr>
<tr>
<td>Durban</td>
<td>322</td>
<td>2</td>
<td>5</td>
<td>7</td>
<td>336</td>
</tr>
<tr>
<td>East London</td>
<td>610</td>
<td>4</td>
<td>0</td>
<td>16</td>
<td>630</td>
</tr>
<tr>
<td>Johannesburg</td>
<td>573</td>
<td>2</td>
<td>8</td>
<td>30</td>
<td>613</td>
</tr>
<tr>
<td>Total</td>
<td>1677</td>
<td>64</td>
<td>13</td>
<td>65</td>
<td>1819</td>
</tr>
</tbody>
</table>

In these statistics three out of the five parameters have been taken into account, namely geographical area, ethnic group and gender. Usually, these three variables could, in one way or another, be inferred from the textual material and/or the videotapes. As explained before, finding out which population group people belonged could sometimes be problematic, especially when only dealing with the transcriptions.

Matters were totally different for the parameters political affiliation and supporter/opponent of reconciliation. Testifiers did not always tell explicitly whether they were members of a political party or not. They often did, however, and most of the time it appeared that they were politically affiliated to the ANC or to its allied organisation, the United Democratic Front. Testifiers often told the committee members that they had been politically active under apartheid, without going into any further detail. Considering the liberation parties-oriented identity of a lot of the victims, it makes sense to assume that a fair part of the ones who claimed to be ‘politically active’ were also involved in freedom fighting activities.
In the table below I have only distinguished five political groups, the African National Congress (ANC)/United Democratic Front (UDF), the Inkatha Freedom party (IFP), Umkhonto we Sizwe (MK), the Pan-Africanist Congress (PAC) and the Azanian People’s Liberation Army (APLA). I have deliberately made a distinction between the ANC and PAC on the one hand and their military wings MK and APLA on the other, because their members might have differed with regard to the extremism of their opinions. Being a member of MK or APLA meant that you were prepared to sacrifice your life for the struggle against apartheid (see Barrell, 1990). Most of the MK and APLA members had also suffered from extreme state violence, which could have influenced their opinions towards reconciliation in the new South Africa. Maybe, ANC and PAC members could be a little more moderate, as compared to the more radical MK and APLA members. I did not taken into account the smaller political groups testifiers claimed to be affiliated to, such as the Black Consciousness Movement. No one presented him/herself explicitly as a member of the National Party. Since not all of the testifiers talked about their political affiliation, I did not calculate the percentages in this table.

Table 6: Manual counting of the public testifiers – according to political affiliation

<table>
<thead>
<tr>
<th>Area</th>
<th>ANC/UDF</th>
<th>IFP</th>
<th>PAC</th>
<th>MK</th>
<th>APLA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cape Town</td>
<td>62</td>
<td>0</td>
<td>1</td>
<td>8</td>
<td>0</td>
<td>240</td>
</tr>
<tr>
<td>Durban</td>
<td>157</td>
<td>21</td>
<td>2</td>
<td>12</td>
<td>0</td>
<td>336</td>
</tr>
<tr>
<td>East London</td>
<td>205</td>
<td>1</td>
<td>12</td>
<td>7</td>
<td>2</td>
<td>630</td>
</tr>
<tr>
<td>Jo’burg</td>
<td>321</td>
<td>9</td>
<td>13</td>
<td>22</td>
<td>1</td>
<td>613</td>
</tr>
<tr>
<td>Total</td>
<td>745</td>
<td>31</td>
<td>28</td>
<td>49</td>
<td>3</td>
<td>1819</td>
</tr>
</tbody>
</table>

Finally, there is the parameter on attitudes towards reconciliation. In the table below I have indicated how many testifiers spoke out explicitly in favour of or against the concept of reconciliation. Sometimes, the topic of reconciliation was raised by one of the commissioners, as will be illustrated in later chapters. Also the testimonies where the testifier did not explicitly talk about reconciliation, but where a clear tendency could be noted, either
supporting or opposing reconciliation, have been taken into account. Some testimonies also seemed fairly neutral or empty with regard to this parameter, so these testimonies have not been counted to compose the table below. Later on, I will talk elaborately about the subtle and sometimes highly inventive manners in which reconciliation was framed, supported or rejected in the interaction between victims and commissioners.

Although these figures may not seem very significant as compared to the total number of testifiers, I would like to focus attention to the difference between the numbers supporting and opposing reconciliation – figures that are indeed significant. This difference has been taken into account in my concrete selection of thirty testifiers, because a majority of them seemed to be generally in favour of reconciliation. Since the attitude towards reconciliation takes such a prominent position in my research, I have only selected a few testimonies where reconciliation was not addressed.

Table 7: Manual counting of the public testifiers – according to their attitudes towards reconciliation

<table>
<thead>
<tr>
<th>Area</th>
<th>Pro reconciliation</th>
<th>Con reconciliation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cape Town</td>
<td>34</td>
<td>8</td>
<td>240</td>
</tr>
<tr>
<td>Durban</td>
<td>27</td>
<td>13</td>
<td>336</td>
</tr>
<tr>
<td>East London</td>
<td>51</td>
<td>26</td>
<td>630</td>
</tr>
<tr>
<td>Johannesburg</td>
<td>68</td>
<td>28</td>
<td>613</td>
</tr>
<tr>
<td>Total</td>
<td>180</td>
<td>75</td>
<td>1819</td>
</tr>
</tbody>
</table>

In conclusion, I should put these general tables somewhat in perspective. I have given very clear-cut figures, although drawing straight lines was not always easy. Sometimes, for instance, more than one testifier talked about a certain victim of human rights violations – for example the mother and the father about their son, or the daughter and the son about their mother. These two (or more) people were always listed under one name, usually the name of the testifier who was allowed to speak first. It is this listed name (and his or her

---

10 Later in this text I will come back to the fact that according to these tables only about 10% of the testifying victims seemed to be in favour of reconciliation.
gender, ethnic background, political affiliation and commitment to reconciliation) I took over in order to compose the tables. Also, some people had been member of one political party in earlier days, but claimed to be affiliated to another party now. I then took into account the party membership of the time in which the gross human rights violation took place. Finally, the attitudes towards reconciliation could develop in the course of the testimony. However, one of the two attitudes – either opposing or supporting reconciliation – was usually dominant and that is the attitude I took over. Especially with regard to this parameter, though, the borderline between supporting and opposing reconciliation could be very fuzzy – as will be explained later on.

3.2.6. Selected testifiers

The tables above, based on manual counting, formed the basis for my final selection, a selection that tried to be as representative as possible of the 1819 HRV testifiers. It was not always easy to combine all of the five parameters, which accounts for some incongruities when comparing the tables below with the general tables above. I will first list the thirty selected testifiers by giving both some general and research-specific information.

1-Bernadine Nkosiyesze Mwelase: - Vryheid, 16/4/1997
   - Male, 39 years old
   - African
   - Affiliated to the MK
   - Supportive of reconciliation
   - He was arrested and severely tortured by the South African Police (SAP) in 1988

   - Female, age unknown
   - White

---

11 These testifiers are listed alphabetically and their identification numbers will be retained throughout this work.
12 Place and date of testifying.
13 Age at the time of testifying.
3-Charity Kondile:

-Female, 60 years old
-African
-Affiliated to the ANC
-Opposed to reconciliation
-Her son was killed by the South African state security in 1981

4-Elsie Jantjie:

-Karoo, 8/10/1996
-Female, 71 year old
-African
-No political affiliation
-Opposed to reconciliation
-Her daughter was beaten and shot dead by the municipality police in 1985. A large part of this testimony was given by her son, Nelson Jantjie.

5-Emily Siko:

-Klerksdorp, 23/9/1996
-Female, 39 years old
-African
-Affiliated to the ANC
-Opposed to reconciliation
-Her entire family was assaulted and her house was demolished by Afrikaner Weerstandsbeweging (AWB) supporters in 1991
6-Gladys Papu:  
- King William’s Town, 12/5/1997  
- Female, 35 years old  
- African  
- Affiliated to the ANC  
- Supportive of reconciliation  
- Her husband got killed by a rival political group in 1994

7-Gregory Edmund Beck:  
- Johannesburg, 29/4/1996  
- Male, 43 years old  
- Coloured  
- No political affiliation  
- Supportive of reconciliation  
- He was shot by UDF members in 1988

8-Johannah Skhosana:  
- Pretoria, 12/8/1996  
- Female, 51 years old  
- African  
- Affiliated to the ANC  
- Opposed to reconciliation  
- Her house was burnt down by members of the state security in 1986

9-Johannes Frederik van Eck:  
- Nelspruit, 2/9/1996  
- Male, 47 years old  
- White  
- No political affiliation  
- Opposed to reconciliation  
- Several of his family members got killed when his car hit an ANC landmine in 1985
-Female, 60 years old
-African
-Affiliated to the ANC
-Supportive of reconciliation
-Her son was killed and she was severely ill-treated by the SAP in 1992

11-Kenneth Manana: -Alexandra, 29/10/1996
-Male, 28 years old
-African
-Affiliated to APLA
-Supportive of reconciliation
-He was arrested and tortured by the SAP in 1986

12-Kedu Simon Mahlangu: -Moutse, 2/12/1996
-Male, age unknown
-African
-Affiliated to the IFP
-Supportive of reconciliation
-He was set alight and burnt by ‘comrades’ in 1986

13-Laloo Chiba: -Soweto, 22/7/1996
-Male, about 60 years old
-Indian
-Affiliated to the MK
-Supportive of reconciliation
-He was arrested and tortured by the SAP, and sentenced to 18 years imprisonment in 1964

14-Lilian Kadi: -Zeerust, 6/5/1997
-Female, about 26 years old
- African
- No political affiliation
- Supportive of reconciliation
- Her uncle and father were necklaced by members of the ANC in 1994

15- Lizzy Phike:
- Winelands, 14/10/1996
- Female, 58 years old
- African
- Affiliated to the UDF
- Supportive of reconciliation
- She was arrested by the SAP and while she was in detention her son Ntemi was killed in clashes between the UDF and AZAPO in 1985

16- Manzala Dingumhlaba:
- Lusikisiki, 24/3/1997
- Female, age unknown
- African
- No political affiliation
- Supportive of reconciliation
- Her father was tortured by the SAP

17- “Metro” Bambiso:
- Grahamstown, 7/4/1997
- Male, 29 years old
- African
- Affiliated to the UDF
- Supportive of reconciliation
- He was arrested and tortured by the SAP in 1986 and he was then convicted with attempted necklacing

18- Mina Day:
- Female, 71 years old
Methodology: the Problem of Data

19-Muhammad Farid Ferhelst:  
-Male, 27 years old  
-Coloured  
-Affiliated to MK  
-Opposed to reconciliation  
-He was arrested and tortured by the SAP in 1987

20-Mzothuli Maphumulo:  
-Newcastle, 12/9/1996  
-Male, about 75 years old  
-African  
-Affiliated to the IFP  
-Supportive of reconciliation  
-Three of his children were killed by ANC supporters in 1993

21-Nhlanhla John Buthelezi:  
-Duduza, 4/2/1997  
-Male, 31 years old  
-African  
-Affiliated to the ANC  
-Opposed to reconciliation  
-He was arrested and tortured by the SAP in 1986 and later on seen as an informer by the ANC

22-Patrick Morake:  
-Welkom, 9/10/1996  
-Male, 23 years old  
-African
- Affiliated to the PAC
- Opposed to reconciliation
- He was shot and injured when ambushed by an Afrikaner gang in 1993

23-Paul Manual Williams:
- Male, about 40 years old
- Coloured
- No political affiliation
- Supportive of reconciliation
- He got severely injured at the St-James Church massacre in Cape Town (an APLA-attack) in 1993

24-Phebel Robinson:
- Winelands, 15/10/1996
- Female, about 60 years old
- Coloured
- Affiliated to the ANC
- Supportive of reconciliation
- Her husband was tortured by the SAP and killed in prison in 1992

25-Pralene Mora Botha:
- Female, age unknown
- Coloured
- No political affiliation
- Supportive of reconciliation
- Her husband was detained by the security police in 1976 and supposedly committed suicide in prison

26-Stephanie Kemp:
- Durban, 25/10/1996
- Female, 55 years old
- White
27-Teddy Edward Williams: - Umtata, 18/6/1996
-Male, 41 years old
-African
-Affiliated to the ANC
-Supportive of reconciliation
-He was imprisoned and tortured in an ANC camp in 1984

-Female, 46 years old
-African
-Affiliated to the IFP
-Reconciliation not addressed
-She lost her house in an arson attack by ANC supporters in 1992

29-Vusumuzi Ntuli: - Newcastle, 10/9/1996
-Male, 31 years old
-African
-Affiliated to the ANC
-Opposed to reconciliation
-He was stabbed and shot by IFP supporters in 1993

-Male, 44 years old
-African
-Affiliated to the ANC
Reconciliation not addressed

- He was shot by members of the SAP during a protest march in Bisho in 1992

Subdivided on the basis of the five selected parameters, the testifiers can be represented as follows:

**Table 8: Personal selection – subdivided on the basis of region and population group**

<table>
<thead>
<tr>
<th>Population group</th>
<th>Cape Town</th>
<th>Durban</th>
<th>East London</th>
<th>Johannesburg</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>African</td>
<td>3</td>
<td>6</td>
<td>7</td>
<td>5</td>
<td>21</td>
</tr>
<tr>
<td>Coloured</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Indian</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>White</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
<td>7</td>
<td>9</td>
<td>8</td>
<td>30</td>
</tr>
</tbody>
</table>

**Table 9: Personal selection – subdivided on the basis of gender**

<table>
<thead>
<tr>
<th>Gender</th>
<th>Cape Town</th>
<th>Durban</th>
<th>East London</th>
<th>Johannesburg</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>4</td>
<td>3</td>
<td>5</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>Male</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
<td>7</td>
<td>9</td>
<td>8</td>
<td>30</td>
</tr>
</tbody>
</table>

**Table 10: Personal selection – subdivided on the basis of attitudes towards reconciliation**

<table>
<thead>
<tr>
<th>Reconciliation</th>
<th>Cape Town</th>
<th>Durban</th>
<th>East London</th>
<th>Johannesburg</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>5</td>
<td>17</td>
</tr>
<tr>
<td>Con</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>11</td>
</tr>
<tr>
<td>Not addressed</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
<td>7</td>
<td>9</td>
<td>8</td>
<td>30</td>
</tr>
</tbody>
</table>
### Table 11: Personal selection – subdivided on the basis of political affiliation

<table>
<thead>
<tr>
<th>Political affiliation</th>
<th>Cape Town</th>
<th>Durban</th>
<th>East London</th>
<th>Johannesburg</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC/UDF</td>
<td>2</td>
<td>3</td>
<td>6</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>IFP</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>PAC</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>MK</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>APLA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Not mentioned</td>
<td>3</td>
<td>0</td>
<td>4</td>
<td>3</td>
<td>9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
<td><strong>7</strong></td>
<td><strong>9</strong></td>
<td><strong>8</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>

In the following general overview of the thirty testifiers, all of the five parameters are taken into account. I have also mentioned the age of the victims, since age is usually also considered as a significant sociolinguistic parameter.

### Table 12: Personal selection – general overview
<table>
<thead>
<tr>
<th>TESTIFIER</th>
<th>GENDER</th>
<th>ETHNICITY</th>
<th>POLITICS</th>
<th>RECON.</th>
<th>AREA</th>
<th>AGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bernadine Mwelase</td>
<td>Male</td>
<td>African</td>
<td>MK</td>
<td>Pro</td>
<td>Johannesburg</td>
<td>39</td>
</tr>
<tr>
<td>Bernice Whitfield</td>
<td>Female</td>
<td>White</td>
<td>No</td>
<td>Con</td>
<td>East London</td>
<td>??</td>
</tr>
<tr>
<td>Charity Kondile</td>
<td>Female</td>
<td>African</td>
<td>ANC</td>
<td>Con</td>
<td>East London</td>
<td>60</td>
</tr>
<tr>
<td>Elsie Jantjie</td>
<td>Female</td>
<td>African</td>
<td>No</td>
<td>Con</td>
<td>Cape Town</td>
<td>71</td>
</tr>
<tr>
<td>Emily Siko</td>
<td>Female</td>
<td>African</td>
<td>ANC</td>
<td>Con</td>
<td>Durban</td>
<td>39</td>
</tr>
<tr>
<td>Gladys Papu</td>
<td>Female</td>
<td>African</td>
<td>ANC</td>
<td>Pro</td>
<td>East London</td>
<td>35</td>
</tr>
<tr>
<td>Gregory Beck</td>
<td>Male</td>
<td>Coloured</td>
<td>No</td>
<td>Pro</td>
<td>Johannesburg</td>
<td>43</td>
</tr>
<tr>
<td>Johannah Skhosana</td>
<td>Female</td>
<td>African</td>
<td>ANC</td>
<td>Con</td>
<td>Johannesburg</td>
<td>51</td>
</tr>
<tr>
<td>Johannes van Eck</td>
<td>Male</td>
<td>White</td>
<td>No</td>
<td>Con</td>
<td>Johannesburg</td>
<td>47</td>
</tr>
<tr>
<td>Josephine Msweli</td>
<td>Female</td>
<td>African</td>
<td>ANC</td>
<td>Pro</td>
<td>Durban</td>
<td>60</td>
</tr>
<tr>
<td>Kenneth Manana</td>
<td>Male</td>
<td>African</td>
<td>APLA</td>
<td>Pro</td>
<td>Johannesburg</td>
<td>28</td>
</tr>
<tr>
<td>K.S. Mahlangu</td>
<td>Male</td>
<td>African</td>
<td>IFP</td>
<td>Pro</td>
<td>Johannesburg</td>
<td>??</td>
</tr>
<tr>
<td>Laloo Chiba</td>
<td>Male</td>
<td>Indian</td>
<td>MK</td>
<td>Pro</td>
<td>Johannesburg</td>
<td>60</td>
</tr>
<tr>
<td>Lilian Kadi</td>
<td>Female</td>
<td>African</td>
<td>No</td>
<td>Pro</td>
<td>Johannesburg</td>
<td>26</td>
</tr>
<tr>
<td>Lizzy Phike</td>
<td>Female</td>
<td>African</td>
<td>UDF</td>
<td>Pro</td>
<td>Cape Town</td>
<td>58</td>
</tr>
<tr>
<td>Manzala Dingumhlaba</td>
<td>Female</td>
<td>African</td>
<td>No</td>
<td>Pro</td>
<td>East London</td>
<td>??</td>
</tr>
<tr>
<td>Metro Bambiso</td>
<td>Male</td>
<td>African</td>
<td>UDF</td>
<td>Pro</td>
<td>East London</td>
<td>29</td>
</tr>
<tr>
<td>Mina Day</td>
<td>Female</td>
<td>African</td>
<td>No</td>
<td>Con</td>
<td>Cape Town</td>
<td>71</td>
</tr>
<tr>
<td>Muhammed Ferhelst</td>
<td>Male</td>
<td>Coloured</td>
<td>MK</td>
<td>Con</td>
<td>Cape Town</td>
<td>27</td>
</tr>
<tr>
<td>Mzothuli Maphumulo</td>
<td>Male</td>
<td>African</td>
<td>IFP</td>
<td>Pro</td>
<td>Durban</td>
<td>75</td>
</tr>
<tr>
<td>Nhlanhla Buthelezi</td>
<td>Male</td>
<td>African</td>
<td>ANC</td>
<td>Con</td>
<td>East London</td>
<td>31</td>
</tr>
<tr>
<td>Patrick Morake</td>
<td>Male</td>
<td>African</td>
<td>PAC</td>
<td>Con</td>
<td>Durban</td>
<td>23</td>
</tr>
<tr>
<td>Paul Williams</td>
<td>Male</td>
<td>Coloured</td>
<td>No</td>
<td>Pro</td>
<td>Cape Town</td>
<td>40</td>
</tr>
<tr>
<td>Phebel Robinson</td>
<td>Female</td>
<td>Coloured</td>
<td>ANC</td>
<td>Pro</td>
<td>Cape Town</td>
<td>60</td>
</tr>
<tr>
<td>Pralene Botha</td>
<td>Female</td>
<td>Coloured</td>
<td>No</td>
<td>Pro</td>
<td>East London</td>
<td>??</td>
</tr>
<tr>
<td>Stephanie Kemp</td>
<td>Female</td>
<td>White</td>
<td>UDF</td>
<td>Pro</td>
<td>Durban</td>
<td>55</td>
</tr>
<tr>
<td>Teddy Williams</td>
<td>Male</td>
<td>African</td>
<td>ANC</td>
<td>Pro</td>
<td>East London</td>
<td>41</td>
</tr>
<tr>
<td>Thembisile Nkabinde</td>
<td>Female</td>
<td>African</td>
<td>IFP</td>
<td>Not</td>
<td>Durban</td>
<td>46</td>
</tr>
<tr>
<td>Vusumuzi Ntuli</td>
<td>Male</td>
<td>African</td>
<td>ANC</td>
<td>Con</td>
<td>Durban</td>
<td>31</td>
</tr>
<tr>
<td>Wandile Mbathu</td>
<td>Male</td>
<td>African</td>
<td>ANC</td>
<td>Not</td>
<td>East London</td>
<td>44</td>
</tr>
</tbody>
</table>
Compared to the 1819 South Africans who testified in public before the HRV Committee, a sample of thirty is rather small. However, I am confident that the case studies are fairly representative. In addition, I should stress again that this sample should be considered as a descriptive sample, a sample that is meant to draw the attention to certain characteristics of the testifiers' discourse, without claiming to describe this language in all of its complexities. As will become clear in the next chapters, the selected cases will be sufficient to provide some insight into the way the HRV archive was constructed in the course of these hearings.
CHAPTER FOUR

Layering and HRV discourse – a critical perspective

4.1. Introduction

In this chapter the discourse constructed at the Human Rights Violations hearings of the TRC will be analysed on the basis of twelve features. By means of these twelve features I will try to provide some insight into the *archive* of the HRV hearings, so in the “law of what [could] be said, the system that [governed] the appearance of statements as unique events” (Foucault, 2002: 145). Following Foucault, as described in Chapter Three, the archive will here be defined as “the general system of the formation and transformation of statements” (Foucault, 2002: 146). This notion of the archive corresponds to what Pêcheux (1982: 111) calls a *discursive formation*, namely that “which in a given ideological formation, i.e. from a given position in a given conjuncture determined by the state of the class struggle, determines ‘what can and should be said (articulated in the form of a speech, a sermon, a pamphlet, a report, a programme, etc.)’” (*italics in the original*).

Discussing these twelve features and illustrating them by means of fragments from the thirty selected testimonies will shed light on which utterances were accepted, which ones were highly valued and which ones were straightforwardly rejected. We will thus arrive at a repertoire of preferred utterances - embodied by so-called ‘ideal testifiers’ -, a repertoire that will lead us to deconstruct the archive of the HRV hearings.

The twelve features that will be analysed have not been chosen at random. They are based on a careful reading of all 1819 public HRV testimonies and on my interpretation of frequently occurring discursive features at the HRV hearings. It is therefore important to stress that although my descriptive sample is rather limited, each of these discussed features seemed to be prominently present throughout the HRV process. Some of these features, like the presence of *apartheid-talk* (Feature Six) or the fact that the term reconciliation tended to be insisted upon (Feature One), occurred more frequently than other features. All of them, though, will be concretised by means of extracts from the selected testimonies – in some cases only three examples will be given, in other cases up to fifteen.
Based on Blommaert (2005) my theoretical premise is that the HRV archive is layered, meaning that various indexicalities were established simultaneously. ‘Simultaneously’ here is broadly interpreted, referring to the actual time span during which the HRV process took place, from April 1996 till June 1997. These fifteen months of HRV hearings formed a crystallisation point in South African history, as has become abundantly clear in Chapter Two. At these hearings a specific kind of discourse was created, what I will call reconciliation discourse later on. Amongst others through the features discussed here, this discourse was uniformised and it is in this standardised type of discourse that multiple indexicalities were produced ‘simultaneously’.

The twelve features have been subdivided in three groups, depending on whether I understood them as a kind of ideological layering, historical layering, or layering on an identity level. I will first give some information concerning these three types of layering.

4.1.1. Ideological layering

The term ‘ideology’ has a long and complex history, appearing in the writings of many authors and infiltrating nearly every modern discipline in the social sciences and humanities (Thompson, 1984: 3). According to Eagleton (1991: 1), nobody has yet come up with a single adequate definition of ideology. To indicate this variety of meanings, Eagleton lists some definitions of ideology in circulation in the beginning of the 1990s. Let me, more or less at random, cite a couple of these definitions:

(a) the process of production of meanings, signs and values in social life;
(b) a body of ideas characteristic of a particular social group or class;
(c) ideas which help to legitimate a dominant political power;
(d) systematically distorted communication;
(e) forms of thought motivated by social interests
(f) identity thinking
(g) the conjuncture of discourse and power;
(h) socially necessary illusion;
(i) action-oriented set of beliefs.

Eagleton gives his list with a number of qualifications, stressing that not all of these formulations are compatible with one another, while others of these definitions may be mutually compatible. He continues by arguing that it might be useful as well to get a
sense of how ideology is used by ‘the person-in-the-street’. What this person-in-the-street presumably means, according to Eagleton (1991: 3), when remarking that someone speaks ideologically, is that he or she sees the world through a “rigid framework of preconceived ideas which distort his or her understanding”.

Some authors do use a specific definition when dealing with the term ideology, although out of necessity this definition is often a very broad one. For Therborn (1980: 2), for instance, ideology refers to “that aspect of the human condition under which human beings live their lives as conscious actors in a world that makes sense to them to varying degrees”. According to Hawkins (2001: 8) an ideology is “a system of ideas that shapes experiences and expectations regarding those experiences”. Hodge & Kress (1993: 6) define ideology as “a systematic body of ideas, organised from a particular point of view”. Van Dijk (1998b) presents a socio-cognitive view on ideology, breaking it down into a cognitive, a social and a discursive element. He defines ideologies as a shared framework of social beliefs, which organise the social interpretations and actions of people, mainly with regard to power relations between groups (Van Dijk, 1998b: 21-63) or as “the mental representations that form the basis of social cognition, that is of the shared knowledge and attitudes of a group” (Van Dijk, 1997b: 29).

A different approach is taken by Jones & Wareing (1999: 34), who define ideology as “any set of beliefs which, to the people who hold them, appear to be logical and ‘natural’”. Wodak (1989: 59) employs a more confined, Marxist inspired definition, assuming that ideology is “a system of ideas based on value judgements and attitudes, which aids certain forces within a society to further their interests or to stabilise their power”. Finally, there are O’Barr & Conley (1996: 114) who say that the definition of ideology is elusive, although “most definitions share the core element of ideology as a system of beliefs by which people interpret and impart meaning to events”. It was Bakhtin who, already in the beginning of the 20th century, argued that ideology is not only heterogeneous and incoherent, but also socially constructed (in Gardiner, 1992: 79) – thus referring to the link between ideology and discourse I will concentrate on instantly.

This limited number of examples should suffice to illustrate what a complex task it is to try to define the term ideology. Also, it is important to realise that strictly defining
ideology is not always necessary – definitely not in this case, where I will rather employ the term *ideological master-narrative*, as explained later. For a comprehensive overview of the ways in which ideology has been defined and conceptualised in recent history I refer to Blommaert (2005: chapter 7).

**Ideology through discourse**

As mentioned in chapter 3.2., one of the theoretical domains this research is based on is Critical Discourse Analysis (CDA). Ideology has been thoroughly investigated in CDA, since most CDA scholars have identified discourse as a major site of ideology. A large number of authors, both belonging to CDA and to a number of other academic disciplines, have discussed the relationship between discourse and ideology (Kress & Hodge, 1979; Therborn, 1980; Thompson, 1984; Fowler, 1985; Morson, 1986a,b; Wodak, 1989; Gardiner, 1992; Fairelough, 1995a; Gee, 1996; Van Dijk, 1998b; Silverstein, 1998; Kroskrity, 2000 and Cameron, 2001 to mention but a few). These scholars recognise that ideology operates through language; hence a discursive analysis can reveal the ideological foundations of various speech participants (whether it be persons or more abstract entities such as the press, government institutions or educational systems).

It is not my intention to explore the vast domain of research focusing on the connection between ideology and discourse. I will only, for the sake of comprehensiveness and because certain concepts and terminologies will prove useful for the remainder of this chapter, deal with a couple of perceptions on the relation between discourse and ideology.

**Ideology as a discursive practice**

Bakhtin is one of the authors who claim that ideology functions symbolically – usually through language. If we accept the inter-dependence of discourse and mind we should study language in order to understand ideology (in Gardiner, 1992: 67). According to Bakhtin, ideology is perpetually re-created through social practices – an assertion also held by Althusser and Gramsci. Since language is regarded as a social practice, ideology is constantly created in language. Following Volshinov, Bakhtin talks about *behavioural ideology*, referring to the fact that ideology is constructed through linguistic behaviour (see Steward, 1986: 52-54). Also Lukes (1974) proposes that instead of thinking of ideology as
a state of mind, one would better regard it as “a set of practices, primarily of a discursive provenance” (cited in Clegg, 1993: 26).

According to Hodge, Kress & Jones (1979: 81) “ideologies are sets of ideas involved in the ordering of experience, making sense of the world”. It is these systems of ideas which constitute ideologies that are expressed through language. “In speaking”, they continue, “we establish, maintain, confirm and often challenge the categorisations of language, and of the ideologies which language expresses. The analysis of language is thus a necessary part of any attempt to study ideological processes: through language ideologies become observable”. Speakers select certain words and structures on the basis of their ideology, which implies that discursive items always carry – various – ideological meanings (Kress, 1985: 31). Fowler & Kress (1979: 186) are convinced that linguistic meaning is inseparable from ideology. As a result “linguistic analysis ought to be a powerful tool for the study of ideological processes”, a linguistic discipline they define as critical linguistics.

Ideology through discourse on a micro-level

Kress & Hodge (1979: 6) claim that discourse is ideological since it is able to both inform and manipulate. These authors descend to the micro-level of discursive practice, indicating how linguistic transformations, such as passivisation, nominalisation and negation, can have ideological effects. Also deletion, simplification or the collapsing of forms can be ideological. “These linguistic features drive the reader towards a specific interpretation and they can lead to distortion and mystification of truths” (Kress & Hodge, 1979: 35). Social classifications, grammatical features or the modalities of utterances can have an ideological significance as well, meaning both that the ideological stance of the addressee is revealed, and that the ideological frame of the addressee can be reconstructed. Also negations and the understanding of who is not prepared to say what - and why - can carry ideological meanings. These authors call negation a kind of double-think – negative forms must be interpreted in terms of an underlying positive form and are thus likely to have an ideological significance (Kress & Hodge, 1979: 144).

Analysing this same micro-discursive level, Hawkins (2001: 27-50) claims that iconographic references are central in the relationship between language and ideology. He calls iconographic frames of reference, such as Hitler’s characterisation of Jews as ‘black parasites’, “basic building blocks in constructing ideologies”.

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Similar research on the relation between concrete linguistic features and ideology has extensively been dealt with in discourse analysis and Critical Discourse Analysis. Fowler (1985: 68-76) even presented a linguistic checklist by which ideologies can be expressed. Norman Fairclough has been considered as one of the prominent voices in the domain of Critical Discourse Analysis. His research on the relation between discourse and ideology is extensive. According to him, social groups try to impose their ideology through naturalising their ideologically coloured discourse – making it seemingly self-evident. A lot of ideas that go without saying and that are expressed through language are thus ideologically constructed. It is the aim of CDA to ‘denaturalise’ this discourse by revealing the connection between what can or cannot be said and the ideological background (Fairclough, 1995a, 2001b). Also the ever-present ideological struggle and ideological variation are expressed in language, according to Fairclough (2001a: 71-72). Form, content and style of discourse are always ideologically determined, and vica versa, ideological formations are also constructed through discourse. When bringing his theory into practice Fairclough (1995a: 72) tells us that ideology can be expressed linguistically through elements such as turn-taking, lexical choices or forms of address.

With regard to this micro-level of ideological discourse I have only referred to a few examples as a matter of illustration. Although I will analyse the concrete discourse of the HRV hearings, my analysis will not involve a narrow linguistic description. Items such as passivisation, nominalisation and word choice, will only sparsely be discussed, also due to the fact that my data consist of translated material. Instead, a lot of attention will be paid to intended meanings and interaction patterns, and to the socio-political and contextual features underlying this HRV discourse.

**Ideology through discourse – implicit versus explicit**

Many authors have described the relation between discourse and ideology as taking place on a subconscious/implicit level (see for instance Althusser, 1971; Fowler & Kress, 1979: 186; Foucault, 1984a; Bourdieu, 1991; Fairclough, 1995a, 2001a). Fairclough (2001a: 71) even claims that an ideology operates most efficiently when it is unconsciously expressed in discourse. One method by which ideological indexicalities tend to implicitly exercise power on society is through the discourse of institutions. Therefore, a discursive analysis of institutional discourse can shed light on the ideological values held by this institution. Research has been conducted on discourse as the reflection of ideology in institutions.
like the media (Zelizer, 1993; Fairclough, 1995b; Chimomba & Roseberry, 1998: 307-335; Bell & Garrett (eds.), 1998; Spitulnik, 1998), legal institutions (Wodak, 1985; Lakoff, 1990; Chimomba & Roseberry, 1998: 265-306; O’Barr & Conley, 1996) and medical institutions (a special interest of Foucault, for instance in *Surveiller et Punir*, 1975). Also Bourdieu has displayed an interest in the discursive power of institutions, mainly educational institutions (see Bourdieu & Passeron, 1977; Robbins, 1991 and Calhoun, LiPuma & Postone (eds.), 1993). Finally, there are Gramsci (see for instance Ransome 1992), Althusser (1971), Fowler (1985) and Linde (1999) who have paid special attention to the way institutions express their ideologies through discourse. Even Bakhtin has argued that ideological discourses can maintain asymmetrical power relations, if these discourses are being manipulated by institutions (Gardiner, 1992: 7).

In a later chapter I will pay some more attention to institutional discourse since the Truth and Reconciliation Commission as well can be considered as an institution - more specifically a government institution modelled on a judicial institution (hence its label *quasi-court*, see Buur, 2000a; Van Zyl Slabbert, 2000).

Following the large body of literature described above, I will suggest that by analysing TRC discourse, specific elements of the TRC’s ideological complex will be revealed. In accordance with Linde (2001: 520-532) we can argue that at the TRC, as an institution, a master-narrative was constructed, a narrative that contained the institution’s inherent ideological values. Linde states that such an institutional discourse tends to be reproduced in different places, on different times and by different actors, thus confirming the institution’s specific ideological identity. I will suggest that it is through its discourse that the TRC tried to introduce a specific ideological reality into South African society.

Ideology is often largely seen as an implicit/subconscious matter. However, ideology does not always consist of the “unintentional reproduction of ‘determined’ meanings”, as put by Blommaert (2005: 173). Ideology also comprises conscious, planned and creative activities. As we will see, indeed, the linguistic framing of certain ideological concepts that I will describe at the HRV hearings was often the result of deliberate and highly conscious applications of discursive techniques. Usually, both the testifiers and the commissioners seemed to be aware of the ideological concepts they wanted to convey, as will become obvious from the illustrations later on.
Chapter Four

The TRC ideological master-narrative

When dealing with the concept of ideological layering at the HRV hearings, I will use ideology in a very specific way. In fact, ideology will refer to the set of beliefs as presented by the TRC, the values and principles that seemed to be inherent features of the TRC concept and its practices, the ideas the TRC was associated with by the outer world and which the Commission also deliberately identified with. The aim is to investigate how this institutionalised ideology was expressed through concrete discursive practices.

Let me first explain that this TRC ideology can be discerned on a number of different discursive levels, ranging from a very explicit master-narrative to implicit interaction patterns. A fact is that, as argued by Lee (1992: 188), the relation between language and ideology is not always straightforward. This relation has to be made explicit, which I will do by addressing various levels of TRC discourse. When discussing these different discursive levels and also the issue of ideological layering later on, I will use the term ideological master-narrative (IMN) instead of ‘TRC ideology’. This master-narrative took shape on the basis of a number of discursive practices and embodied the TRC’s main ideological values. Let me first talk about the most explicit level of this master-narrative, which predominantly manifested itself through the TRC Act. It is on the basis of this most explicit level of this master-narrative that I decided which features to classify under the heading ‘ideological layering’. The ideological dimension of this narrative then came into being when this explicit narrative was converted to implicit interaction patterns at the actual TRC proceedings – it is these concrete patterns that will be the focus of my research.

To begin with, this TRC ideological master-narrative was materialised through the TRC mandate. This mandate was to be understood within the framework of the Promotion of National Unity and Reconciliation Act No. 34 from 1995. It is in this TRC Act that the spirit and intention of the TRC was captured. The Act stipulated that the objectives of the Commission were “to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past” (TRC Act, 1995, 3(1)). On the basis of this Act the TRC was conceived as “part of the bridge-building process designed to help lead the nation away from a deeply divided past to a future founded on the recognition of human rights and democracy” (TRC Report, 1998, 1/4:...
Further, the TRC Report states that “one of the main tasks of the Commission was to uncover as much as possible of the truth about past gross violations of human rights. (...) The Commission was founded, however, in the belief that this task was necessary for the promotion of reconciliation and national unity.” (TRC Report, 1998, 1/4: 48).

Based on the TRC Act and subsequently on the TRC mandate we can conclude that striving for reconciliation and national unity were essential within the objectives and intentions of the Commission. We can therefore argue that both reconciliation and national unity were two values dearly cherished by the TRC. It is this concern for reconciliation and national unity that I will consider as the two main pillars of the TRC ideological master-narrative.

Further, also the self-presentation of the TRC as an unbiased institution has been regarded as an element of the TRC ideological master-narrative. Indeed, according to the TRC Act (7, 2 (b)) “The commissioners shall be fit and proper persons who are impartial and who do not have a high political profile”. In addition, in chapter 36 (5) it is mentioned that “Every commissioner and member of a committee shall, notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her duties in good faith and without fear, favour, bias or prejudice”. It is especially on the basis of this legislative text, which was fundamental to the establishment of the Commission, that I concluded that presenting oneself as an impartial institution was a feature that belonged to the TRC ideological master-narrative.

The TRC Act (3 (c)) also stated that one of the other objectives of the Commission was to “establish and make known the fate or whereabouts of victims”, to “restore the human and civil dignity of such victims by granting them an opportunity to relate their own accounts of the violations of which they are the victims” and to “recommend reparation measures in respect of them”. In addition, when dealing with the victims, the Commission was to be guided by the following principles (TRC Act, 11 (a)-(f)):

“Victims shall be treated with compassion and respect for their dignity; victims shall be treated equally and without discrimination of any kind, including race, colour, gender, sex, sexual orientation, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin or disability; (...) appropriate measures shall be taken in order to minimize inconvenience to victims and, when necessary, to protect their privacy, to ensure their safety as well as that of their families and of witnesses testifying...”
on their behalf, and to protect them from intimidation; *appropriate measures shall be taken to allow victims to communicate in the language of their choice*. (italics are mine)

Clearly, it was not only the duty of the Commission to restore the human dignity of apartheid victims on a general level – and to extend this human dignity into the future. In addition, also during the actual TRC process, victims had to be treated with respect for their human dignity. Inconvenience to the victims had to be minimised at the hearings and victims were to be allowed to testify in the language of their choice. On the basis of these assertions, I have decided to consider respect for the victims as another inherent element of the TRC ideological master-narrative.

Finally, I have also defined the emphasis on emotional discourse at the HRV hearings – such as relating in detail how some one was tortured, or elaborating on the physical and psychological effects of a particular human rights violation - as an aspect of the TRC ideological master-narrative. A number of authors have tried to find an explanation for the emphasis on emotional and personal details during the HRV hearings – I will come back to these explanations in section 4.2.5. For now, we can say that according to my understanding, this feature could be connected to the image the TRC wanted to spread to the world. By emphasising, through displaying a lot of emotions, how cruel and traumatising the apartheid regime had been, and by stressing the gruesome consequences of apartheid, the necessity of the TRC as a healing instrument became more apparent. The more emotional the hearings, the more the TRC would be perceived as an indispensable institution to help South Africans dealing with the apartheid past. By stressing emotional discourse the HRV Committee might have attempted to establish a self-justification. Hence, the emphasis on emotions could be seen as an inherent element of the TRC concept, an ideological feature inspired by an urge for self-justification. Other possible explanations for this feature will be referred to later.

Except for the last one, all of these ideological features are based on the founding legislation of the TRC – the TRC Act and subsequently the TRC mandate. Both the Act and the mandate constituted the frame of reference by which the TRC process – so also the HRV hearings – were to be conducted. In addition to what was stipulated in this founding legislation, the TRC ideological master-narrative also took shape at the actual HRV hearings, meaning that the HRV Commissioners regularly referred to these features as key components of the TRC’s set of beliefs and values. It is on the IMN as manifested
through this concrete discourse that I will concentrate in this chapter. Examples of these discursive practices will be provided when discussing the five ideological features. For the time being it suffices to mention that the commissioners often explicitly stressed that striving for reconciliation and national unity were clear objectives of the TRC. In addition, it was also often highlighted that the TRC was an impartial institution and that attributing respect to the testifiers was of utmost concern and importance. It is only the emphasis on emotional discourse that was not explicitly framed as an element of the TRC’s aims or convictions. Presenting this feature as an aspect of the TRC ideological master-narrative is based on my own conceptualisation of the TRC process.

Having established what my interpretation is of the TRC ideological master-narrative, we should now direct our attention to ideological layering – so the layering of this IMN. The ideological master-narrative forms the frame by which each of the thirty selected testimonies was ideologically influenced in highly divergent manners. Each of the five established elements of the TRC ideological master-narrative was layered, meaning that they were stratified, containing various dimensions and indexicalities. In each of the HRV testimonies these five ideological features were expressed and applied. However, the way in which these features were given shape varied greatly from one testimony to another. The ideological foundations of the TRC as expressed in the mandate, so the ideological position from which the commissioners framed their discourse, remained constant all the time. As I will show later on, though, these foundations shifted in practice. This means that depending on the profile of the testifier, on the way he or she reacted to the commissioner’s discourse, or on the way he or she had already been committed to these ideological values beforehand, this ideological position changed. It could be challenged, accepted or rejected by the testifier; it could be voiced explicitly or more tempered by the commissioners; it could be adapted to the personal background, the mentality or the individual beliefs of the victim. I am talking here about ideological layering in a discursive way, so about the manner in which this TRC IMN took a different shape through the discourse constructed at the HRV hearings.

4.1.2. Historical layering

Three out of the twelve features discussed in this chapter will be categorised under the label of historical layering. As stated by Blommaert (2005: 135), discourse is always firmly
anchored in history – it is always intrinsically historical. Every discourse is a discourse on history, since it always refers to a variety of historical time frames. At the same time, every discourse is a discourse from history, since it articulates a particular position – or different positions – in history. People can speak from various positions in history, so from within various layers of historicity. At the same time, they can also orient their discourse to these different historical frames. In fact, during one and the same discursive event people often shift back and forth between various historical layers, identifying themselves differently vis à vis the past, the present and the future.

This historical positioning can have a tremendous impact on the continuity of meaning and on the coherence and incoherence in discourse (Blommaert, 2005: 130). Moving back and forth in time while engaging in discourse can add an extra layer of significance to this particular discourse. However, without the necessary background knowledge, such a historical layering can also be a heavy burden on the overall interpretation of the discursive event. Clearly, for a full understanding of a discursive event one always has to take into account the historical position from which a person speaks.

Also at the Human Rights Violation hearings testifiers spoke from different historical positions and oriented their discourse to various historical time frames. What I will illustrate here is how testifiers moved between a variety of different time frames while testifying before the HRV Committee. While telling their stories at the TRC, they alternately spoke from a past – apartheid – position, they addressed the audience in a deliberate attempt to impact on the future, or they reacted to the questions posed by the commissioners, thus directing their discourse to the present TRC moment. In one testimony, victims could relive the past by reverting to so-called apartheid-talk (Feature Six) or by re-experiencing the traumatic event by means of direct speech or present tense (Feature Seven). Immediately thereafter they could consciously focus on the present or present a vision towards the future.

All this will tell us that, even within one testimony - so also ‘simultaneously’ -, the HRV discourse was historically layered. The past was brought to the present TRC moment and at the same time, the present experience of testifying before the HRV Committee was extended to the future. People moved between these time frames by employing various discursive techniques, thus creating a kind of discourse that was prototypical for one
specific historical moment (the transition from apartheid to post-apartheid South Africa),
but that at the same time radiated to the past and the future. Hence, in HRV discourse
the past was relived and the future was reflected upon; in this way, the historical bridging
position of the TRC was symbolised.

In a piece of discourse the inherent historicity is often synchronised into one layer,
situated in one particular historical frame. This synchronicity of discourse is always
imagined, since it consists of a condensation of several historical layers into one
(Blommaert, 2005: 135). HRV discourse incorporated the present, the past and the
future, in a way that demonstrated the Committee’s crystallising function in South
African history. Also this discourse was synchronised into one historical layer, creating a
very time-specific reconciliation discourse. The full complexity and the significance of this
reconciliation discourse in present-day South Africa can only be grasped if insight is
provided into its connections with the past and its implications towards the future.

4.1.3. Identity layering

Finally, this chapter will also discuss four features labelled as layering on an identity level.
Just like ideology, also the concept of identity is anything but self-evident. It is an
extremely complex construct; simple definitions of the term are difficult to find, as there
is no neutral way to characterise it. In a very broad way, identity could be described as
“an individual’s self-concept” (De Fina, 2003: 15). Among most authors working in the
field of identity studies it is accepted that people do not possess an identity, but rather
that identities are constructed, produced or performed. Identities are never fixed, they are
constantly created and self-created in different circumstances, different times, different
places and different situations. Identity is not a stable social category, nor is it a solely
personal attribute – people’s identification changes all the time and this change takes
place in close cooperation with a large number of external factors.

In discourse-oriented studies identity is often seen as established through discourse.
Philips & Hardy (2002: 29) even argue that together with social control and social
differences, identity production is one of the key research domains of discourse analysis.
According to Edley (2001: 210) identity and the self are constructed through language
and also evoked by means of language. Or, as Kerby (1991: 112) claims, the identity of a
person only exists through language and conversation – it is through discourse that a body is given an identity. Authors like Bauman (2000), Jaffe (2000) and Langellier (2001) consider discourse as a linguistic performance during which identity is co-constructed, by the performer as well as by the audience – ‘performance’ taken in the sense of a “situated, interactional, communicatively motivated linguistic practice” (Bauman, 2000: 1; Cameron, 2001: 176). Interestingly, when engaging in a discursive encounter and co-constructing the identity of someone else, we are constructing something that involves who we are at least as much, and often much more, than who they are (Joseph, 2004: 3). This assumption will be important when discussing the interaction between the HRV victims on the one hand and the TRC commissioners and the audience on the other. In short, identity is an emergent and volatile construction, the outcome of an interpretative process in which interactants draw on various linguistic repertoires – repertoires that are open to both constraints and creative opportunities, as we will see later on.

Not only is identity a concept that is flexible and discursively constructed, it is also noted that at a specific discursive setting different actors might have a stake in certain identities and they may act discursively to support them. As Philips & Hardy (2002: 46) state in their research on Canadian refugee identities, discursive power often operates through the construction of identity. In evoking and drawing on particular refugee identities, the Canadian refugee organisations constructed particular organisational identities. Philips & Hardy further illustrate how in their particular research setting individual and organisational identities informed each other and how there seemed to be a link between organisational identities and organisational practices. These findings will prove very fruitful when focussing on the discursively constructed identities at the TRC victim hearings.

In the domain of narratology it is suggested that narrative is a key element in a person’s identity. Stories are crucial to our identities as individuals; stories are how we give our lives meaning (Johnstone, 1990: 127). As Kerby (1991: 4) puts it, the self is both the product of language and it is expressed through language. Self-narration is creative as well as receptive and by telling stories in the present, the self – in the present, but also in the past and in the future – is constantly reconstructed. Life stories show how people would like to be, what roles they would like to play – life stories are “presentations of self”, according to Goffman (1959, quoted in Johnstone, 1990: 129). Relating life stories
always involves the individual activity of remembering and it is through remembering that people construct their own identities (Gilmore, 2001: 34).

Brockmeier & Carbaugh (2001: 8) argue that when telling a story, people constantly re-create their identities – and this each time again and each time in a different manner. But, as Johnstone stresses, stories do not arise in an individual vacuum. They shed light on the individual self of the narrator, but they are also a key to the communal existence of groups of people. Through stories, people demonstrate their membership of a social, political or economic group, partly on the basis of their own identity construction, partly based on shared ways of storytelling and shared values (see also Thornborrow, 1999b: 142). The form and content of stories and story-telling behaviour are all “sensitive indices, not just of personal selves, but also of social and cultural identities” (Schiffrin, 1996: 170). Also Bruner (2001: 35) tells us that typical for the self - as constructed through autobiographical narratives -, is that the narrator unconsciously associates with values and attitudes he or she is not always willing to admit consciously. By telling a story, people take a certain position in the world, they construct themselves as part of reality and they usually identify as an in-group, as opposed to the out-group. In this way, through his or her story, the narrator constructs a world that seems right – not necessarily a world that is true.

When constructing a narrative identity, this ethical element is always important, as also Freeman & Brockmeier (2001: 75) and Kerby (2001: 58) stress. The way you construct the self is always based on social, historical and moral conditions on how the world ought to look like. Through a narrative people want to meet moral expectations and obligation from the community – they thus want to present in a morally highly valued way. Personal stories with a ‘high degree of narrative integrity’ are stories that comply with people’s established opinions on right and wrong (Freeman & Brockmeier, 2001: 74). Obviously, these moral criteria vary from period to period and from culture to culture. We will see that this distinction between right and true and also the concept of ‘narrative integrity’ were quite important at the hearings of the Truth and Reconciliation Commission. At the HRV Committee the concept of a just society was interpreted in a very specific way – a post-apartheid understanding of righteousness in contrast with the way morality was interpreted under apartheid.
As should be clear by now, presenting and representing identity is often seen as one of the central functions of storytelling. De Fina (2003: 5) tells us that the focus on identity as a social construction has taken a number of different routes. Two paradigms can be distinguished: according to the first school the act of narrating results in the constitution of identity; according to the second school identity emerges in interactional circumstances. This second view holds that “identity is negotiated and enacted, not internalised in any way and with no substantial existence outside the local interactional context” (De Fina, 2003: 17-18). In the discursive analysis of the HRV testimonies, these two approaches will be combined: identities were established in the first part of the testimony, when victims related their stories individually; identities were then further confirmed, adapted or transformed in the second, interactional part of the testimony, when the HRV commissioners posed questions.

As said before, the identity of a narrator is also co-constructed by the other speech participants. Not only do speaking subjects possess ‘achieved’ or ‘inhabited’ group identities. Categorical identities also tend to be ‘ascribed’ by other discourse participants – both of which involve different semiotic practices and occur under different circumstances (Blommaert, 2005: 205-206). Narrators build a particular – flexible and instable – identity through discourse, but a lot depends on the way this discourse is interpreted by the other participants to the discursive event. In fact, when constructing their identities, speakers can anticipate a certain interpretation – a desired interpretation that can be rejected or valued by the other speech participants. This construction of a specific identity by the testifiers, whereupon this identity was ignored, welcomed or refused by the commissioners is a feature we will discuss elaborately in this chapter – indeed, we will see that discursive ascription of a particular identity was a commonly recurring feature at the HRV hearings.

In their research on autobiographical interviews, Lucius-Hoene & Depermann (2000: 199-222) discuss how narrative identity is constructed in the course of such interviews. This analysis is useful when looking at the HRV hearings: especially in the second, interactional part of the testimonies, the relation between commissioners and testifiers resembled an interviewer-interviewee format. Initially, also at the HRV Committee, the protagonist’s identity is constructed on the basis of autobiographical memories that are brought into the shape of a story. In order to achieve intelligibility and acceptability, the
narrators try to establish narrative coherence. At this point, after having related the personal story, the role of the interviewer (the commissioner) as a co-author becomes more apparent. In fact, as Lucius-Hoene & Deppermann (2000: 213-214) stress, the entire story “owes part of its shape and meaning to the timings, contents, wordings, and types of speech acts performed by the interviewer”. In addition, “the interviewer’s co-authorship is also the result of the narrator’s explicit and implicit positioning activities towards the interviewer. The selection of themes, explanations, categorisations and rhetorical devices is guided by the narrator’s perceptions, presumptions and fantasies about the interviewer’s interests and preferences.”

The interviewer may not be the only addressee. Narrators can also adapt their discourse to a wider audience – ‘audience design’ as it is called by Thornborrow (1999b: 146) – and we will see that this was indeed the case at the HRV hearings. However, the testifiers were not only influenced by the commissioners and the audience; the entire narrative situation had an impact on the way the testifiers’ identities were constructed. As Lucius-Hoene & Deppermann (2000: 215) state, such a narrative identity bears traces of “the interview situation, its surroundings, aspects of time and place, of institutional limitations or appeals, and of its co-author, the interviewer, who takes part in the construction by providing open or imagined support and feedback.” At the TRC, especially the socio-economic, the political and the cultural situation of the whole process influenced the way the HRV testifiers constructed their identities. Testifying victims were aware that certain identifying indexicalities were more preferred than others before the TRC. They also knew that certain identities were regarded as more prestigious than others – indeed, depending on the context, certain expressed identities can be higher valued than others. To a smaller or bigger extent some of the testifiers tried to adapt their identities to the norms and values of the TRC setting. Others deliberately challenged the moral criteria set forth by the HRV Committee.

Narratives of identity can be considered as crossroads or meeting points for different discourses. The individual thus is “the meeting point of many, sometimes conflicting socially and historically defined discourses”, as put by Gee (1996: 132). These different discourses and different identifications might contradict each other or reinforce each other. Dual positions can thus be expressed, veering between either solidarity or distance
vis à vis a certain group of people. It is this constant restructuring and reframing of the HRV testifiers’ narrative identities that I have classified as identity layering.

At the HRV hearings we will see that oftentimes various discursively constructed identities were established by the testifiers in the course of one and the same testimony. The victims shifted between different identifying indexicalities; hence, the testifiers’ identities emerging from their discursive performances were often shifting, ambiguous and interpretively open. In the same narrative event, they spoke from different positions; they “spoke as different subjects, enacting different ‘roles’” (Blommaert, 2005: 209).

Broadly speaking, testifiers usually presented an agentive self while relating their personal story in the beginning of the testimony. They presented an epistemic self during the interactional part of the testimony. The distinction between the epistemic and the agentive selves was made by Bruner (1990): people identify agentively when they report actions directed towards goals, including actions that have an effect on others, they identify epistemically when they state their beliefs, feelings and wants (Schiffrin, 1996: 194).

Since the testifiers’ identities were locally situated and constructed at the actual TRC site, I will then illustrate how both the agentive and the epistemic selves displayed a complex multiplicity. By doing so, both of the above-mentioned approaches distinguished by De Fina (2003) - that narrators create their identities while telling their stories and that their identities are co-constructed during interaction - will be maintained here. The features discussed here develop in the course of the testimonies, through the creative self-construction of the victims, as well as through the active involvement of the commissioners and the audience. As we will see later on, the testifier as individual subject personally created his or her identity and at the same time, this identity formation was also the product of various levels of power exertion.

Four types of identity layering will be dealt with. I will illustrate how, in the course of one and the same testimony, testifiers were alternately identified as victims or perpetrators, and how their identification sometimes shifted back and forth when it came to opposing or associating with the African National Congress. A very intense type of identity layering was established when testifiers struggled with their Afrikaner/white identity. Finally, I will discuss how testifiers sometimes consciously projected a particular socio-political identity – thus questioning the concept of the ‘ordinary victim’.
Through these four kinds of layering, the complex and manifold nature of the testifiers’ identities will be revealed. As will become obvious, the entire narrative situation of the HRV hearings had an impact on the identity construction. What will be highlighted through the discursive analysis of the testifiers’ identities is that identity is a matter of details. As Blommaert (2005: 230) noted already, large categories, such as ‘male’ versus ‘female’, ‘Black’ versus ‘White’ and ‘lower-class’ versus ‘upper-class’ only tell part of the story. Performing one’s identity is not the articulation of solely one particular identity. All kinds of small, discursive details shed light on an entire spectrum of constantly changing identifications. Various selections are made from a discursive repertoire to present morally acceptable identities. These identities are transformed, challenged and adapted, through seemingly insignificant discursive techniques. In this analysis, only a limited number of victim identifications will be discussed, thus providing insight into the complex identity of apartheid victims in their process of testifying before the HRV Committee.

To sum up, through these twelve features I will try to demonstrate in which way the HRV archive was layered. Testifiers shifted between various layers of ideological and historical positioning, and a multifaceted identity was constructed, through self-identification as well as through the other elements of the narrative setting. The idea is to provide insight in the rules of formation of this HRV archive – indeed, we will see that certain ideological, historical, or identity-oriented utterances seemed to be more preferred than others by the HRV commissioners. Certain layers were rejected by the commissioners right from the start, others were modified by introducing indexicalities that seemed to conform more with the image of the TRC – or with the so-called TRC ideological master-narrative.

4.1.4. The HRV archive prior to the hearings

To conclude this introduction I should briefly recapitulate that the archive, so the rules of formation, of the HRV Committee was only partly constructed at the actual victim hearings. As explained in Chapter Three, archontic power also lay in the hands of the policy makers, so the politicians who negotiated the TRC Act in 1995. In this TRC Act a number of rules of formation were set forth. For instance, the TRC Act (43, 1) stipulated that
“Subject to the provisions of subsection (2), the Commission shall within a period of 18 months from its constitution or the further period, not exceeding six months, as the President may determine, complete its work.”

The fact that the HRV Committee was to allow for a number of testifying victims as large as possible, within the time span of 18, maximum 24 months, put a lot of constraints on the HRV process. On the one hand, a truth commission should be limited in time – their tenure should even be kept relatively short, such as one to two and a half years, as argued by Hayner (2001: 222). However, this limited mandate period resulted in the investigations being cut short, and in the fact that testifying victims were only given a limited amount of time to tell their stories. This rule of formation of the HRV discourse was thus set beforehand. However, not all regulations as set forth in the TRC Act involved limitations of the victims discourse. The fact that victims were allowed to communicate in the language of their choice (TRC Act, 11 (f)) for instance, was a rule of formation that endowed the testifiers with a large amount of discursive liberty.

Before the hearings took place, also the committee members of the Human Rights Violations Committee were bestowed with a great deal of archontic power. Prior to the hearings, committee members and TRC staff called meetings where practical matters were discussed – such as the order of appearance of the testifiers (Buur, 2000a: chapter five). Also at these meetings, so on a macro-level, rules of formation of the HRV hearings were established. Finally, still preceding the hearings, the testifiers were briefed on how the hearings were going to be conducted. They were given information on the HRV setting and on the committee members they were going to be addressed by. They were also told that they would be allowed to relate their stories, whereupon clarifying questions would be posed. Before appearing at the HRV Committee, the testifiers thus more or less knew what to expect. Detailed regulations were given and the rules of formation were further constructed.

Obviously, it was mainly at the micro-level of the actual hearings that the HRV archive was fully explored and created. The prior-established regulations formed the framework that guided the linguistic behaviour at the hearings; it drew the rough outline of the HRV archive. This framework still allowed for a lot of flexibility, both on the level of constraints and on the level of discursive freedom. Through the interaction at the
hearings the rules of formation were constructed in their totality, resulting in the dense stratification that will be analysed in the following sections.

**4.2. Ideological layering**

4.2.1. Feature One: introducing reconciliation

According to the founding legislation of the Truth and Reconciliation Commission, the Promotion of National Unity and Reconciliation Act No. 34 of 1995 (TRC Act), the objectives of the Commission were “to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past...”. As explained in the introduction to this chapter, the TRC Act could be seen as a blueprint of the TRC mandate and as an indication of the ideological values that were inherent to the TRC process. The way the TRC was defined in the Act indicates that the concept of reconciliation was very important in the ideology of the TRC.

When elaborating on the term reconciliation in section 3.2.4, I have argued already that the TRC failed to clearly define how the notion of reconciliation was to be conceptualised. According to the TRC Report (1998, 1/5: 109), the Commission must

> “not only lay the foundation for a society in which physical needs will be met; [it] must also create a home for all South Africans. The road to reconciliation, therefore, means both material reconstruction and the restoration of dignity. It involves the redress of gross inequalities and the nurturing of respect for our common humanity. It entails sustainable growth and development of the spirit of ubuntu. It implies wide-ranging structural and institutional transformation and the healing of broken human relationships. It demands guarantees that the past will not be repeated. It requires restitution and the restoration of our humanity - as individuals, as communities and as a nation.”

Later on (TRC Report, 1998, 1/5: 106), reconciliation is defined as both a goal and a process, and different levels of reconciliation are mentioned. Reconciliation, according to the TRC Report, is about “coming to terms with painful truths”; it involves “reconciliation between victims and perpetrators”, “reconciliation at a community level” and “reconciliation and redistribution”. However, clear guidelines on how reconciliation is to be brought into practice concretely are lacking.
The TRC was convinced that aspects such as the democratic, transparent and inclusive process of the Commission, the establishment of “as complete and reliable a picture as possible of past violations”, facilitating the acknowledgement of these violations, and making recommendations aimed at preventing future violations, had indeed contributed to the promotion of national unity and reconciliation (TRC Report, 1998, 1/5: 107-108). No directions were given, though, on how this supposed contribution of the TRC to reconciliation was to be evaluated (see also Borer, 2001; Chapman, 2003a).

As mentioned earlier, no single, unambiguous definition of reconciliation will be employed when analysing the thirty selected testimonies. According to Chapman (2003b), it was especially the understanding of reconciliation as *interpersonal reconciliation* that was most acutely expressed at the Human Rights Violations hearings. In what follows, this interpersonal reconciliation could be seen as a point of departure, but it will definitely not be the only interpretation referred to. Gradually, also other understandings of the notion reconciliation will be revealed, thus demonstrating the highly complex nature of the HRV hearings with regard to this feature. Initially, a lot of attention will be paid to the explicit and concrete voicing of reconciliation-related terms. Later on, we will see that reconciliation could also be referred to in a much more implicit and subtle manner.

Let me first give a brief overview of what will be discussed in this section. Throughout the HRV hearings, we notice that the commissioners tried their best to construct a type of discourse I have labelled *reconciliation discourse*. Amongst others, some of the main features of this *reconciliation talk* were to accept the term reconciliation, to express the absence of individual hatred or to state that one did not hold any grudges against fellow South Africans. This kind of discourse took shape on the basis of a number of discursive practices. First of all, one notices that reconciliation itself tended to be strongly emphasised by the TRC commissioners. They sometimes seemed to urge the victims to speak out in favour of reconciliation – especially having the testifiers *pronounce* terms such as ‘reconciliation’ or ‘forgiveness’ seemed of utmost concern. In some instances, victims were explicitly asked whether they would be prepared to meet their perpetrators, whether they would be prepared to talk to the perpetrator, or, very straightforwardly, whether they would be willing to actually reconcile with the wrongdoer. By repeating fragments from the victim’s written statement the commissioners sometimes reminded the testifier that he or she had indeed declared
her/himself to be in favour of reconciliation when giving the statement. It was then very
difficult for the testifier to retract these words by proclaiming vengeance or hatred
instead.

Many times, as well, committee members concluded testimonies by using reconciliation-
oriented phrases. Testifiers were praised if they had displayed reconciling attitudes in the
course of their testimonies or if they were prepared to forgive their perpetrators. If
victims had been resentful, committee members sometimes attempted to rectify these
feelings. They kept emphasising that reconciliation was the only way to build a new
South African society. It seemed as if in some cases feelings of vengeance and hatred
were presented as psychological illnesses and if they were largely disregarded in many of
these closing statements. If testimonies were concluded by creating such a reconciliation-
oriented atmosphere, it could become extremely hard for the next testifier to talk in a
spirit of vengeance or retaliation.

Some victims did indeed express hatred and vengeance in the course of their testimonies.
These emotions seemed to be acknowledged rarely; the commissioners sometimes just
continued the interview and instead of showing some deep understanding for the
emotions of the testifier, they kept stressing that the victim should try to reconcile in the
first place. In this way, it seemed as if they obliquely indicated that hatred and revenge
were characteristics incompatible with the image of a respected and valued citizen in the
new South Africa. Other authors have also noticed, indeed, that although for certain
victims vengeance and hatred can be more healing than feelings of forgiveness, the TRC
sometimes appeared to ignore feelings of retribution. In certain instances the
commissioners thus seemed to urge victims to help to establish the ideal of a reconciled
South Africa (Qwelane, 1997; van der Merwe, 1999; Statman, 2000; Miller, 2001; Stanley,
2001; Bharucha, 2002).

The aim of this section is to illustrate this aspect of directing testifier’s discourse towards
reconciliation, by means of illustrations taken from the thirty selected case studies. This
will provide insight in the rules of formation - the HRV archive -, since we will arrive at a
set of utterances that seemed preferred at the HRV hearings, while another set of
utterances seemed rather unacceptable. Let me remind you that I will consider
forgiveness as a necessary condition for reconciliation. Both the references to
reconciliation and forgiveness can therefore be seen as aspects of the HRV reconciliation discourse.

I have distinguished four discursive methods by which the HRV commissioners stressed or sometimes even seemed to impose reconciliation. After having gained some insight into the complexities of HRV discourse, this schematic classification seemed relevant and highly appropriate. Nevertheless, we should bear in mind that sometimes a combination of these methods occurred, and that within one method there could be a level of personal variation. In general terms, though, these four methods seemed to be present most regularly throughout the HRV process. The italics in the cited fragments are always my own.

**Discursive method 1: explicitly asking for reconciliation**

This first method involves a direct reference to the terms reconciliation or forgiveness through one of the HRV commissioners. It was especially at the end of a testimony that the commissioner often explicitly asked whether the victim would consider forgiving the perpetrator. Mostly, these questions were introduced very carefully: the commissioner first asked whether the victim would be prepared to come face to face with the perpetrator, whether he or she would be able to talk to the perpetrator or to shake his hand. They sometimes offered the assistance of the TRC in organising such a meeting; and finally they raised the question of reconciling with the perpetrator. In this way, victims were gradually guided towards the crucial issue, the issue of whether or not to reconcile – and most of them agreed to do so.

The mere fact that commissioners explicitly requested to reconcile could be seen as a subtle way of imposing the term reconciliation. Considering the context of the TRC, which supported the idea of forgiveness and interpersonal reconciliation - testifiers were aware of this fact, even before they appeared before the HRV Committee - , victims had to be very decisive and strong-minded to refuse to reconcile with the perpetrator. Some testifiers did have this psychological power, for example Emily Siko, whose family was attacked by the Afrikaner Weerstandsbeweging (AWB), an extreme right-wing organisation. Dr Randera is the facilitator leading Mrs Siko in her testimony. At the end of the testimony the word is given to Mr Manthata who poses a number of additional
questions. It is also commissioner Manthata who inquires about possible reconciliation between Emily Siko and the perpetrators:

MR MANTHATA: Do you think there is a possibility of reconciliation with these people?

MRS SIKO: No, I don’t think so.

(...) 

MR MANTHATA: I will ask you this question again. Do you think these people are Christians, the AWB?

MRS SIKO: They have their own church, they built it in Ventersdorp.

MR MANTHATA: Are you Christians?

MRS SIKO: Yes, I am a Christian. I attend the Anglican Church.

MR MANTHATA: Is there any communication between your ministers and their ministers?

MRS SIKO: No.

MR MANTHATA: Are you saying no or do not know?

MRS SIKO: No, the AWB people don’t mix with other ministers from other churches.

MR MANTHATA: I thank you.

DR RANDERA: Mrs Siko, in there anything else you would like to say?

MRS SIKO: I just have a problem with my child. I would like them to pay for what they did to my son. The child is going to be cripple for a lifetime.

DR RANDERA: Mrs Siko, thank you very much for sharing your story with us.

In this testimony, committee member Manthata introduces the issue of reconciliation gradually by first trying to find a common point of interest between Mrs Siko and the AWB people. Both of them appear to be Christians, which could enhance mutual feelings of sympathy. In addition, Christians are supposed to be more willing to forgive their perpetrators. This was a belief expressed by numerous scholars working on the TRC (see for instance Van der Walt & Van der Walt, 1996; Dunn, 1998; Lapsley, 1998; VanZanten, 1998; Moosa, 2000) and invoked many times at the hearings themselves, especially by the chairperson Archbishop Desmond Tutu (Corry & Terre Blanche, 2000: 9). Mr Manthata then tries to find out whether there is any communication between the

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14 All of the fragments cited in this text are literally taken from the TRC website. Spelling mistakes and grammatical errors have not been corrected.
victims and the perpetrators. Even after he intrusively repeats the questions, Mrs Siko denies any contact categorically and Mr Manthata concludes by simply thanking her.

Next, commissioner Randera takes over by asking what Mrs Siko’s requests are from the Commission. Straight away, the testifier elaborates on the physical condition of her son. The child has been severely injured as a result of the AWB attack and Mrs Siko wants the perpetrators to compensate him for these physical problems. The distance between her son on the one hand and the AWB people on the other hand is emphasised by putting “them” and “they” in direct opposition with “my son”. She stresses the contrast between “us” and “they”, and this distance seems to be in contradiction with feelings of mutual understanding and reconciliation.

As is clear from this fragment, Emily Siko is able to resist the insisting tone of commissioner Manthata. She sticks to her conviction that personal reconciliation with the perpetrators seems impossible even though this is insisted upon by some HRV committee members.

A different way of reacting to the commissioners’ framing of the testifier’s discourse is to be found in the testimony of Bernice Whitfield. Mrs. Whitfield testified about the killing of her husband during an APLA bomb-attack in 1993. Throughout her testimony Mrs Whitfield self-identifies as devoutly religious and she reverts to her faith in order to bypass the reconciliation-oriented questions of the commissioners. Mrs Whitfield is guided in her testimony by committee member Maya and also commissioner Sandi poses some questions.

MISS MAYA: Mrs Whitfield, if you were to come face to face to this person or if you were given an opportunity to convey a certain message to him or to them, what would you like to convey to them?

MRS WHITFIELD: As the Lord said to me when he gave me this word, he can walk away from us with the deeds that he’s done but one day, when he comes face to face with Jesus he will have to answer because when the Lord deals with you it hurts, if I deal with him he won’t feel anything and that is my hope.

(…)

MR SANDI: Thank you Mr Chairman. Mrs Whitfield, I may be asking you the same question, but maybe in a different way. I don’t seem to get you attitude too clear as to how you would relate to those who perpetrated this gross human rights violation. Let us suppose the people who did this to your husband and other victims of the tragedy were to come to you and say to you they are asking for forgiveness, how would you respond to such a request?

MRS WHITFIELD: I’ve got no grudge against anybody; I feel if I have then I cannot call myself a child of God, because if God forgives us, we can forgive others. (…) Here
on earth there is no justice. I've never seen justice in this world, but when he comes face to face with the Lord, that is the day he is going to get judged and that is my only hope.

MR SANDI: Thank you very much Mrs Whitfield. Thank you Mr Chairman.

Initially, commissioner Maya asks what the victim would say when coming face to face with the perpetrator. This is not an explicit way of asking for reconciliation, but the message seems to be clear and a reconciliation-oriented atmosphere is established. In her answer Mrs Whitfield clearly expresses that she hopes the perpetrator to be punished. Although this wish should be realised on a supernal level, the fact that she wants the perpetrator to be “hurt”, does not give a very peaceful impression.

Commissioner Sandi elaborates on this issue by directly asking Mrs Whitfield whether she would be prepared to forgive the perpetrators. Since Mrs Whitfield positions herself as a strong believer, she cannot straightforwardly refuse. Being a faithful Christian involves forgiving one’s wrongdoers, a religious principle Mrs Whitfield is very much aware of. Nevertheless, it seems as if she only wants to forgive because she is a believer – it is an obligation that does not correspond to her sincere feelings. In addition, she seems to perceive the amnesty process of the TRC as unjust. Justice will take place when the perpetrators have to appear before God, and then she hopes them to be punished.

By reverting to her faith, Mrs Whitfield succeeds in expressing her desire for vengeance, without contradicting the reconciling message the TRC wanted to convey. This is a creative way of getting round the insisting questions of the commissioners. In a subtle way Mrs Whitfield indicates what her personal opinions are, while still walking in line with the TRC ideological master-narrative. Hence, in a more sophisticated way than Emily Siko, also Bernice Whitfield refused to openly comply with the commissioners when they insist on expressing forgiveness or reconciliation. Throughout the HRV hearings we notice that commissioners such as Bishop Tutu or Mr. Boraine often referred to their faith to elicit a commitment to reconciliation from the testifiers. They thus offered the victims an escape route by which they subtly could transform their feelings of hatred and retaliation into reconciliation and tolerance.

Also Mr Johannes van Eck managed to by-pass a request for reconciliation when commissioner Sooka inquired about his vision on the amnesty process. Mr van Eck is an Afrikaans-speaking man, who lost his wife and two children when his car hit an ANC
landmine. He is clearly a non-conventional victim, being white and being a victim of the liberation movement – see later.

**MS SOOKA:** (…) I think that it is a very, very difficult issue but one question I would to pose to you is, now having seen that we are in this process where amnesty is freely available, not just for members of the Liberation Forces, but also members of the old security forces, for the deeds that they've done during this period. *What is your feeling about that, because in your statement, you mention people should be treated in the same way?*

**MR VAN ECK:** Just to go back the first section that you read to me. I hear what you're saying, but I wasn't part of that regime, I was not a farmer in that region. I was a teacher and a bus contractor, far from there. I went on holiday. Do you understand and I wasn't part of that regime. I had nothing to do with them and I didn't want anything to do with them and that is why I'm saying, could you just repeat the last question and how I feel about what?

**MS SOOKA:** You talk about the fact that the people were convicted for this crime were later on in '92 given indemnity and they were released from jail. Now part of the work of the Commission is to facilitate the granting of amnesty to those persons who have committed gross human rights violations on either side, whether they came from the old regime or whether they came from the liberation movements. And this is one of the functions of one of the committees of the Truth Commission. *Now there is a great sense out there that people are being asked to deal with the question of forgiving people, but it's also a necessity in this country of ours, where we need to put the past behind us, what is your personal view on that?*

**MR VAN ECK:** Mr Chairman, I think it was very clear in my submission, all I'm asking, my only request is that it should be consequent, I said, leave those people as they are, leave them where they are, but then we should look at who we are hunting for in vain. In other words, the Commission stands for equality and justice. That's all I'm asking for, for justice and nothing more.

**MS SOOKA:** Thank you I have no further questions.

(…)

**MR LEWIN:** (…) and is this a question of balance between these guys on the one hand and what the guys on the other side have done, or how should we go forward, *how do we go forward from here, hereafter?*

**MR VAN ECK:** In my case, but I don't know if it's the same all over, but in my case, I have overcome it and I am sitting here today and I can tell you the story because I get my strength from above. The God in whom I believe is the one who gives me the strength to be able to sit here before you today and speak without crying. He clears my thoughts and he consoles me and it's the only way in which I can overcome it. How it is going to work in other peoples’ cases I do not know, I cannot give you any clarity there about.

Initially, Mr van Eck’s commitment to the amnesty process is addressed. Also this is a way of asking about personal feelings of reconciliation, since there could be a correlation between supporting the amnesty process – thus being opposed to retributive justice – and being prepared to reconcile with the perpetrators. It is no coincidence that Ms Sooka
explicitly asks what Mr van Eck’s view is on the amnesty process. It was crucial for the image of the TRC to get a positive reaction about the amnesty process from a member of the suppressing group under apartheid. Interestingly, she talks about “amnesty [that is] freely available”, but she immediately adds not just for “members of the Liberation Forces”, but also for “members of the old security forces, for the deeds that they’ve done during the same period”. In the beginning of his testimony, van Eck was devastated about the fact that the ANC members who had put the landmine had been released in 1991, and that they had even been awarded by President Mandela in 1993. The message Ms Sooka tries to communicate is obvious: Mr van Eck’s anger is understandable, but the apartheid security forces caused even more pain and sorrow. Since amnesty is freely available to these apartheid perpetrators, Mr van Eck should also accept amnesty for the ANC perpetrators.

Van Eck interprets this question as a personal attack and he immediately starts defending and justifying himself in a rather aggressive way. Next, Ms Sooka repeats her question, again by emphasising that amnesty can be granted to perpetrators from either side of the apartheid divide. She then stresses that forgiving people is a necessity in South Africa, “where we need to put the past behind us”. Although she thus insists on an expression in favour of forgiveness Mr van Eck cannot be persuaded. He does not use the terms forgiveness or reconciliation once, but he keeps repeating that he only wants justice and equality. It appears as if he refuses to adopt the reconciliation discourse of the TRC: “justice” and “equality” fit his personal discourse, but not the terms ‘forgiveness’ and ‘reconciliation’.

Finally, also commissioner Lewin tries to get a reconciliation-oriented expression from Mr van Eck by asking “how do we go forward from here, hereafter?” – probably referring to the need for reconciliation in the country. Mr van Eck refuses to give his vision on a future reconciled South Africa. He merely reverts to his faith, by saying that he can only survive because of God. Mr van Eck seems to identify as an insubordinate victim: he does not want to take over TRC discourse, nor does he want to give his opinions about the future of the new nation.

Considering the atmosphere at the hearings, this refusal to speak out in favour of reconciliation required a great deal of courage. Most of the testifiers did not have this
courage and they readily followed the committee members when their discourse was
directed towards reconciliation. Such an example is Mrs Gladys Papu, whose husband
got killed by a rival political group. After she has told her story and answered the
additional questions, commissioner Xundu concludes the testimony. He raises the
question of reconciliation in this way:

**REV XUNDU**: Thank you Mr Chairperson. Mam, I heard your story. I only have one
question. According to you what can be done so that there can be peace? Is there a conflict between
yourself and this other group?

**MRS PAPU**: What I want is for them to come forward to tell the truth.

**REV XUNDU**: You are saying that reconciliation can be built if they can come forward?

**MRS PAPU**: Yes, if they can come and tell the truth.

**REV XUNDU**: If they can come forward you will forgive them?

**MRS PAPU**: Yes.

**REV XUNDU**: Thank you.

In this example, it seems as if commissioner Xundu literally puts the words of
forgiveness and reconciliation in the mouth of the testifier. It was then almost impossible
for the victim to react against this reconciling atmosphere or to even try to modify the
language of the commissioners. Commissioner Xundu keeps repeating the terms
reconciliation and forgiveness, until the testifier admits that she fully agrees with what he
wants to hear. The commissioner is posing leading questions and it seems to be a
question of having the testifier actually pronouncing these terms out loud – only in this
way the TRC audience would get the impression that testifiers were really committed to
establishing – interpersonal - reconciliation.

We may not forget, though, that such ‘pre-formulated’ questions do not exclude that the
testifier did indeed agree with reconciliation. It is possible that according to her individual
opinion Mrs Papu really wanted to forgive the perpetrators. What I am particularly
interested in here is the way in which commissioner Xundu framed these questions, in
order to have them comply with the TRC ideological master-narrative. This victim might
have been in favour of reconciliation all the time, but she also might not have been. In
this latter case, these leading questions could have incited her to talk reconciliation. The
bottom-line is that the commissioners offered a particular lexical frame, which could be
adopted, transformed and manipulated by the testifying victims at their own discretion. Let me give some more of these examples.

When explicitly being asked to reconcile, certain testifiers agreed, but not unconditionally. This was mostly the case with testifiers who seemed fairly self-confident. They knew what they stood for and they were not so easily prepared to change their personal opinions. However, they realised that it was necessary to subscribe to the requests to reconcile in order to be accepted as a respected and praised apartheid victim. A compromise was found by being in favour of reconciliation, but under certain conditions. The following example comes from Kedu Mahlangu, who was set alight and almost burnt by ANC ‘comrades’. The questions are posed by commissioner Manthata and by the chairperson.

**MR MANTHATA:** But what would you say today with the call made by King Mayisha that he desires reconciliation and peace in the whole region of Moutse, KwaNdebele?

**MR MAHLANGU:** We share the same sentiments as the King, even though our hearts are sore because we are broke as now. There is nothing that we can do. That is a most disturbing first factor. If he can compensate us, maybe, or help us in any way, we can accept that and go back.

**CHAIRPERSON:** We thank you Mr Mahlangu. We have listened to your story and how you were troubled. We so wish that the people of this province can listen to the King’s wish that let there be unity. Let the nation be one, so that the past can be forgotten and people reconcile and be one thing. Thank you.

**MR MAHLANGU:** I will also be happy that when we reconcile the truth has to be put on the table, so that we can see that this person really wants reconciliation, but if someone is avoiding the truth then, I am sorry.

After Mr Manthata’s question, Mr Mahlangu follows the commissioner’s suggestion by not speaking out against reconciliation. However, he immediately adds that reconciliation will be made easier if some material compensation will be granted first. Reconciliation does not seem to come from his heart – rather from his mind. The chair then concludes by expressing his hope for future forgiveness and reconciliation in the region. Mr Mahlangu is not supposed to start talking again, but without a question being asked he takes the floor again. He stresses again that he and his companions do want to reconcile, but that these reconciliatory feelings must be reciprocal. The enemies should also come forward with the truth, otherwise reconciliation will be put at risk. He clearly blames the

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15 As explained in the chapter on methodology, the transcriptions of the HRV hearings did not always give me sufficient details on who was participating; therefore, I do not have the name of this chair.
enemies: if they will tell the truth and if they are willing to compensate them, he is prepared to reconcile – this is thus their responsibility. By answering the commissioners’ questions in such an ambiguous way, Mr Mahlangu finds a balance between being an ‘ideal’, reconciliation-oriented victim on the one hand, and expressing his personal opinion on the other hand – a personal opinion that is largely incompatible with the unconditional kind of reconciliation that seems to be promoted by the TRC commissioners.

Also Lizzy Phike is openly asked to reconcile, and just like Kedu Mahlangu, she only wants to reconcile under certain conditions. Lizzy Phike was arrested by the South African police and while in detention, her son was shot dead. She is questioned by commissioner Xundu:

**REV XUNDU:** You’ve told us the story that shows that in your community there was a conflict. **Are there efforts now that could lead you to reconciliation?**

**MS PHIKE:** No efforts – there were no efforts, but we – during the elections I raised the point that the people who were oppressing us, who never apologized will never be our leaders.

**REV XUNDU:** You mean you have a wish that something should be done so that it could bring about reconciliation?

**MS PHIKE:** My wish is that the people just before they – the people who are going to be our leaders, they must first talk to the people who are oppressing us as we were fighting for freedom.

**REV XUNDU:** Are you talking about the AZAPO organisation and UDF?

**MS PHIKE:** I’m talking about the AZAPO people who never came to apologize and who are also enjoying the results of our freedom. We just want them to come and apologize so that we could be at peace.

Rev Xundu starts by explicitly asking Ms Phike whether she is prepared to reconcile. Her answer is not very straightforward, so he asks again whether she has a wish about establishing reconciliation. Through a number of fairly leading questions, the commissioner tries to get this testifier to actually pronounce the term reconciliation - Ms Phike does not follow him however. Finally, she seems to be prepared to reconcile, but only if the enemies come forward to apologise. She strongly positions “they” and “them” on the one hand to “us” and “our freedom” on the other hand. Reconciliation with “them” is possible, but “they” have to take the first step. Also here reconciliation is conditional, and although Rev Xundu insists on expressing reconciliation, Ms Phike
continues to divide society in two groups – reconciliation between those two groups (“we” and “they”) does not seem to be unproblematic. In this example we see how the lexical frame offered by the leading commissioner is not necessarily or automatically taken over by the victim. There could be attempts at resistance, often carefully dealt with by the commissioner. In these illustrations we get the first signs of the intricate manner by which this HRV reconciliation discourse was constructed. This entire discourse was framed by the commissioners, but it was not void of power exertion and manipulation from the side of the testifiers either.

As an addition to this first discursive method, I should stress that there were also testifiers who spoke out in favour of reconciliation spontaneously – without being asked explicitly by the commissioners. This group of testifiers seemed to be in the minority; I will only give one example, namely the case of Mr Paul Williams. When this testifier was asked what he would like the TRC to achieve, he spontaneously voiced his support for reconciliation and forgiveness. Mr Williams got injured when members of APLA attacked the St-James church in Cape Town in 1993. Mr Williams explicitly tells the Commission that he is prepared to reach out to the perpetrators. There is no bitterness in his heart and he seems to have totally forgiven them.

MR NTSEBEZA: Now in view of that what - what would you like the Commission to establish (…)?

MR WILLIAMS: Ja okay - well from my - from my level as human being my personal level, I feel I have forgiven them. And when I say forgiven them I bear no grudges against them. There’s absolutely no bitterness within my heart towards them. If I come face to face with them I’ll be prepared to hug them out of Godly love. (…)

Immediately thereafter Mr Ntsebeza inquires about the testifier’s opinion regarding the amnesty process. Again, Mr Williams stresses that he wants to reconcile with the perpetrators, although this time he refers to the religious context as well.

MR NTSEBEZA: And finally I would like to ask a question I’ve asked to lot of people who have been at the receiving end. If Maqoma for instance who is serving a period of imprisonment for this attack - were to apply for Amnesty and in the view of the Amnesty Committee it could be found after all the various tests have been applied to his case that he deserves to be granted Amnesty and be ware to walk the streets as a free person as a consequence of that process. What would your reaction be?

MR WILLIAMS: Like I said advocate, it is beyond my control that him being granted Amnesty, but should he go free and walk on the streets, my duty as committed Christian should be I think to reach out to him. And that is what I would like to do.
MR NTSEBEZA: You are very rare person, Mr Williams.

According to this last fragment it seems as if Mr Williams, just like Mrs Whitfield, takes refuge behind his Christian faith to justify his support of reconciliation and forgiveness. In Mrs Whitfield’s case, reverting to her faith could have been a way of concealing her personal sentiments of hatred and vengeance. It is possible that Mr Williams’s support of reconciliation is more sincere, especially when looking at the preceding extracts. In any case, identifying so intensely and spontaneously in favour of these TRC values seems to be highly appreciated by the leading commissioner – note the praising words “You are a very rare person, Mr Williams”.

A word must be said about this ‘spontaneous’ discursive support of reconciliation and forgiveness. Spontaneous in this case is a very relative term and maybe it is better the use the terms ‘impromptu’ or ‘unsolicited’. In fact, the entire HRV proceedings were far from spontaneous – the ways in which this sophisticated staging took shape has been referred to already in the introductory chapters. The manner in which this staging happened discursively will be revealed in the course of this chapter. When discussing this feature we will see that a reconciliation-oriented atmosphere was deliberately created at the hearings – in addition to the fact that commitment to reconciliation was already firmly anchored in the TRC mandate. This means that the entire HRV context was oriented towards forgiveness and reconciliation, and, as indicated in 2.5., context always exercises a pervasive influence on discourse. The unsolicited expressions in favour of reconciliation might indeed be based on a personal conviction of the testifier. However, they could also be totally shaped by the context. In the remainder of this text I will mainly use the term ‘unsolicited’ to refer to an utterance made by testifiers without a clear impulse of the commissioners, without taking into account the impact of other contextual features.

**Discursive method 2: the closing statement**

If a victim had expressed a commitment to reconciliation or a willingness to forgive the perpetrator in the course of his or her testimony - either unsolicited or not -, the commissioners sometimes concluded the testimony by explicitly praising this testifier. Such a reconciliation-oriented conclusion made it very difficult for the next testifier to reject reconciliation or forgiveness. For instance, in answering a question of
commissioner Crichton, Pralene Botha expressed a preparedness to accept the amnesty process. Interestingly, chairperson Finca especially highlighted this part of Mrs Botha’s testimony when concluding. The daughter of Pralene Botha, Rosaline Parrot, testified as well and she also confirmed that her mother was really in favour of reconciliation, thus creating a strong incentive for the chairperson to compliment on Mrs Botha’s commitment to reconciliation. Mrs Botha’s husband (George) died while in detention, supposedly by committing suicide.

MISS CRICHTON: Thank you, so you are basically saying you’re looking for the truth. How would you feel and this is my last question to you, if the perpetrators applied for amnesty and received it?

MRS BOTHA: I would accept it because I feel that people wouldn’t really come out with the truth if they really have the fear that they would be prosecuted, that is just human nature and if they can at this stage feel that to put our hearts at rest they’ll come out with the truth and then perhaps “get away with it” I wouldn’t be very happy about it, but I would accept it as just part of the process we are in.

(...) 

MRS PARROT: (...) but [my mother] said that the people must get amnesty, as there must be reconciliation, because George was the type of person (...). He was the type of person that wanted to build a nation, a good nation. That’s all I want to say.

REV FINCA: We thank you for your story and more than thanking you for your story we thank you for the manner in which you shared your story. I’ve not sensed any bitterness, I’ve not sensed any anger, any call for vengeance. You’ve told your story with dignity and with grace, indeed the dignity that belongs to a person like George who gave his life for the liberation of our land. We convey to you our respect, (…), thank you very much.

In the course of her testimony Mrs Botha seems to subscribe to the TRC ideological master-narrative: she would not be very happy with amnesty for the perpetrators, but she would accept it for the sake of a reconciled South Africa. Her daughter even adds to this positive impression by explicitly stating that her mother embraces reconciliation. When concluding the testimony, Rev Finca seems to thank the witnesses not so much for telling their stories, but rather for being in favour of reconciliation and the amnesty process. He then explicitly conveys his respect to the witnesses, respect that they deserve because of their commitment to interpersonal reconciliation. If the following testifier wanted to gain the same amount of respect, this commitment to reconciliation seemed to be a prerequisite.
Also Kenneth Manana, a former APLA member who was arrested and tortured by the South African Police, openly expressed feelings of forgiveness in the course of his testimony. This is picked up by commissioner Mkhize in her final statement:

**MR MANANA:** This was mentioned to show that in all that had happened I now realise that some of those things were mistakes and that those people who do something bad to me at the present moment that I think I do have the heart to receive them and forgive them. Just to show before the Commission that I do have the heart to forgive.

(...)

**MS MKHIZE:** We would like to thank you for having been able to come. We also thank you for having started a new life. Also being ready to reconcile and forgive. As you have already said that you are a new man, you have repented. We pity you for having suffered under the hands of the police. We also believe that you work with us to add any information that we might need in your statement. Thank you very much.

Mr Manana seems to be proud about his willingness to forgive. He uses dramatic words (“I do have the heart to receive them and forgive them”) and he explicitly wants to show before the TRC that he does answer to the ideal of a ‘perfect TRC victim’. He is prepared to forgive his torturers - forgiveness that is presented as a real sacrifice -, so he will not be the one to blame if reconciliation between him and the perpetrators will not be realised.

Just like others of the previously mentioned testifiers, it might be possible that Mr Manana, being the weaker party in the interactional process, is insincere when pronouncing these words. We can then refer to the term *orthopraxy*, as Blommaert (2005: 169) calls it – “doing as if one shares the beliefs and ideas, performing hegemonic acts without subscribing to the ideology that gives meaning to them”. Another possibility is that Mr Manana expresses his commitment to reconciliation because he expects a compensation (under the form of a boosted prestige). Maybe, he takes an opportunistic stance by willing to forgive solely to present a positive image before the Commission. However, there is also a third possibility: Mr Manana might be really committed to reconciliation, hence he might share the reconciliation-oriented ideology of the commissioners. Whether sincere or not, Mr Manana does speak out in favour of reconciliation and this fragment of his testimony is manifestly highlighted by the commissioner in her closing statement.
When asked about his relationship to other people - specifically to the perpetrators who attacked him - also Mr Beck speaks out in favour of forgiveness quite spontaneously. Mr Beck was attacked by members of the UDF while patrolling through Soweto. Note that he especially seems to be forgiving after the example of Mr Mandela – indeed, HRV testifiers often referred to the fact that following the role model of Nelson Mandela was their main motivation behind reconciliation-oriented attitudes. In his closing statement, chairperson Tutu explicitly comes back to Mr Beck’s commitment to reconciliation, labelling it not only as an individual necessity, but also as a national prerequisite for a peaceful future.

DR MAGWAZA: Mr Beck it is obvious that your life changed after the attack, I would like to ask in what way did your life change in your relationship with other people or relationship with liberations movements? How did your life change in relation to your work? And how did your life change generally because something did change?

MR BECK: Yes more than likely. If all these things didn’t come to the fore of what happened, then maybe I would still bear a grudge. The reason why my life changed is that I’ve now learnt from all the stories I’ve learned from and the example that our State President has brought us for forgiving after he went through all these atrocities as well, and he can forgive, and I became more tolerant now and more understanding, which before I wasn’t. I can understand now from both sides, and people’s problems daily in my job as well.

(…)

MR TUTU: (…) Now the Commission is in fact being charged with telling this story, not so that we should be masochists who enjoy pain, our pain, the pain of others, that we should in fact then, as the Act says, transcend, rise above the conflicts of the past and ultimately if we are going to have the chance then it is clear that forgiveness, reconciliation, are quite central to that process. And justice is an element of it as well. But forgiveness ultimately is to say you give people the chance to change. (…) We pray that that process will be accelerated and that we, all of us, because all of us need to change, all of us are wounded people, all of us are traumatised people, all of us are people who need to forgive and who also need to be forgiven.

Finally, I will give the example of Mrs Kemp’s testimony. Mrs Stephanie Kemp was detained and maltreated by the South African Police. She is absolutely committed to reconciliation in South Africa, as is clear from the following extract:

MS MKHIZE: On the other hand we have the victims, on the other hand we have the alleged and in some instances now the identified perpetrators. And as you can see, the whole predominantly black, what is your suggestion in terms of moving towards national reconciliation.

MRS KEMP: Without question reconciliation is necessary for the survival of our country. And I think if it wasn’t for our president, it would have perhaps been harder for me and many people like me, to even contemplate the possibility of reconciliation.
This awareness of the need for reconciliation is highlighted by chairlady Sooka in her closing statement:

MRS SOOKA: (...) I think part of the struggle in this country is to find the solution to what gives people the ability to make those choices. Because that is going to make the difference to salvaging this nation, because sometimes reconciliation seems to be very cheap, and the price is often the cost of the victims, and I think that what we are really struggling with is what you have said in your last few remarks. That we need for people to say more than it was a mistake. We need for them to really come forward and repent, because only in that repentance will the rest of us be able to find some kind of solace that the reconciliation on which we are building this country will not be a cheap one. Thank you for coming forward and for sharing your testimony. I think for many of us who have heard your story before, you have always been a shining example. We do salute your courage in coming forward. Thank you.

Commissioner Sooka is convincing in her praising of Mrs Kemp. The testifier’s personal commitment to reconciliation is lifted to a higher level by giving it national significance. In general terms, Mrs Sooka repeats that only repentance and the revelation of the truth can lead to reconciliation – a reconciliation that will not come cheap. The testimony of Mrs Kemp was ideal to connect personal attitudes to a wide-scale concern for the well-being of the entire nation. In section 4.5, I will therefore define Mrs Kemp as one of the ideal HRV testifiers. Mrs Kemp’s expressing of reconciliation-oriented emotions seems to be highly valued, which turns the testifier into a respected victim – note the formal “We do salute your courage in coming forward”. Again, such a level of attributed respect and appreciation in the closing statement made it almost impossible for the next testifier to refuse to reconcile. The atmosphere was further steered in the direction of reconciliation, a direction that was very hard to ignore or to try to break through.

Discursive method 3: referring to the written statement
Introducing reconciliation could also take place by making use of the written statement victims had submitted before appearing before the Commission. The questions and remarks raised at the public hearings were based on these statements. Sometimes, the commissioner read parts from these statements, to remind the testifier of what he or she had stated before. In some cases, the commissioners emphasised that reconciliation had been expressed in the written statement and they explicitly read the appropriate fragment to the victim. In this way, people had to confirm that they had been in favour of forgiveness and reconciliation, at least at the time when they gave their statements. An example of such an explicit reference to the written statement comes from the testimony of Mrs Manzala Dingumhlaba. She spoke about the torture of her father. Commissioner Crichton introduces the concept of reconciliation by saying:
MS CRICHTON: I want to ask you a question, because in your statement you said something that has interested me deeply and I want not only the Commission to hear this, I want the people that are listening to this across South Africa to hear it as well, because there is a need for them to hear it. May I quote from what you said in your statement about the perpetrators? In your statement you said:

"I wish that the perpetrators would ask for forgiveness and compensate me for the loss of my father and the humiliation that they caused."

Do you remember saying that?

MS DINGUMHLABA: Yes I remember.

MS CRICHTON: Is that still your wish?

MS DINGUMHLABA: Yes, I want them to ask for forgiveness, because we are left as orphans.

MS CRICHTON: Thank you very much. Thank you Mr Chairman.

CHAIRMAN: Thank you.

It appears as if Ms Crichton wants the victim to confirm that she spoke out in favour of forgiveness and reconciliation when giving the written statement. In addition, Ms Dingumhlaba has to stress that she still cherishes these values today, which would then turn her into an acceptable testifier before the HRV Committee. This interaction between Ms Dingumhlaba and commissioner Crichton happens at the very end of the testimony. Immediately thereafter the chairman closes the testimony by thanking the victim. Because Ms Dingumhlaba’s commitment to forgiveness is proclaimed at the end of her testimony, it leaves a lasting impression – an impression that was crucial regarding the set of expectations thus raised for the next testifiers.

Also Metro Bambiso, is openly asked whether he is in favour of reconciliation and how he thinks reconciliation could be enhanced in the new South Africa. Mr Bambiso is a rewarding HRV victim since he is very willing to speak out in favour of reconciliation. Initially, commissioner Sandi asks to elaborate on the issue of reconciliation by referring to Mr Bambiso’s written statement:

ADV SANDI: Thank you, Mr Chairman. Mr Bambiso, in your statement there are three incidents you mentioned. The first one you have already mentioned briefly and I would like you to explain and to clarify these three incidents. Firstly, in your statement you say that it is your wish that there should be reconciliation in this country. Secondly, you also mentioned that this country has to be developed. Thirdly, you say that crime, you say that there must not

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16 Later on, we will go deeper into this case, since Mr Bambiso was also a perpetrator of gross human rights violations.
be crime in this country. Would you please explain these three facts to us, because I would like people from this hall to hear what you have to say.

**MR BAMBISO:** Firstly, the reason why I referred to reconciliation is that I know that if victims or people who were oppressed by the white people, if we want to revenge our country will not develop. It will not be the country that we would like South Africa to be, because if I can take a gun and go to town to revenge what happened to me, there will not be reconciliation, because our President is preaching peace in our country. I am supporting peace in this country. That is the reason why I stated these. I do not whether the Commission understands me clearly.

(...)

**CHAIRPERSON MANTHATA:** As you referred to the plans that are to be made in order to reconcile and develop this country, what advice would you say?

**MR BAMBISO:** What I would like to say is that people are to be united and work together to build this country.

**CHAIRPERSON MANTHATA:** What is the situation between yourself and the families of the victims? Is there peace between you?

**MR BAMBISO:** Yes, there is peace between us.

**CHAIRPERSON MANTHATA:** You say that you would like the perpetrators, you would like them to go to the community to apologise. Let us say these people are not going to go to the community, they do not see a need for them to go to that community, but they will go to the Amnesty Committee to apply for amnesty. Do you think this will bring peace between yourself and the perpetrators?

**MR BAMBISO:** Firstly, if they go to the Amnesty Committee to apologise, if they can reveal everything as I have revealed today, I would be satisfied, because I trust the people, the panel of the Amnesty Committee. If they apologise to them it would be the same as going to my community to apologise.

After Mr Bambiso so openly expressed his support for reconciliation in South Africa, chairperson Manthata takes advantage of this attitude to elicit some more expressions that seemed to be highly valued before the TRC. He first asks Mr Bambiso to give some advice on how the country should be reconciled. From the national and abstract level the chair then moves to Mr Bambiso’s personal perspective. He explicitly asks whether there is reconciliation within the community. Although Mr Bambiso did target certain people from the community in the first part of his testimony, this is a question he also answers affirmatively. Next, attention is focused on the amnesty process of the TRC. Mr Bambiso seems to be very positive about this process, as he would be satisfied with an apology before the Amnesty Committee. One condition is mentioned, though, these perpetrators have to reveal the truth, in the same way as he is doing before the HRV Committee right now.
Also Lilian Kadi, expressed a willingness to meet the perpetrators after being explicitly asked by commissioner Meiring. Also in this case it is the written statement that forms the point of departure for raising the reconciliation concept. Mrs Kadi testified about her father and uncle, who were both necklaced by members of the ANC. It is at the end of the testimony that commissioner Meiring inquires about a possibility to come to terms with the perpetrators; note the repetition of “Are you willing to meet with the perpetrators?” – whereby meeting the perpetrators could be seen as a first step in the reconciliation process.

**PROF. MEIRING**: Thank you. There’s a last thing that I would just like to mention. *You say in your statement that you are prepared to meet with the perpetrators of this deed, if they are willing to meet with you and explain what happened, is that still the case? Are you still willing to meet with the perpetrators?*

**MRS KADI**: Yes, I’m prepared to meet with them.

**PROF. MEIRING**: Thank you very much.

Initially, Mrs Kadi thus seems to be in favour of reconciling with the ANC members who attacked her father and uncle. However, when the chair, Mr Randera, poses a final question on her present-day state of mind vis à vis the incident, Mrs Kadi seems to expresses grief and anger instead. She does not continue her explicitly reconciliation-oriented discourse, and she seems to be more concerned with the disastrous results of the incident on her everyday life.

**MR RANDERA**: After all these years, *how do you actually feel about what happened?*

**MRS KADI**: They disturbed our lives, because we could have gone to school. Now we don’t have somebody responsible who can help us further our studies. I was, I could have been working, I could have been at school now.

In this last extract we notice that Mrs Kadi frames reconciliation differently than in the beginning of her testimony. Mrs Kadi implies that the perpetrators have not only destroyed the past, but also her present life and her future. Her father and uncle were the breadwinners of the family and their killing resulted in the end of her studies – not only her studies, but also the studies of her siblings as indicated by the inclusive “our”. In these phrases, the testifier interprets reconciliation in a slightly divergent way, indicating that such a reconciliatory attitude can also be accompanied by feelings of bitterness and rage. Mr Randera seemed to be fishing for some more overt expressions on forgiveness, but the testifier’s discourse takes a somewhat different direction. Within one and the
same testimony we therefore see that the notion of reconciliation could be conceptualised quite distinctly. Initially, the testifier complied openly with the TRC’s reconciliatory ideology – possibly also because Mr Meiring explicitly asked about meeting the perpetrator. In these final sentences Mrs Kadi takes a different stance: she emphasises that the perpetrators “disturbed our lives”, an expression by which forgiveness or reconciliation are framed in a new and rather unexpected manner. This multiplicity of interpretations regarding the term reconciliation will be referred to elaborately in Chapter Five.

In all of these cases, where the terms reconciliation or forgiveness were raised by referring to the written statement of the testifier, the victim became closely associated with these terms. The written statement was the ultimate proof of what a victim had said or not said, about his or her absolute convictions and beliefs – we definitely notice the quasi-legal TRC frame in action here. At the public hearings, the victims could only confirm these written down opinions; there was not really a possibility to revoke them. Since the commissioners often had the testifier's written statement in front of them, it was impossible to deny this earlier expressed support of reconciliation. In our modern world we could say that live in a ‘textual world’, which means that written language tends to be much more valued than spoken discourse – it is these spoken words that are to be trusted and that serve as a foundation for truth. ‘Textualism’, as it was labelled by Collins (1996: 204), has even invaded discourse analysis, involving “the belief in the fixity of text, the transparency of language and the universality of shared, available meaning” (Blommaert, 2004b: 86). This idea belongs to a complex of language ideologies in which singularity is preferred over diversity and in which the abstract and denotational is preferred over the contextual and indexical (Blommaert, 2005: 185). Before the TRC the written statement taken from the victim was seen as the fixed, unquestionable basis of this person’s opinions. This text was considered as much more trustworthy than emotionally charged verbal utterances. Referring to the written statement thus seemed a very effective way for the HRV commissioners to get the victims to express their support for this particular ideological value.

**Discursive method 4: ignoring vengeance and hatred**

Sometimes, a victim did express feelings of revenge and hatred in the course of his or her testimony. Striking is, though, that these feelings often did not seem to be taken overtly
seriously. In certain cases, it looked as if these emotions were simply ignored. There was no sign of any acceptance of the expressed hatred – reconciliation and forgiveness remained the key terms, even when referring to these notions seemed totally inappropriate. An example can be found in the testimony of Nelson Jantjie. Together with his mother, Elsie Jantjie he testified about the killing of his sister. Mr Jantjie is guided by Ms Seroke and halfway his testimony he spontaneously starts to express hatred and resentment:

**MR JANTJIE:** I am angry, I am not working - I have been tortured by police, I suffer, I am of ill health, I am unemployed, I suffer, my kidneys are not all right.

**MS SEROKE:** We understand - we understand.

**MR JANTJIE:** These people - the perpetrators they are alive, what are you doing about them - my life is ruined, what are you doing about them? They were not even jailed, I could not even go to my sister’s funeral, I was in detention. They were trying to cover up their filth - together with their Magistrate and their Judge, I was used as escape route - to cover up their filth. They wanted to save the man who had shot my sister. Who is guilty - who is guilty. Who is guilty - who is guilty. She was picked up from the streets, who is guilty - even if she had verbally offended someone - no-one had the right to shoot her, that is nonsense. I do not want to say anymore, I’ve had it.

**MS SEROKE:** Mr Nelson we understand your situation.

**MR JANTJIE:** I am in pain, this police that tortured me, they are working. I am unemployed, these people walk pass me everyday, the others are in De Aar - they still under employment, I cannot work for myself because of them. I don’t gain anything from that - my children they are all over the streets, they are criminals, they do not go to school.

**MS SEROKE:** We understand your pain, but we ask that you try to control yourself. So that even when we ask our investigation team to find - to find out what happened, we as the Truth Commission would like to reach a place where there can be peace and forgiveness.

Mr Jantjie is clearly angry; he is very bitter about the fact that the perpetrators – the police – are working while he is still unemployed. These torturers are alive while he is struggling to raise his children and he directly asks the Commission what their solution is to this unfair situation. It seems to be rather irrelevant to talk about peace and forgiveness as Ms Seroke is doing. Mr Jantjie presumably wants to hear about concrete measures to improve his daily life, such as reparations, scholarships, etc. Reconciliation and forgiveness do not seem to be acceptable concepts.

A clear example of expressed but disregarded hatred is to be found in the testimony of Nhlanhla John Buthelezi. He was arrested and tortured by the South African police and
later on accused of being a police informer by the ANC. Throughout his testimony Mr Buthelezi stresses that he will only reconcile if certain conditions are fulfilled. Towards the end of his testimony his resentment increases and he explicitly refuses to reconcile.

**MR BUTHELEZI:** I will explicitly emphasise the fact that I will never reconcile until I mention those who wanted to attack me and kill me.

**MR LEWIN:** Could we have quiet please.

**MR BUTHELEZI:** I will only reconcile if I will be given opportunity to see those people who called me informers, because on the other side it was the police and the other side the Comrades and that state was so much difficult for me to go through. I want to tell you that I will only reconcile when only I could be given opportunity to see those people who were painting others black and yet they were the evil ones, the traitors and the informers. That is when I will reconcile.

(...) 

**MR BUTHELEZI:** What I will say is that I was so much assaulted, harassed and I was going through sufferings and people would point fingers at me saying I am a traitor, an informer, calling me a sell-out. Even to date, I still feel bad about that and they make me even want to kill those people. I underwent such a tragedy, you do not understand. On the other side were Comrades, on the other hand there were police. You can imagine what I was going through.

**MR LEWIN:** Could we ...

**MR BUTHELEZI:** I suffered a lot, I almost was affected mentally. Even today, I think somehow I am affected mentally. So, I am not going to, I am not going to reconcile, I am not about to.

**MS SEROKE:** Order please, order.

**MR MANTHATA:** Buthelezi, could you, I think you have come to the end, could you please take questions. Thank you.

In this testimony we notice that the hatred of the victim is almost ignored and does not seem to be recognised. When a person was revengeful, the commissioners could have asked more information and they could have shown some kind of compassion. This was not the case and therefore it looks as if only feelings of forgiveness and reconciliation were to be taken into account. Especially at the end of this fragment, commissioner Manthata silences Mr Buthelezi quite rudely. Mr Buthelezi is no longer allowed to continue his story; he should be quiet and answer questions.

Interestingly, we thus notice an evolution with regard to Mr Buthelezi’s attitude towards reconciliation. This testifier seems to be well aware of the fact that expressing reconciliation is desired from HRV testifiers, so he refers to the concept without it being
raised by the commissioners. His commitment to reconciliation does not seem to be very sincere, though. It rather looks as if Mr Buthelezi is negotiating a trade-off: his main concern is to meet the people who spread the rumour that he was an informer. In return he is prepared to reconcile with them – a willingness that might be only inspired by pragmatic reasons.

When the leading commissioner does not react to his request nor to his self-proclaimed victimhood, his discourse changes drastically. All of a sudden Mr Buthelezi is radically opposed to reconciliation, an attitude that does not seem to be appreciated by the commissioners and which results in him being cut short. This discursive evolution thus tells us that, quite likely, Mr Buthelezi was originally opposed to reconciliation. Being aware of the urge for reconciliation that surrounded the TRC, and being very anxious to voice his explicit request, he spoke out in favour of reconciliation. This support did not last very long, and as a result of the commissioner’s unwillingness to react to his feelings of hatred Mr Buthelezi soon slipped back into his original opinions.

Another example can be found in the testimony of Patrick Morake, a young man who was attacked by a group of right-wing Afrikaners, an attack whereby his car was destroyed. Mr Morake expresses some powerful feelings of resentment, which are dealt with in a particular way by commissioner Gcabashe.

**COMMISSIONER GCABASHE**: How do you feel ever since this has happened?

**MR. MORAKE**: This occurrence changed my life so drastically. I feel I have this deep hatred for a white person. When I see a white person, especially at night I have these negative thoughts and even at work when I white person speaks to me I just look at him. I totally distrust them because during the day they are people and in the evening they are killers. Even when I'm driving a car and passing through Brandfort these thoughts come back to me so vividly as if it only happened yesterday. I just don't know how to explain this. Each time I think of this occurrence and I think of this attack ... (incomplete)

(...)

**COMMISSIONER GCABASHE**: Now, when you say, ever since this incident took place and you have this problematic relationship with white people, did you ever try to get any treatment or some counselling with regard to that?

**MR. MORAKE**: No, I've never thought of getting any treatment because I feel that where they are, they are the ones who should be getting the treatment. I think where they are they are the ones who are supposed to receive the treatment because I think they were the ones who are sick.

(...)
COMMISSIONER GCABASHE: You should try to get some counselling or some psychiatric examination. We can see that you are really traumatised and troubled by this tragedy. We hope that you find it in your heart to get some help for yourself as well as your mother, so that you live positively. We thank you very much. I will hand over to the Chairperson.

(…)

CHAIRPERSON MGOJO: I hope since you started telling the story even this hate for the white people may be changed. I think you hated the white people because of the context of which you found yourselves, how they treated you. (…) But I want to say that by telling this story we shall try by all means to recommend what we have said here to the government and also you need to get counselling because we were created as human beings not to hate by to love. Once you start hating, it means that there’s something wrong with you and we hope that the counselling which you may get, as my colleague Mrs Gcabashe has been saying that you need to get the counselling to help you so that this kind of hurt and hate may be changed in something which is very positive so that the Truth Commission may fulfil its aim for what it was made to do.

In this testimony the commissioners present Mr Morake’s feelings of resentment as a psychological illness. Apparently, his hatred is not interpreted as a natural feeling, but as an emotion that needs to be cured. Patrick Morake fiercely challenges this interpretation, by saying that he is not the one who needs treatment. Mrs Gcabshe does not elaborate on this reaction, because after this dialogue she changes subject immediately. At the end of her inquiry she comes back to this psychological interpretation of his hatred when urging him to seek counselling. By suggesting that feelings of resentment and vengeance were mental diseases, the commissioners discouraged other victims to express similar emotions – no one wanted to be presented as a mental patient, definitely not before the eye of the world.

In his closing statement, commissioner Mgojo comes back to these suggestions expressed by commissioner Gcabshe. He does not seem to recognise Mr Morake’s hatred either: it is an emotion that does not fit in the new South Africa and that needs to be changed. He literally says that “once you start hating, it means that there is something wrong with you”. The message seems to be that Mr Morake is psychologically ill, and that he needs counselling and treatment in order to have hatred replaced by love.

Exactly the same happened to Mr Bernadine Mwelase. Mr Mwelase was arrested, detained and tortured and later on used as an askari17 by the apartheid security forces. Mr Mwelase expresses a strong resentment towards the girl who sold him to the police and his biggest concern before the HRV Committee is to tell the community that he was

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17 Someone in the resistance who was ‘turned’ to the police as an informer (Graybill, 2002: 187).
forced to become an askari. As an askari he committed human rights violations, but when asked by the leading commissioner he is strongly opposed to the amnesty process of the TRC. From Mr Mwelase’s testimony speaks bitterness and hatred. It looks as if he does not want to be involved in any reconciliation-oriented process – note how he mentions that he would like to say everything at a court of law. When closing this testimony the chairperson recommends psychological counselling to Mr Mwelase. He states that this victim has been “highly affected mentally”, thus presenting resentful and vengeful feelings as psychological deficiencies.

**MR DLAMINI:** If you are willing please contact us before we leave Vryheid. Even during lunch hour or even after the hearing this afternoon you may come to us and we’ll explain to you how to go about applying for amnesty.

**MR MWELASE:** Let me turn this thing around. I would like to see this traitor, as to how much was he paid and how many did he sell or spy on? I know that there was a traitor behind me, and how much was he paid for that and how many did he lead into this? And the last thing I would like to say this. *You - I would like to say everything at the court of law.* (…) I want you to investigate also how they used me. And there are many that I arrested. Of the two that I arrested I could call them in some ways.

(…)

**CHAIRLADY:** (…) As the Commission we are trying to listen and understand people who are coming from your direction, who were trying to protect the community and ended up being on the other side. The last thing I would like to say, it looks like you may need to meet some people from this very Commission who will advise you also psychologically. The very same woman seated next to you is one of the counsellors also who may lead you to other counsellors, who will give themselves time to sit with you and analyse your situation and the trauma you have suffered. Because as I am looking at you I think you have been highly affected also psychologically. Thank you.

Not only men were revengeful; also some of the female testifiers spontaneously expressed a desire for revenge. Quite a remarkable lady in this respect is Mrs Mina Day. At the time of testifying she is a 61-year-old Xhosa lady, seemingly rather traditional, according to her age and clothes. Mrs Day was severely beaten and locked up by the police. Glenda Wildschut is the commissioner leading Mrs Day in her testimony.

**MS WILDSCHUT:** Ms Day I wonder if you can give us an idea of what you would expect from the Truth Commission – how is it that we can – what is it that you would like to do for you?

**MS DAY:** *Because my blood was innocently shed,* I want to get revenge on those who assaulted me, because I’ve got children who are suffering from their deeds. I want them to pay me something for what they did to me and my family.

**MS WILDSCHUT:** Yes, could I just ask you to – to explain a little bit more, could you explain to us what do you mean by you wanting revenge and …[intervention]
MS DAY: I want them to pay, to give me some funds because there is nothing I can do to take revenge physically. I want them to pay for my blood that was shed innocently. Ever since I was beaten I'm a little bit blind in my one eye and as time goes on it gets worse.

MS WILDSCHUT: Ms Day, it must have been very difficult for you to share your story with us, I just wonder whether my colleagues would like to ask any questions.

Just like in the previous examples, also Mina Day explicitly voices her resentment. She openly uses the loaded word “revenge” and she is very affirmative on her future relation with the perpetrators. Very tentatively, commissioner Wildschut then asks to clarify this term – especially since it is a controversial term in this TRC context. Ms Day clearly has a way with words, and she does not seem to be hesitant to speak out her mind. She interrupts the commissioner to repeat that her revenge consists of getting financial compensations from the perpetrator. She would have liked to take physical revenge, but she realises that this is not possible regarding the present political situation. She uses phrases with a strong dramatic connotation: “I want them to pay for my blood”, “it was shed innocently”, maybe in order to emotionally appeal to the audience. Strong intensifiers, such as “I want them to pay”, “there is nothing I can do”, are used in order to confirm her desire (see Bock et al, 2000). She then projects the incident and the implications of the incident to the future in order to justify the perpetrator’s compensation. Mina Day is absolutely certain about her reasons to appear before the TRC: she wants to get compensated and reconciliation seems to be out of the question.

This discursive self-confidence is in strong opposition with her physical appearance of a mumbling, traditionally dressed and elderly lady. Although the impression is given that Ms Day will be overwhelmed by the TRC setting and might not have the courage to talk about vengeance, her actual discourse turns out to be completely the opposite. This is thus an interesting example of an – unexpected – resentful victim. However, it looks as if his hatred is not addressed by commissioner Wildschut. She does not elaborate on the expressed physical difficulties Ms Day is encountering as a result of the incident. No understanding is voiced regarding Ms Day’s desire for revenge. The leading commissioner does not even attempt to promise a financial compensation paid by the TRC – a promise that was usually voiced when testifiers requested money. Ms Day’s hatred does not seem to be acknowledged and rather abruptly Ms Wildschut hands over the floor to another colleague. Also the following commissioners - Ms Gobodo and Mr Potgieter - fail to pay attention to Ms Day’s resentment and her desire for retribution.
To finish this section I would like to briefly compare the testimony of Ms Day with the testimony of Mrs Kadi, referred to a couple of pages earlier. All through the above-mentioned fragment it looks as if Ms Day expresses her ideas in a rather resentful manner. This is completely different from the interaction between Commissioner Randera and Mrs Kadi. Also in these latter sentences, the actual term reconciliation was not mentioned. Still, I interpreted Mrs Kadi’s utterances as a different conceptualisation of the notion reconciliation. In Mrs Kadi’s case, indeed, the tone seems to be more subdued; she also would like to get compensation, but she does not verbally attack the perpetrators. Ms Day frames her discourse in a much more aggressive manner – for instance by talking about the physical effects of the attack. Moreover, in contrast with Mrs Kadi, it seems as if Ms Day never gave a written statement in which she said to be prepared to meet the perpetrators. This also indicates that Ms Day’s attitude vis à vis reconciliation takes a slightly different form than the attitude of Mrs Kadi. What I will emphasise in Chapter Five is that before the HRV Committee, there existed a wide range of ways in which reconciliation could be interpreted. All of the victims who appeared before the HRVC could be placed on this ‘reconciliation scale’ and the boundary between ‘expressing in a resentful manner’ and ‘expressing in a reconciliation-oriented manner’ was sometimes very fuzzy.

**Conclusion**

I have given a series of examples to illustrate how the TRC commissioners tried to establish a reconciliation-oriented frame in the course of the HRV hearings. In many different ways testifiers were urged to speak out in favour of reconciliation, and expressed resentment was usually not treated with the same amount of respect and understanding – both of which seemed to be regular features of these Human Rights Violations hearings.

On a personal level, individual testifiers probably covered a wide range of attitudes, veering between supporting and rejecting the concept of reconciliation. Through interaction with the commissioners, though, these personal attitudes were homogenised. Only a minority of victims talked unsolicited about reconciling with the perpetrators; also a minority was straightforwardly opposed to reconciliation. In a number of victim testimonies the notion of reconciliation was raised by the commissioners and to a bigger or lesser extent it was also accepted by the testifiers. When watching or listening to these
testimonies superficially it may look as if the majority of these victims embraced reconciliation. A closer analysis tells us that the TRC commissioners were often the driving force behind this commitment to reconciliation, but that testifiers could also challenge or transform this proposed frame.

As a result of the persuasive voice of the commissioners, it looked as if some of the testifiers displayed contradictory attitudes towards reconciliation in the course of their testimonies. In the beginning of their testimonies they could express a willingness to reconcile, which then gradually or abruptly changed to a rejection of reconciliation – as we have seen in the testimonies of Mr Buthelezi and Mrs Kadi. These seemingly ambiguous attitudes tell us a lot about the pressure to forgive that might have surrounded the Human Rights Violations hearings. Initially, testifiers could subscribe to the reconciliation discourse, but depending on the response they received from the commissioners, they could refuse to further participate – or just gain courage to take a distance from this reconciliation concept. In addition, these seemingly ambiguous attitudes also give us an indication already about the multilayeredness of the term reconciliation before the HRV Committee.

I see this commitment to reconciliation as one of the crucial aspects of the reconciliation discourse that was constructed during the victim testimonies. Not only do I consider this commitment as one of the most important features of the reconciliation discourse; I also see it as an all-embracing feature of the entire discourse. The adherence to reconciliation can be seen as a superstructure, as a coordinating feature of the other features and of the whole reconciliation discourse. In fact, I would rather describe the explicit mentioning of reconciliation as a metonymy for this reconciliation discourse, a metonymy for the voice that was given to the victims. In table 7 in chapter 3.2.5 I have indicated that only about 10% of the testifying victims seemed to be overtly in favour of reconciliation. This tells us again that, although I did stress this feature a lot in this section, commitment to reconciliation should be seen as only one – though important – element of the reconciliation discourse. This commitment to reconciliation will also be a key element of the concept of the ‘ideal testifier’ (see 4.5.). Favouring forgiveness or reconciliation seemed to be the preferred ideological stance when appearing before the TRC. These expressions were highly valued at the HRV hearings, while expressing hatred, anger or revenge was limited as much as possible. Especially speaking out loud in favour of
reconciliation - so actually pronouncing the terms ‘reconciliation’ or ‘forgiveness’ - seemed to be insisted upon. In this way, different ideological positions – or layers – were unified, resulting in one generally accepted layer. This mainstream ideological position seemed to be univocal, but in fact it was the outcome of multiple strands that were artificially merged together at the HRV site. When trying to gain insight into the rules of formation of this HRV discourse, we shall see that this commitment to reconciliation was crucial. This feature will thus take a central place when trying to build the Foucaultian archive of this HRV discourse.

Through these discursive methods, first of all, it looked as if a reconciliation-oriented atmosphere was deliberately created at the HRV hearings. In addition, the term reconciliation was given a vague, but at the same time very broad meaning. At the hearings the commissioners allowed for a wide interpretation of the term reconciliation, thus having the word associated with a large variety of divergent opinions. As I have hinted at before and will come back to later on, it could have been a conscious policy of the TRC not to define reconciliation exactly. Testifiers with different attitudes vis à vis reconciliation were united before the HRV Committee, making the term acceptable to a large group of apartheid victims.

The outer limits of the manner in which reconciliation could be interpreted were established at these hearings. There seemed to be no upper limit – one’s support of reconciliation could never be too much emphasised, to stress how necessary it was to embrace reconciliation in the new South Africa could never be too much exaggerated. However, there clearly appeared to be a lower limit: resentment could only be expressed to a limited extent and a lack to support either reconciliation-oriented initiatives or the TRC amnesty process was rectified. From this lower limit onwards we can detect a wide variety of interpretations of the term reconciliation, a multiplicity of meanings that was constructed through interaction between testifiers and commissioners. Preferably, reconciliation was adopted unconditionally, but also an interpretation of reconciliation in return for justice or truth seemed to be accepted. Especially in the closing statements of the commissioners reconciliation was conceptualised differently, depending on the personal profile or discourse of the testifier. When elaborating on the construct of reconciliation discourse I will come back to the polysemy of this term at the HRV hearings – and to its possible repercussions in society at large.
4.2.2. Feature Two: stressing national unity/community spirit

According to the TRC Act, the objectives of the Commission were not only “to promote reconciliation”, but also to “promote national unity in a spirit of understanding which transcends the conflicts and divisions of the past…” (TRC Act, chapter 2, 3 (1)).

Based on this legislative text we can consider national unity as one of the other ideals closely associated with the TRC – in addition to the notion of reconciliation. Already in the build-up to the TRC process, at the conference organised by the Institute for a Democratic Alternative for South Africa (IDASA) in July 1994, it was pointed out that working towards a unified South Africa would be one of the key objectives of the TRC. In the publication ‘The Healing of a Nation’ (1995), which was the report of this conference, it is stated that:

“The Commission should be used to promote and foster coexistence and community between all South Africans, but particularly between the oppressed and the oppressors collectively and between the privileged and the disadvantaged. (…) Then, as a nation, we can begin to foster massive and collective trust, honestly, openness, understanding, forgiveness, acknowledgement, tolerance and respect. (…) With [the TRC], national reconciliation, coexistence and community become possible. The aim is to heal the nation and to fulfil the ideals of our new Constitution” (Boraine & Levy, 1995: 82-83).

Also after the TRC process had started, references were made regularly to the nation-building objective of the Commission. Maluleke (1997: 62), for instance, in his theological reflection on the TRC, argued that “the TRC is the most particular, specific and potentially thorough instrument aimed at contributing to the promotion of unity and reconciliation in South Africa”. He thus referred to the Commission as a symbol of national unity – as a national ritual. According to Brent Harris (2000: 17) the drive for nation building already began during South Africa’s transitional phase - from 1990 to 1994. The TRC was required, however, to guarantee the continuation of this nation-building process. In his book, Kenneth Christie (2000: 94-119) devotes an entire chapter to the role of the TRC in nation building. He claims that the role of the TRC in South Africa will be “crucial in the establishment of a shared memory and its contribution to nation building”, since it can help constructing a national identity among South Africans. Praeg (2000: 246) stresses that through the exchange between national truth and individual justice, between confession and amnesty, a social bond was created at the TRC – a social bond that was a reflection of a nation-wide solidarity.
In the same way as with reconciliation, the TRC also had to try to contribute to the process of nation building; it was not supposed to establish national unity right away. Also in this case, the role of the TRC was dual. On a concrete level, the drive for nation building was directed towards the testifiers. Both the amnesty applicants and the victims had to feel accepted and respected in the new South Africa. Ideally, they should feel a desire to reach out to fellow South Africans, perpetrators as well as victims, in order to establish a united future. In addition, with regard to national unity, the TRC also had a symbolic function, aimed at South African public at large. In essence, people had to be shown explicitly that there was a desire to build a nation among South Africans, meaning that the testifiers were urged to express their commitment towards a unified country.

Some authors are convinced that the TRC did indeed achieve a level of national unity. Allen (1999) for instance is very positive about the level of unity created through the TRC – he claims that the Commission did find a compromise between justice and social unity. Krog (1998b; 1999) goes even further in her evaluative comments, stating that the TRC did establish a culture of national unity – according to her the Commission led to a proud South African identity, involving a special kind of humaneness. In fact, as Dwayne Williams (1999) argues, South Africans have been sustained by a new national identity, created on the basis of a symbolic community, namely the TRC. A lot of authors have also rejected this success of the TRC’s drive for a new South African nation. Without redressing the socio-economic inequalities, for instance, it is claimed that national unity will never be possible (Simpson, 1997a; Gerwel, 2000; Ndungane, 2000; Orr, 2000b) – see also section 2.3.5.. However, as Christie (2000: 94) stated at that time, the creation of national unity is an ever unfolding process, and the implications of the TRC with regard to nation building will only be revealed after many more years.

Since nation building was such a key objective of the Commission, also TRC discourse seemed to be directed towards this nation-building ideal. In this section I will demonstrate how the commissioners tried to have the victims’ discourse fit into the wider story of nation building, and this predominantly because this concept was so crucial for the future of the country (see also De Ridder, 1997; Harris, 1998). In doing so, I am following the theoretical premises of a couple of other authors. Bozzoli (1998: 168), for instance, argues that, what she calls ‘the TRC public realm’ is “shaped significantly by the discourses of nationalism, and their capacity to appropriate and even silence other
discourses explored”. Williams (1998) also states that one of the main aims of the South African TRC was nation building. Furthermore, according to Williams (1998: 13), “the commissioners went so far as to lead the testimony of those who were given a space to be heard so that it would fit in with the ‘new’ national narrative”.

Especially at the HRV hearings, the drive for national unity was significant. At these hearings, victims were constantly elevated to the status of national heroes (Harris, 2000: 29). As will be illustrated here, the HRV committee members attempted to create a national awareness among victims, for instance by equalising suffering from victims belonging to either side of the apartheid divide. They repeatedly claimed that all South Africans were victims of the past, thus constructing a new identity, that of “a ‘national victim’, a new South African self which included the dimensions of suffering and oppression” (Wilson, 2001a: 111). Their message implied that since all South Africans suffered in the past, all South Africans should now work together to build a new future. Especially victims who could be considered as a-typical victims - this term will be explained in section 4.5. - were urged to express national awareness. Especially these testifiers were convinced by the commissioners that the spirit of nation building was reigning in post-apartheid South Africa. Again and again it was stressed that all South Africans were equal now. Past stereotypes should be done away with and each and every one should display solidarity in order to strive for national unity.

In addition to establishing a national identity among apartheid victims, the commissioners also tried to enhance community spirit among the HRV testifiers. What I have labelled community spirit can be seen as an aspect of national unity and national solidarity. Community spirit, as I understand it here, refers to showing consideration for other community members and wanting to live together peacefully on a local community level. Throughout the hearings this aspect of community spirit seemed to be stressed a lot. For instance, commissioners often asked testifiers whether they could suggest ways to improve the living standards of people in their communities. Victims were thus urged to speak out in favour of community-oriented measures, expressions that indicated a concern about the community instead of a concern about solely personal well-being. Caring about other members of one’s community could indicate a willingness to build a society together – an awareness of communal solidarity. At the TRC, this communal
solidarity tended to be extended to a national level. It seemed as if the willingness to build a community together was expanded to a willingness to build a nation together.

The master-narrative of national unity took shape in ways similar to the establishment of the master-narrative of reconciliation. In the opening and closing statements victims were reminded of the necessity to build a new South African nation, and this together with other victims, with perpetrators, with members of their communities, and with members of the entire nation. They were sometimes explicitly asked how the TRC could help to improve life in their communities, this in order to arouse community-oriented expressions. Strikingly, personal and material requests tended to be questioned in certain cases. By doing so, victims were sometimes prompted to replace such a request by a more community-oriented one. Furthermore, reference was sometimes made to the testifiers’ written statements, if in these written texts communal or national awareness had been voiced. The HRV commissioners regularly used the inclusive terms ‘us’ and ‘our’, to emphasise that all South Africans were united as apartheid victims and that they all belonged to the post-apartheid nation. Similar to what I did in Feature One, I have here distinguished three discursive methods employed by the HRV commissioners to establish an atmosphere of communal and national awareness. Although stressing community spirit seemed to be a regular feature at the HRV hearings, it was not as dominant as the drive for reconciliation. I will thus give considerably less illustrations than in Feature One.

**Discursive method 1: referring to the written statement**

In the same way as happened with the feature of introducing reconciliation, also community spirit was sometimes hinted at by the commissioners by referring to the written statement of the testifier. One example comes from Wandile Mbathu, who got injured at the Bisho massacre. At the end of his testimony commissioner Sandi inquires about Mr Mbathu’s requests before the Commission.

**ADV SANDI:** Do you have a request to put forward to the Commission?

**MR MBATHU:** I request that as I am injured, that I could get my money because it’s quite problematic. I need pension.

**ADV SANDI:** I notice here that there is another request that you have made, that has nothing to do with you personally. Do you remember that request?

**MR MBATHU:** Yes I do.
ADV SANDI: Can you tell us Mr Mbathu?

MR MBATHU: I said I wanted a house.

ADV SANDI: Did you not say that this Commission should ascertain or make a request to the government to build houses for victims like you?

MR MBATHU: Yes I did say.

ADV SANDI: Do you have another request that you would like to make Mr Mbathu?

MR MBATHU: No I do not but I just need my money because I was injured.

It looks as if commissioner Sandi urges the testifier to admit this in the written statement expressed request to the government to build houses for apartheid victims. Requesting houses for fellow-victims was a typical example of community awareness. It indicated that the victim was concerned about the well-being of the community as a whole, and not solely about his or her own problems. The first request spontaneously expressed by the testifier talks about a pension: Mr Mbathu has been injured, so he wants financial compensation. Adv Sandi then refers to the written statement, hinting at another request “that has nothing to do with you personally”. Apparently, he wants to hear the communal request from the mouth of the testifier himself. But still, Mr Mbathu seems to be only concerned about his personal request: he wants a house – a typical individual and material request, so one of the requests probably less preferred by the TRC. Finally, Adv Sandi has to take the initiative by reading aloud what he wants the testifier to express. Mr Mbathu can only admit that he is indeed concerned about his community – the written text is a piece of evidence that cannot be dismissed. It soon becomes clear, though, that his real concern is differently orientated: he stresses again that he needs money first and foremost. Commissioner Sandi does not elaborate on this request and jumps to another topic. Individual requests did not seem to be valued to the same extent as community oriented demands.

**Discursive method 2: the closing statements**

It was especially through emphasising the need for national unity and through proclaiming equality of all victims in the closing statements of the testimonies that the ideological value of nation building was enhanced. The closing statements of Mrs Nkabinde’s testimony, for instance, were clearly oriented towards national unity – both the final words of leading commissioner Dlamini and the actual closing statement of chairperson Lak. Mrs Nkabinde was a supporter of the IFP and she was attacked by members of the ANC. As is obvious from the words of commissioner Dlamini, Mrs
Nkabinde is one of the rare IFP victims who came forward to the TRC – the IFP officially boycotted the Commission. Her courage is praised, but her political affiliation turns her into an atypical victim. Therefore, her testimony is used by two of the commissioners to stress that victims from different sides of the apartheid conflict suffered equally.

**COMMISSIONER DLAMINI:** Again I will also like to say from all these places where we've been in most cases ANC people are the ones who are coming forward to give evidence, and that thing makes it difficult to find evidence, and I'll also like to thank you for your courage as an IFP member to come forward and give evidence so that we can see that it wasn't just IFP fighting alone, they were fighting with someone. *It's not just IFP, it was IFP/ANC. No one came out innocent.* ANC people thought they were the ones who were just being killed and no one else, and women and children died. This picture that you just gave us, I am sure that even the ANC will realise that they were not the ones who just lost children and wives, but also Inkatha people.

(...)

**COMMISSIONER LAX:** You heard - you must have heard the evidence of the lady before you, Mrs Khumalo. She told a similar story to you about being attacked in her own house, the house being set alight, and in her case she said it was members of the IFP who did that. In your case you said it was members of the ANC. *And our view is that from wherever this violence comes it's wrong,* and that you and Mrs Khumalo are sitting here together, you are members of different parties, but you have both been victims of violence. And what has that violence brought to you? Nothing except sadness, fear, misery. And we hope that the message will go out from this Commission that violence doesn't help anything.

The message from these closing words seems to be straightforward: people belonging to different parties should work together in the new South Africa. They all have a common history, and they should now jointly put an end to all violence and enter into a peaceful future. The fact that in one and the same hearing victims from the IFP as well as from the ANC were present, was an ideal opportunity to stress equality before the TRC (as a symbol of the new South Africa) and to remind the TRC audience of the need for national unity.

As we have seen earlier, the testimonies of Pralene Botha and her daughter Rosaline Parrot fitted nicely in the reconciliation-oriented discourse of the TRC. Their testimonies were also used by the commissioners to add an extra dimension to the TRC narrative of national unity. These testifiers belonged to the Coloured community, a community where identifying with the new nation was not always obvious (see Frost, 1998: 106-107 and also further in this text in chapter 4.5). The closing statement of commissioner Finca is an illustration of the efforts the Commission put in to include the Coloured population.
in the nation-building story. First, I will give a fragment from the testimony of the
daughter, Mrs Parrot, in which she expresses how much also her late father struggled for
a new nation – an indication of how intensely this family (as a representative of the
Coloured community) wants to belong to the new South Africa and how committed they
are towards national unity.

**MRS PARROT:** When my father passed away he was like a father to us and he was like a
husband to my mother and I would like to add that he wasn’t the type of person that
would take his own life because he was looking forward to the future. He was the type of
person that wanted to build a nation, a good nation. That’s all I want to say.

(...) 

**REV FINA:** You’ve told your story with dignity and with grace indeed the dignity that
belongs to a person like George who gave his life for the liberation of our land. We
convey to you our respect, we convey to your mother our respect and we just want you
to know that to-day we salute George and we appreciate the fact that in the so-called coloured
community there are people who even at that stage took the position that something wrong was happening
in this land and it is to be corrected even if it cost them their lives. Thank you very much.

Mrs Parrot’s words clearly seem to fit in the TRC nation-building discourse, as she
stresses that also her father was striving for a new nation, where people from different
ethnic backgrounds would be treated equally. Rev. Finca highlights these ideas explicitly
when talking about the father as some one “who gave his life for the liberation of our
land”. Strikingly, he talks about “our land”, interpreted inclusively as belonging to all
South Africans. Commissioner Finca continues by openly praising the Coloured
community. The phrase “so-called coloured community” is an indication of the
sensitivity that existed at the TRC with regard to apartheid racial categories. By modifying
the word “coloured” Rev Finca expresses his respect for this population group and his
aversion to this apartheid terminology. He then emphasises again that also Coloured
people took part in the struggle, they also felt that things were going the wrong way in
the country, and they also gave their lives to liberate it.

This manifestly praising of the Coloured community – the victim George is identified
first and foremost as a representative of this community – could be seen as part and
parcel of the nation-building narrative. It seemed to be necessary to tell the TRC
audience that also the Coloured population was valued in the new nation. A number of
South Africans might have remembered that the Coloured community had not always
expressed its resentment to apartheid as fiercely as the black community - although a
number of Coloured leaders had also joined the ANC. In addition, in post-apartheid
South Africa, a number of Coloured people still voted for the National Party, which might have turned them into traitors in the eyes of members of the black community (Frost, 1998: 106-107). All these complexities made it a necessity for the HRV commissioners to specifically stress how much also Coloured people belonged to the new nation.

Ms Robinson was another Coloured lady who explicitly referred to the community awareness of her late husband. Some members of the Coloured community might have been aware of their ambiguous identity in the eyes of certain black people. Therefore, it seems as if before the HRV Committee Coloured testifiers often unsolicited stressed how much they cared - and had always cared - for the new nation – maybe in an attempt to get indeed accepted by other South Africans and to get rid of some of the negative stereotypes still associated with them. Ms Robinson’s husband was detained and tortured by the police and then killed in prison. This lady seems to be very proud of her husband’s solidarity towards the community and in the course of her testimony she refers to this community spirit several times.

**MS ROBINSON:** My husband wasn’t scared, he was not afraid of anyone and he fought for human rights. *He was a man for his community. He supported the poor, and the people that were battling.* So many times I said to him: “You’ve got no time for your own house and your own family, we’ve got just as many problems but you are never here when I need you.” And he said: “But my wife you know where I am going to and you know my cause is a contribution to the struggle.” So once again I say that *he was not afraid of anybody and he stood for what he believed in and for his community. There are many people here that can bear testimony to that - to the fact that he stood for his community.*

**MS WILDSCHUT:** He is seen as a community leader and seen as somebody who spoke out against injustices in the Paarl community, he became a target and he became [indistinct] to those who didn’t want people to speak out. Is that so?

(...)

**MS ROBINSON:** (... But I do not have any children of my own. *As somebody said to me in other words I am raising the community's children and I said yes, that is what my husband left me to do.*

Note that Ms Robinson enhances the community concern of her husband by appealing to the audience (“There are many people here that can bear testimony to that”) – an audience that probably consisted of a large number of community members. After this first reference to his solidarity with the community, commissioner Wildschut confirms this idea by repeating that the husband was indeed a community leader. She phrases this summary very favourably, since “he was seen as somebody who spoke out against...
injustices in the Paarl community”. Ms Robinson then comes back to the issue of community concern, by extending it to her own situation in post-apartheid South Africa. She presents it as if she inherited her husband’s community spirit and she manifestly identifies as ‘the mother of the community’.

When closing this testimony, Ms Gobodo especially praises the community awareness of Ms Robinson’s husband. Also the fact that Ms Robinson linked his past concern for the community to her present-day situation seems to be highly appreciated. In this way this testimony stresses that community spirit is an everlasting value: it was crucial under apartheid, but also today it is indispensable in order to create a unified nation – an idea that belonged to the core of the TRC ideology.

**MS GOBODO:** We would like to recognize your coming up here today as a celebration of your late husband’s struggle for Human Rights. And his contribution to the community helping those who were needy. We’d also like to remember the suffering that you and other women who have given testimony this week in front of the Commission – the suffering that you went through when you lost your children, your husbands. We’d like to remember with you the suffering that you went through when you had to relate to your husbands in a secretive way.

The fact that Ms Robinson identified her husband as an activist and especially the way she stressed the detrimental effects of his activism for her personal life, also seemed to be favoured by the TRC in a gender-oriented manner. In fact, this testimony indicated not only that women of activists had suffered greatly under apartheid, but also that the TRC provided a space for these women to voice their sufferings. It was important to have testifiers like Ms Robinson coming forward to the TRC, in order to do away with the critique that the TRC did not really pay attention to these women and merely considered them as secondary victims. This appreciation is clearly expressed by Ms Gobodo in her closing statement. In this closing statement Ms Robinson is taken as a representative of activists’ women. Their function in the struggle is celebrated, an important issue to boost the prestige of the TRC.

Also Stephanie Kemp could be defined as an ‘a-typical’ victim. She was a white member of the South African Communist Party who was detained and tortured by the South African Police. Facilitator Ms Mkhize explicitly asks Mrs Kemp about her suggestions in terms of moving towards national reconciliation. It seems likely that she wants to take advantage of this ‘exceptional’ victim by urging her to speak out in favour of national unity, and to even suggest some concrete measures to establish national solidarity. In her
closing statement chairperson Sooka continues in this spirit of national unity when she mentions other white South Africans who have also struggled for the liberation of South Africa. Both Black and White helped to build the new nation, so both Black and White should be respected citizens in this new nation.

**MS MKHIZE:** I am sure you are away as the truth commission that we are charged with the most difficult task to assist the people of South Africa to move towards reconciliation and healing. On the other hand we have the victims, on the other hand we have the alleged and in some instances now the identified perpetrators. *And as you can see, the whole predominantly black, what is your suggestion in terms of moving towards national reconciliation.*

**MRS KEMP:** Without question reconciliation is necessary for the survival of our country. And I think if it wasn’t for our president, it would have perhaps been harder for me and many people like me, to even contemplate the possibility of reconciliation.

(…)

**CHAIRPERSON SOOKA:** (…) when we hear testimony from people like yourself, you are saddened by the fact that so few people were able to make the choice of going a different way, people like John Harris, yourself, Braam Fisher, Llewelen, *all made a different choice, and they all lived in the same country, and I think part of the struggle in this country is to find the solution to what gives people the ability to make those choices. Because that is going to make the difference to salvaging this nation, because some times reconciliation seems to be very cheap (…)*

Strikingly, Mrs Kemp refers to President Mandela as a symbol of national unity and reconciliation. This is a feature we also find in other testimonies. Praising the President was often perceived as an indirect way to show one’s alignment with the nation-building ideology. Mrs Kemp also uses the inclusive term “our country” to indicate that she too, as a white upper-class lady, identifies closely with the new South Africa.

Also Metro Bambiso referred to President Mandela in order to express his concern for national unity in South Africa. He explicitly inscribed himself in the master-narrative constructed by the TRC, both on the level of reconciliation - as we saw earlier - as on the level of national unity. Mr Bambiso was severely tortured by the South African Police.

**ADV SANDI:** What is your request to the Commission? What would you like the Commission to do for you?

**MR BAMISO:** My request to the Commission is that I would like the Commission to bring the perpetrators to the community in Bedford to apologise to them. The reason for this is that I want to respect the President of this country, because he said that we have to be united in this country. I do not want to revenge on what happened to me. What the President has already said, I agree with reconciliation.
CHAIRPERSON MANTHATA: As you referred to the plans that are to be made in order to reconcile and develop this country, what advice would you say?

MR BAMBISO: What I would like to say is *that people are to be united and work together to build this country*.

By respecting the President openly, Mr Bambiso identifies with the new nation. He claims to be convinced that “this country” (= our country) has to be united. Also later, when the chair inquires about Mr Bambiso’s vision for the future, the testifier again stresses how much he is committed to national unity. The phrase: “that people are to be united and work together to build this country” sounds sincere and persuasive – it might thus have been a much-preferred utterance before the HRV Committee.

In his closing statement Mr Manthata honours this national awareness by referring to the national unity of all South Africans. According to his words all South Africans are united - “we are [all] part of people in South Africa” -, although the commissioners feel ashamed to be associated with some of them. Two main ideological values are evoked here: first of all, even though South Africans have different opinions, different mentalities and different backgrounds they should all work together towards the future. Secondly, not only can all South Africans be considered as victims, they should be aware of the fact that they have all been perpetrators as well. Everyone suffered under apartheid, but every one should also feel ashamed about the past. By presenting the Commission as a representative of certain apartheid perpetrators, Mr Manthata sets an example of this second central idea. The underlying message is clear: the TRC speaks on behalf of both victims and perpetrators, it stands for both victims and perpetrators and it identifies with both victims and perpetrators. The Commission can thus be seen as a representative of a united South Africa – hence, the spirit of togetherness is highlighted again.

The next illustration comes from the testimony of Patrick Morake, who was attacked by an Afrikaner gang. Although this victim does not express any commitment to national
solidarity in the course of his testimony, national unity is referred to in the closing statement of chairperson Mgojo. Mr Mgojo evokes the idea that the entire nation is one, since the entire nation needs to be healed. Perpetrators have to be healed and reintegrated in society, but victims also have to be healed – meaning that they have to be forgiving.

**CHAIRPERSON MGOJO**: Patrick, thank your for coming here to tell your story. I want to assure you that you need a treatment just as our perpetrators. I want to repeat that, you need the treatment just as your perpetrators. *I think the whole thing of the Truth Commission is that the victim must be helped and then the perpetrator must be helped*. That's what I just want to say. You need to tell yourself you also need a treatment just as you have rightly said that the perpetrators need the treatment because they need to be healed and retain that ubuntu which God had given them. And also I hope by your telling this story it may start a healing process in you because the whole aim of the Truth Commission is that of healing. I know that you are severely wounded physically and emotionally and otherwise. That's why you are speaking about that and I hope that your telling the story has started a process of healing in you because these things were locked in your chest and you never had an opportunity of telling this story about them.

Clearly, according to Mgojo’s discourse, both victims and perpetrators should be treated equally in the new South Africa. Both of them need treatment, both of them have to be healed, and both of them should display *ubuntu*”. Especially this *ubuntu* philosophy, reflected by the TRC, was a worldview that could form the basis of a unified nation, consisting of forgiving victims and repenting perpetrators (Krog, 1998a: 31; Tutu, 1999b: 51; Boraine, 2000c: 425).

**Discursive method 3: the opening statements**

Sometimes, the spirit of national unity was already referred to in the opening statement of the testimony, thus setting the stage for the narrative to come. One example is taken from the testimony of Mzothuli Maphumulo, who had three of his children killed by members of the ANC. In his opening statement, Mr Dlamini evokes a few aspects of the master-narrative of national unity:

**MR DLAMINI**: Mr Maphumulo and Mrs Maphumulo, I welcome you. Mr Maphumulo, you are here because three of your children were killed and one person who was a tenant at your house. You are staying in a township. Your case is one of the saddest cases we’ve heard, and people who are coming from townships and other settlements they know how you are feeling because some of them have experienced that. When I am looking at this testimony I realise that organisations were used just because people wanted to. We understand that your wife also got injured in this attack.
In this statement, commissioner Dlamini refers to a level of local community spirit and to a level of national solidarity. By stressing how fellow township dwellers probably empathised with the story the testifier was about to tell, the commissioner refers to a possible feeling of togetherness among the inhabitants of these townships – the message could be that since township dwellers stood together to endure suffering under apartheid, they should still support each other in memory of the past in present-day post-apartheid South Africa. In addition, by highlighting that other people might have experienced the same traumatic events, individual suffering is lifted to a nation-wide level. Again, the message is that all South Africans have been victimised, they should all sympathise with each other and strive for a peaceful future.

Finally, I will give an example of a testimony where the narrative of national unity was explicitly stressed in the opening statement as well as in the closing statement of the commissioner. The testimony comes from Johannah Skhosana; her brother was killed by the police and her house was burnt down. Desmond Tutu is the chairperson at this hearing and he opens the testimony with a prayer for national unity and reconciliation. In this way the tone is set for the next victim to come forward to testify. Interestingly, Mr Tutu shifts from one language to another during this opening statement. He speaks English, Afrikaans and an African language, presumably Zulu. In this way the inclusiveness of the South African nation is illustrated and the nation-building spirit is evoked on a meta-level as well – referring to the fact that in the new South Africa all languages and linguistic groups ought to be valued to the same extent. In this opening statement, Mr Tutu also stresses what an amazing people South Africans are - the aim of these words is probably to arouse national pride among South Africans, both at the hearings and as projected to the entire nation. In his closing statement, chairman Tutu continues with this discourse oriented towards national unity.

**CHAIRMAN TUTU:** We trust that the Commission will reveal and we are trying to find out who did, who the perpetrators are and we trust that, also, you, that tempers will not flare, that you will not allow this to ill blood to come between you again that caused this terrible deed to happen in the past. We trust that the Commission’s work thereto will be able to bring about peace, at least attempt to bring about peace *between all of you* because the work that we have been, the task that we have been delegated by the President that the Commission should try and work towards unity and reconciliation of our land and

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18 This is not the place to elaborate on the term *ubuntu*. I will talk about this term later on, in Chapter Five.

19 Unfortunately, this opening statement of Desmond Tutu does not appear in the transcriptions, so I cannot give the illustrating fragment. This opening can only be heard on the videotape of the hearing.
even if we hear that there were people that have been hurt, we pray that people will be able to reconcile and that there will be peace in our land when people know the truth.

We will be asking all of you as people who have to live in one house that there will be some kind of oil that can be soothed over your wounds, but we thank you for having come forward to tell your story today. Thank you very much.

In this closing statement we find several features of nation-building discourse. Commissioner Tutu talks about peace between “all of you”, referring to the entire community, both victims and perpetrators. He then explicitly mentions that the President has given the TRC this task to work towards “unity and reconciliation of our land”. The main objective is to establish “peace in our land” - note the constant use of the inclusive term ‘our’. Mr Tutu concludes by employing the metaphor of the house; South Africa is compared to a house, where people of different backgrounds should try to live together. This is a metaphor Tutu tends to use regularly – for instance in speeches and interviews. It seems as if he likes to picture all South Africans as born under the same multicultural roof and as having to live in peaceful coexistence in order to survive.

In all of these cases, whether national unity was expressed in the opening or in the closing statement - either or not after the testifier had unsolicited raised this topic in the course of his or her testimony - , an atmosphere of national solidarity and communal awareness was established. One of the messages thus spread to the TRC audience might be that, since the victims seemed to be committed towards community spirit and national unity, also the nation at large should put in an effort to strive for nationwide togetherness. In such a context of community awareness, testifiers were urged to commit themselves to communal values. It became very hard to stress personal requests for instance, and to not voice an individual desire towards national unity.

Conclusion
To conclude this chapter, I would like to refer to one particular victim, whose spontaneous discourse fitted perfectly in the national master-narrative the TRC sought to establish - namely Gregory Beck. Mr Beck was also an ‘a-typical’ victim, since he was a former policeman, who got shot by members of the UDF while on patrol. This testifier is welcomed by commissioner Boraine in a particular way and further on he totally identifies as some one who is strongly committed to building a new South African nation. The closing statements of Desmond Tutu are perfect examples of the way this nation-building spirit was constructed at the HRV hearings.
DR BORaine: Mr Beck on behalf of the Commission I’d like to extend a very warm word of welcome to you this afternoon. You’ve had a long morning listening to many stories and yours of course is very different from some of the others. But because the Commission is mandated by the Act to receive all who are victims of violence or human rights violations I want you to know that you are welcome and that we are very grateful to you that you have come to tell your story, because all these stories are part of the whole fabric of South Africa which we are trying to unravel. I’d be very grateful if you would stand please for the taking of the oath.

(...)

MR BECK: Now it becomes more clear to me what was really going on and the balance between the State at that time and the liberation movements, and I can see the viewpoint of the liberation movement as well, which they hold, or which they held to bring about what we are experiencing in this new South Africa of ours, and that cost us all to be liberated,

(...)

MR BECK: Well I know that the Commissioner of Police is trying his utmost to instil into every policeman the new idea of the new South Africa, to be community orientated, and to build up a good and firm and better image towards every South African, and I feel that a policeman in today's time, after hearing all these stories of the various atrocities, is still not prepared to abide with the new South Africa, and with the new transparency that we have, and democracy, then he must be kicked out of the police service.

(...)

MR BECK: The reason why my life changed is that I've now learnt from all the stories I've learned from and the example that our State President has brought us for forgiving after he went through all these atrocities as well

(...)

CHAIRMAN TUTU: We hope that people like yourselves and the many who will be telling their stories, not always in public hearings such as this one, will help to contribute and we are glad that we can now begin to own the police and the defence force, and be able to say these are now ours, as you begin to change and are rehabilitated. We pray that that process will be accelerated and that we, all of us, because all of us need to change, all of us are wounded people, all of us are traumatised people, all of us are people who need to forgive and who also need to be forgiven. And for all of us then to move together into what is a wonderful prospect that God places before us, and look at the wonderful contribution that all of these wonderful people can make to this new South Africa. Thank you very much.

Right from the start, Dr Boraine stresses that although the next testifier will be different, the Commission is very grateful for his appearance. The TRC should listen to victims from different sides of the apartheid divide, because only in this way the past will be unravelled. “All these stories” should be handled with respect and understanding – that is the mandate of the TRC and the symbolic celebration of the spirit of the new South Africa.
Throughout his testimony, Mr Beck overtly tries to comply with this image of a citizen of the new South Africa. He constantly uses terms such as “us”, “ours”, “every South African”, “our State President”, indicating his inclusive interpretation of the South African nation. People who do not want to abide with the new constellation should be excluded. Mr Beck clearly states that all South Africans have suffered, they all had to pay in order to be liberated – and they all should take President Mandela as an example. According to his words, apartheid does not exist anymore in the mind of Gregory Beck. This testifier seems to be committed to living together peacefully with all citizens who embrace the transformation to democracy.

Chairperson Tutu then explicitly performs his task of community builder. He also uses the word “ours” when identifying the new defence force and he manifestly repeats that “all of us need to change”, “all of us are wounded people”, “all of us need to forgive” and “all of us need to move together”. No one should feel inferior, nor superior anymore in the new South Africa, every one has embarked on the same journey together. In this way, Tutu established a spirit of national togetherness, a spirit that might have impacted on the following testifiers. As said before, testimonies of a-typical victims such as Mr Beck formed an ideal point of departure for the commissioners to emphasise the nation-building objective of the Commission. Later on (in section 4.5.), we will see that, mainly through his commitment to national unity, Gregory Beck can be defined as an ‘ideal testifier’.

By discussing this feature we have noticed that the HRV commissioners made ample use of collective terminology; they also tended to categorise apartheid victims collectively. For instance, testifiers were said to belong to a specific group (population group, community, generation) and as a result of this membership they had experienced great suffering. South African society thus seems to be subdivided in a wide variety of different groups – creating a colourful, mosaic-like image of post-apartheid South Africa. Although all of these groups had their own particularities, they had all undergone the disastrous effects of the apartheid regime. Therefore, with all their different shades, experiences and backgrounds they now formed one coherent whole, namely this multilayered and highly diversified new nation. This presentation of the new South Africa complied with the metaphor of the rainbow nation, an element of the reconciliation
discourse that became in vogue in post-TRC South Africa, and which I will come back to in Chapter Five.

To conclude, I should stress that the TRC’s ideological commitment to national solidarity became not only apparent in the way the concrete discourse was framed. A particular ideology is often not only revealed in the language itself, but also in the metadiscourse (Silverstein, 1998: 136), and that was clearly the case at the TRC. Since victims and witnesses appearing before the TRC were allowed to tell their stories in the language of their choice, and since the Commission assigned a lot of significance to the issue of interpreting - an issue that was both a practical and a financial burden to the TRC -, the Commission adopted a specific metadiscursive perspective. This perspective involved a language ideology of linguistic pluralism and linguistic equality – a language ideology that clearly fitted into the concept of nation building. The Commission had to show that every South African language was treated with equal respect in order to stress that speakers of each official language should feel at home in the new South Africa. As Philips (1998: 221) and Kroskrity (2004) stress, language is crucial for nation building – it is through language that the nation can be imagined, thus referring to Anderson’s (1983) definition of the nation as an ‘imagined community’.

Such a language ideology of linguistic pluralism is usually not very popular among nation states, since most countries consider linguistic homogeneity as the ideal language situation (see Blommaert & Verschueren, 1998: 192-212). To counter this view, the TRC had to try hard to show that having eleven official languages is workable in South Africa. People were always encouraged to speak the language of their preference and the practical interpreting problems always had to be solved as quickly as possible.

Similar to what was said at the end of the previous chapter, we can also finish here by suggesting that stressing the issues of community spirit and nation building was a preferred discursive feature for victims who appeared before the TRC. I would thus also consider this commitment to national unity as a crucial feature of the reconciliation discourse constructed at the HRV hearings. Expressing individual desires and requests was sometimes rejected before the TRC, while showing consideration on a community level and granting equal rights to all members of South African society appeared to be highly valued attitudes.
Especially the opening and closing statements of the commissioners often cherished national values. In these statements the commissioners talked about national healing and about the fact that the entire South African nation is both perpetrator and victim. They thus established an atmosphere oriented towards national unity, an atmosphere that might have overpowered and influenced the testifiers, and which was very difficult to escape. This emphasis on nation building and community spirit will be considered as a prominent feature when trying to gain insight in the rules of formation of this HRV discourse.

4.2.3. Feature Three: the TRC as a(n) (un)biased institution

According to the TRC Act (7, 2 (b)) “The commissioners shall be fit and proper persons who are impartial and who do not have a high political profile”. In addition, in chapter 36 (5) it is mentioned that “Every commissioner and member of a committee shall, notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her duties in good faith and without fear, favour, bias or prejudice”. Impartiality thus seemed to be a highly cherished value when the TRC process took shape. And indeed, with regard to the appointment of the commissioners, it looked as if attention was paid to selecting commissioners from different socio-political groups in the country (see chapter 2.3.). The TRC claimed, in addition, that by listening to victims and perpetrators from both sides of the apartheid divide, by having all major political parties explaining their behaviour under apartheid, and by accusing both the apartheid regime and the liberation movements of having committed gross human rights violations, it tried to be as neutral and unbiased as possible.

Although a number of critics (see for instance Tutu, 1999a; Boraine, 2000c; Shea, 2000; Villa-Vicencio, 2000c; Villa-Vicencio & Verwoerd, 2000) argue that the TRC was indeed impartial, this remains a highly controversial issue. Authors such as Muller (1997), Laurence (1998), Kirby (2000), Bell & Ntsebeza (2001) and Ericson (2001) take a different approach. They are convinced that a reconciliation process is always politically biased and that the TRC tended to be in favour of the African National Congress. Roodt (2000) presents in this a very extremist view: he sees the Commission as one-sided, biased and prejudiced. Roodt further claims that the TRC favoured black victims, ignored black violence and idealised the ‘rainbow nation’. Jefferey (2001: 12) as well
argues that the conclusions drawn by the Commission were often superficial, partial and one-sided and not supported by hard evidence.

When looking at the discourse constructed at the HRV hearings we notice that this discourse tended to be ambivalent with regard to the political stance taken by the commissioners. Sometimes, it seemed as if they took the side of the ANC, indeed, while during other testimonies they tried to explicitly contradict the impression of aligning with the ruling party. The HRV discourse was thus double-voiced, although we will see that one type of expressions tended to be preferred. In what follows I will illustrate both of these ideological positions, first by indicating how the commissioners showed signs of possible partiality, then by giving examples of how they manifestly tried to prove their impartiality. But before, I must say that ‘partiality’ and ‘impartiality’ are very loaded and extreme terms. I will use them for the sake of comprehensiveness, but in fact we are not dealing with straightforward support or rejection of certain political parties. Rather, we could call it a tendency to slightly favour one party above another, a tendency that only reveals itself in discursive detail and that only occurred in a limited number of places.

The TRC and partiality

On the 15th of April 1996 Charity Kondile testified in East London. She talked about her son Sizwe, who died at the hands of the South African Police, after having been kidnapped. Sizwe was deeply involved in the anti-apartheid activities of the ANC and he was arrested by the South African Police while on ANC mission in Lesotho. Mrs Kondile is clearly proud of Sizwe’s participation in the struggle. Nevertheless, she expresses quite a lot of anger vis à vis the ANC, since there was some suspicion within the ANC that Sizwe had not been kidnapped, but that he had turned traitor. We see that commissioner Ntsebeza refuses to follow Mrs Kondile in her condemnation of the ANC, and that he tries to exonerate the liberation movement from any possible blame.

**MRS KONDILE:** They told me that because of the confusion sown by the South African Police, amongst his colleagues now in Maseru, there was some doubt as to whether Sizwe had left Maseru on his own or whether it was true that he had been kidnapped. There was some suspicion that he had turned traitor. When I tried to reassure them that he had been kidnapped, they would not believe me.

**MR NTSEBEZA:** Are you saying, I don’t know if I understand you well, correct me if I’m wrong. Are you saying you established an impression that to some people in the ANC in Lesotho, Sizwe had not been kidnapped by the police.

**MRS KONDILE:** Yes that is correct.
MR NTSEBEZA: Was it your impression that the view was that he had voluntarily left because he was working for the South African Police?

MRS KONDILE: That was the impression that had been sown in their minds by the South African Police.

(…)

MR NTSEBEZA: Now Mrs Kondile, you have told us a horrifying story, all at once a story of the tragic murder of your son at the hands of the security police, but I think where it is most depressing and sad, through no fault of anybody, but perhaps through the fault of those same security persons, a story of how the abduction and kidnapping of your child was not believed by his own comrades. Now if you had a request to make to the Commission, what would it be?

MRS KONDILE: If I have a request to make to the Commission, I would ask the Commission to assist us to bring the perpetrators of this brutal murder before the court, so that these perpetrators could be charged and punished for what they did and the manner in which my son was murdered.

In the beginning of these fragments, Mrs Kondile argues that the ANC people did not want to believe her when she tried to reassure them that her son had been kidnapped. Mr Ntsebeza poses the next question in an extremely tentative manner: “Are you saying, I don’t know if I understand you well, correct me if I’m wrong. Are you saying”. This is definitely not an affirmative question; maybe, Ntsebeza does not feel like blackening the name of the ANC by expressing a straightforward accusation. Further, by saying “you established an impression that” he seems to indicate that this ANC suspicion was merely an impression held by an angry mother, and not a fact that had been proven or confirmed. In his following question Ntsebeza uses the same terminology, again he talks about “your impression”, meaning that these allegations do not seem anything more than vague imaginations. Mrs Kondile rectifies this phrase by using the word “impression” with a different connotation. Not was it her impression that the ANC suspected Sizwe; the ANC people had the impression - so only a vague indication, without hard proof - that he had turned traitor. Mrs Kondile thus holds on to her condemnation.

Finally, towards the end of the testimony, Ntsebeza summarises Mrs Kondile’s narrative. He explicitly talks about “the tragic murder […] at the hands of the security police”, whereby he stresses that Sizwe was indeed killed by the South African Police. The most depressing element, as Mr Ntsebeza puts it, is that the kidnapping of Sizwe was not believed by his own comrades. At the same time, though, the commissioner succeeds in mitigating this accusation of the ANC through the parenthetic clause “through no fault of anybody, but perhaps through the fault of those same security persons.”. By means of
these words he seems to exonerate the ANC: the security service gets the blame of both Sizwe’s murder and of the fact that his disappearance was misinterpreted by the ANC. Through this very subtle way of framing discourse, it appears as if commissioner Ntsebeza – maybe unconsciously – creates the impression that the reputation of the ANC had to be safeguarded. Even if victims were affirmative in their accusation of the ANC, the commissioners seemed to be cautious. They tended to be critical of any of these allegations and no matter what the liberation movement was accused of, they often tried to put the blame on the security services.

My next example of the way in which the TRC commissioners sometimes seemed to clear the ANC of all blame comes from the testimony of Johannes van Eck. This testifier was a victim of an ANC landmine and he was extremely negative about the liberation movement. He calls the ANC cowards and he accuses them of killing innocent women and children. He recontextualises the discourse of the ANC - who claimed that they were waging a just war against an unjust regime - by stating that not all murderous acts can be linked to a struggle against a regime, and by implying that there is no difference between just and unjust murder.

**MR VAN ECK:** Is this your way of doing things to citizens and families and friends, to give them this pain by killing their loved ones? Is this your way of doing things that you justify all your murderous acts by linking it to a struggle against a regime? Is this actually habit or your or policy to differentiate between just and unjust, murder? Is this your way of doing things or policy to call a killer of innocent women and children a freedom fighter? Is it your policy to honour the murder of innocent women and children? Is it your policy to honour cowardice?

When Mr van Eck has finished his story commissioner Sooka immediately starts to defend the ANC. She does so by reading a part from the ANC submission before the TRC:

**MS SOOKA:** You posed a number of questions to the Commission and I think you know that part of this Commission’s brief is actually to investigate all the gross human rights violations that took place during the period, March 1960 to December 1993. Now one part of the picture in a sense has been that the political parties have been making submissions to the Commission on how they saw their role in the past and last week, the week before, the ANC in it’s submission addressed the question of the land mine, particularly in this area and I think that a number of questions you posed, they actually seek to deal with. Have you had an opportunity to look at that?

I would think, read you a small paragraph of what they say and I believe that it answers all your questions and I think that will need to be validly addressed. But in these submissions they say that they regret the loss of life, but they do believe that the use of land mines on the white border farms was justified because the Apartheid Regime had declared border farm military zones, and that white farmers were integrated into the security system and provided with the tools of war including automatic weapons which were only legally possessed by members of the Apartheid armed forces. (...) And they of course, do say that,
they regret the loss of life but they also claim that innocent people were killed but that it is undeniable that when the Apartheid Regime took steps towards obliterating the distinction between civilians and military spheres, there would then be this kind of loss of life.

Now I think that we will need to give you a copy of this so that you yourself can read it and of course, all the questions that you posed to us, we will need to make a transcript of your evidence and send that on to them for further clarification from them (…).

MR VAN ECK: Just to go back the first section that you read to me. I hear what you’re saying, but I wasn’t part of that regime, I was not a farmer in that region. I was a teacher and a bus contractor, far from there. I went on holiday. Do you understand and I wasn’t part of that regime.

Ms Sooka explicitly states that the ANC regrets the loss of life – she even repeats this phrase – but that these innocent victims were actually the result of the apartheid regime’s obliteration of the distinction between civilian and military spheres. According to what she reads aloud, the use of landmines on the white border farms was justified in the eyes of the ANC because the apartheid regime had declared border farms military zones. It seems as if Ms Sooka thus tries to convince Mr van Eck that his wife and children got killed, indeed, in a just war against an unjust regime. She has the intention of giving Mr van Eck a copy of this ANC submission – he will then be able to read it for himself, and maybe he will then understand that his accusations of the ANC should be put in a historical perspective.

It is quite unlikely that Mr van Eck will be inclined to read this submission; nor will he change his opinion towards the liberation movement. This can be inferred from his very defensive reaction. He strongly re-emphasises his identity of an innocent victim, by arguing that he was not part of the apartheid regime. He does not seem to realise that Ms Sooka’s point was precisely this blurred border between the regime and the civilians – even if one was not a member of the NP, even if one was not a member of the apartheid security service, one could still be a ‘legitimate’ victim – and this due to the policy of the apartheid regime itself.

In the course of his testimony, Mr van Eck attacked the ANC fiercely, and the impression might be given that Ms Sooka, although supposed to be unbiased, defended the ANC explicitly. Also the National Party and the IFP tried to justify their apartheid deeds in their submissions before the TRC (see http://www.doj.gov.za/trc/trc_frameset.htm), but these submissions were never read
aloud in order to defend the NP or the IFP when these political parties were attacked by
testifying victims.

On the 6th of May 1997 Lilian Kadi testified before the HRV Committee in Zeerust. Her
father was a member of the Bophuthatswana Democratic Party, a party claimed to be
supportive of the homeland policy of the apartheid regime. Both her father and her uncle
had been necklaced by members of the ANC. Right from the start of her testimony, Ms
Kadi indicates that it was members of the ANC who attacked her father. She mentions
people who were singing ANC slogans and holding ANC flags and placards, while
looting a restaurant and throwing stones inside her father’s house. The perpetrators of
the human rights violation are thus clearly identified as members of the ANC. In this way
there was a reversal of standardised identifications before the HRVC – standard being
that members of the liberation movement were the victims, while members of the
National Party, the security services or the Inkatha Freedom Party were the perpetrators
(see the chapter on TRC findings, TRC Report, 1998, 5/6: 196-258).

MS KADI: It was on Thursday, at night, around 12 o’clock. Somebody came and wake
us up, saying people are crowded at the shop and they were singing ANC slogans and they
are looting at the restaurant and the restaurant is burning. (…) My parents ran away and
went into the house and outside were full of people holding ANC flags and placards and
throwing stones inside the house and the house was burning.

When questioning Ms Kadi in the second part of the testimony, commissioner Ally
expresses some doubts regarding this negative identification of members of the ANC.

DR ALLY: There’s conflict because you say that the people who came to your house on
that particular day, that they were, that you said that were shouting ANC slogans did you say
that?

L KADI: That’s true, I said that.

DR ALLY: And did they have any ANC T-shirts or flags or anything, or was it just that they were
shouting ANC slogans?

L KADI: They were having ANC placards and ANC flags.

DR ALLY: These slogans, can you remember, can you tell us, give us an example of one of the
slogans which was shouted?

L KADI: No, I cannot give you an example.

DR ALLY: Now, before this, this incident where your house was attacked and burnt
were there any other clashes between your father and members of the village people, who
you say, who you think belonged to the ANC?
L KADI: There was no conflict between my father and the local residents, but some members of the ANC, yes.

DR ALLY: Now can you tell us about this, give us examples of this?

L KADI: They came to our house, you know, passing and then they would shout and say, he has built a big house with the government’s money and that they’re going to use that house to be an ANC office.

Initially, commissioner Ally wants to hear a confirmation of the fact that the perpetrators were shouting ANC slogans – note “did you say that”, implying: “is that what you really mean”. Ms Kadi replies affirmatively, but Mr Ally would like to hear more evidence about the looters being ANC members. Again, Ms Kadi replies affirmatively: indeed, the perpetrators were not only shouting ANC slogans, but also carrying ANC placards and flags. Mr Ally insists on more factual evidence, since he asks Ms Kadi to give an example of these ANC slogans – which she cannot. The commissioner continues by asking whether there had been other conflicts between Ms Kadi’s father and members of the village. Because he says: “members of the village people, who you think belonged to the ANC”, it looks as if Mr Ally again expresses some doubt about the positive identification of the perpetrators with the ANC. What he seems to suggest is that Ms Kadi merely thinks that they belonged to the ANC, but she cannot give any evidence. The victim stands firm, when she stresses that there was no conflict with local villagers, but with some members of the ANC; again, the ANC is explicitly mentioned.

Finally, Ms Kadi gives some evidence regarding this conflict, by saying that the ANC members wanted to use her father’s house to be an ANC office. Not only does she thus associate the perpetrators with individual members of the ANC, she also connects their misbehaviour to party politics and to members of the liberation movement who might not have been low-ranking - since they had a say in the setting up of an ANC office. Mr Ally then goes on with another topic. By insisting on factual evidence, by not straightforwardly believing that the perpetrators shouted ANC slogans, and by using very tentative wording in connecting the ANC with the perpetrators, Mr Ally gives the impression that he defends the liberation movement. He does not want to believe the accusations immediately, and he seems to indirectly align with the ANC.

Vusumuzi Ntuli is a testifier who projected a very strong ANC identity throughout his testimony. He was attacked by members of the Inkatha Freedom Party and then shot and
stabbed. I will first give a fragment to illustrate how Mr Ntuli proclaimed his ANC identity, while accusing the IFP to cooperate with the police. Thereafter we will see how chairperson Lax concludes the testimony in a manner slightly favourable to the ANC.

MR NTULI: I would like to start by saying I am a member of ANC. I was a member of executive committee for ANC Youth League. I was an organiser. What happened is that after I left I had received some threats from Inkatha that they will kill me. I knew why they wanted to kill me. That was because Inkatha and ANC never saw one eye. Police, ZP, were always for Inkatha, they didn't like ANC. In 1993 we were harassed all of us ANC members and supporters at Madadeni.

(…)

MR LAX: Your evidence shows that right up to 1994 - 1993 and 1994 there were very similar patterns of behaviour taking place in Madadeni as were happening in 1986, and by this I mean the very close relationship between the KwaZulu Police and the IFP. We have heard many, many stories like this all around KwaZulu-Natal, particularly from places like Port Shepstone, and also the townships around Durban, like KwaMashu, KwaMakutha, Umlazi, Ntuzuma. In these areas the relationship between the KwaZulu Police and certain elements within Inkatha was very, very close, and it seems to us that it was a deliberate policy of that police force, the KwaZulu Police Force, to support and assist one side, the IFP, and to harass and detain and undermine members of the ANC.

Mr Ntuli starts his testimony by manifestly stressing his membership of the ANC. Throughout his story he also employs the term “comrade” to refer to his friends and he uses inclusive terms such as “all of us, ANC members and supporters”. He seems to be proud of this ANC identity and he also explicitly links the IPF with the police: “Police, ZP, were always for Inkatha, they didn't like ANC.”. In his closing statement we see that commissioner Lax continues along the same line. He seems to take advantage of the testifier’s favourable opinion towards the ANC to even more enhance the image of the liberation movement. Mr Lax argues that, starting from 1986 and lasting right up to 1994, there has been a “very close relationship between the KwaZulu Natal Police and the IFP”. This association is phrased as a fact, not as a supposition - a fact that has been proven, since the TRC has heard “many, many stories like this all around KwaZulu Natal (…)”. He then repeats that the relationship between the Police and certain elements within the IFP was “very, very close”. The police clearly assisted and supported the IFP, while harassing and detaining members of the ANC, according to Mr Lax. The commissioner does not condemn all of the IFP, since he states: “certain elements within Inkatha”, but still the link between the IFP and the police is clearly expressed. Mr Lax could have used tentative wording in accusing the IFP, just like tentative words were used in case the ANC was accused. By aligning the police and the IFP so explicitly he shows Inkatha in a very bad light. ANC members are presented as double victims,
both of the security services and of the IFP. Indirectly, commissioner Lax thus takes the side of the ANC.

The TRC and impartiality
The four examples above should not be generalised – it would be inappropriate to label the TRC as biased on the basis of a few statements. It is a fact, though, that these kinds of expressions might have enhanced the impression that the TRC favoured the ANC. When listening to these testimonies from a specific ideological perspective these statements could easily serve the goal of opponents of the Commission. The TRC commissioners knew that attention had to be paid, because certain segments of the South African population would welcome each slip of the tongue to accuse the TRC of partiality. Usually the commissioners succeeded in keeping a distance from party politics, but once in a while some of the commissioners did utter phrases or make comments that could be interpreted as favourable for the ANC.

Sometimes however, in order to contradict the stereotype of a biased Commission, the panel members explicitly stressed that all victims were equal when appearing before the HRVC. They sometimes manifestly stated that there had been both victims and perpetrators within the ranks of the ANC, the NP and the IFP. By doing so they tried to prove that in fact, the underlying ideology of the TRC was an ideology of political impartiality. This explicit reference to the impartiality of the TRC is remarkable in the testimony of Thembisile Nkabinde. This lady was a member of the IFP and she was attacked – her house was burnt down – by members of the ANC. Both commissioner Dlamini and chairperson Lax stress that under apartheid, human rights violations were committed by the IFP as well as by the ANC – thus trying to uplift the impartial image of the TRC.

MR DLAMINI: (…) Again I will also like to say from all these places where we've been in most cases ANC people are the ones who are coming forward to give evidence, and that thing makes it difficult to find evidence, and I'll also like to thank you for your courage as an IFP member to come forward and give evidence so that we can see that it wasn't just IFP fighting alone, they were fighting with someone. It's not just IFP, it was IFP/ANC. No one came out innocent. ANC people thought they were the ones who were just being killed and no one else, and women and children died. This picture that you just gave us, I am sure that even the ANC will realise that they were not the ones who just lost children and wives, but also Inkatha people.

CHAIRPERSON LAX: You heard - you must have heard the evidence of the lady before you, Mrs Khumalo. She told a similar story to you about being attacked in her
own house, the house being set alight, and in her case she said it was members of the IFP who did that. In your case you said it was members of the ANC. And our view is that from wherever this violence comes it’s wrong, and that you and Mrs Khumalo are sitting here together, you are members of different parties, but you have both been victims of violence. And what has that violence brought to you? Nothing except sadness, fear, misery. (…)

So, as Mr Dlamini has said, you have given us another side of the picture. We know it was not only the ANC people who suffered in Madadeni and Osizweni, we know that some IFP people also suffered, and you are one of those people, and we will be making recommendations to the Government as to how people like you can be helped.

Both of these committee members praise Mrs Nkabinde for her courage to come and testify as an IFP member who was maltreated by members of the ANC. Both of them keep repeating that nor the IFP nor the ANC were innocent under apartheid, and that both IFP and ANC members suffered greatly. Mr Lax stresses that even within this same HRV hearing, the impartiality of the TRC is illustrated. Mrs Nkabinde and the preceding witness, Mrs Khumalo, both had their houses destroyed but they were victims of two different political parties. Finally, as Mr Lax argues, ANC victims as well as IFP victims will be eligible for government recommendations. This aspect needed to be stressed: in the new South Africa no political signature was despised or preferred.

These two extracts from the testimony of Mrs Nkabinde have also been used in 4.2.2. to illustrate the HRV discourse’s orientation towards national unity. Indeed, demonstrating that the TRC was politically unbiased fitted in the ideology of nation building. As a reflection of the new South Africa, the TRC presented a site where members of various political parties stood on equal terms. The TRC was politically impartial in the present, meaning that past conflicts had to be erased and that cooperation towards the future should be aspired.

Also during the testimony of Laloo Chiba, some of the committee members explicitly tried to contradict the view that the Commission was pro-ANC. Mr Chiba had been strongly involved in anti-apartheid activism in the 1960s, he was detained and severely tortured and he had served eighteen years of prison sentence on Robben Island. Throughout his testimony, Mr Chiba proclaims a very strong ANC identity. At a certain point, commissioner Mkhize poses a question about human rights violations committed in the ANC camps. We see that Mr Chiba does not want to reply directly. He remains rather vague and objective by stating that violations of human rights should never occur, no matter who are the perpetrators.
**MS MKHIZE:** Just one last question which relates to policy. I have been really tasked by you, our experiences of torture, but I will ask you this question. *If you are not comfortable to respond to it, please say so, I would understand.* For us as a Commission, since we have started, we have had people who were exposed to extreme forms of torture, as you have been saying, but also have heard another category of people who are saying they have been tortured by people who had left this country, having been tortured. People are saying they were tortured outside in the ANC camps. So we have been struggling with that, in the sense that, how can we assist in policy formulation to make sure that these things never happen again. (...) So would you assist us, just giving us your own sort of ideas, as to how do we make what needs to be done, to make sure that such practices are not repeated.

**MR CHIBA:** I really don’t know how to answer the question, except to say that gross human violations of human rights, no matter where they occur or who are the perpetrators, should never happen at all. I think that the word of the truth, the TRC here is of such importance that it can ensure that such gross human rights violations never occur, irrespective of where it comes from, irrespective whether it is within this country or outside this country, but it should never happen again. I think that "never again" must be the slogan of a new human rights culture in this country.

By posing this question commissioner Mkhize puts Mr Chiba’s ANC loyalty to the test. As the commissioner already suggested ("If you are not comfortable to respond to it, please say so, I would understand") Mr Chiba does not feel at ease to answer this question. He only gives some general statements and he remains faithful to his party. A couple of minutes later a similar discursive interaction can be detected. It is then chairperson Lewin who poses a critical question with regard to ANC policy. The matter at issue is the distinction between ‘soft targets’ and ‘hard targets’. Although the ANC had claimed, in earlier days, that their boycotts and attacks did not target people, human beings were affected in later years. Again we see how Mr Chiba defends the ANC very affirmatively. He keeps repeating that the killing of people was not the policy of the ANC and that it was very unfortunate that civilians did get killed as a result of ANC activities – his loyalty cannot be undermined.

**CHAIRPERSON:** Thank you, Hlengwe. If I can just ask two brief questions in conclusion. I would like to take you back to the two categories you mentioned of the targets which you chose, which were pylons and then the Government facilities. Could you explain why that was and why possibly the targets changed in later years?

**MR CHIBA:** Could you just clarify the question, how do you mean the targets changed in later years?

**CHAIRPERSON:** Between hard targets and soft targets, if you like, between targets which obviously were not going to affect people and in later years, targets were chosen which did affect people.

**MR CHIBA:** Well, if you are, I think you are referring to the subsequent loss of life, civilian life, as a result of acts of bombs or whatever the case may be. Yes, I think it is important to state one thing, *It was not the policy of the African National Congress to deliberately*
select soft targets and so that it led to the loss of civilian life. It was not the policy. However, one cannot ignore the fact that in a vast organisation like the African National Congress, you find sometimes elements who are actually undisciplined.

CHAIRPERSON: Right.

MR CHIBA: So what I can say here, that was very, very unfortunate. I myself am not happy with that and those people, the undisciplined elements have to be dealt with, they need to be dealt with. But it is not the policy and it was not the policy of the African National Congress.

At first Mr Chiba asks for more clarification; he does not seem to understand what Mr Lewin is referring to. When finally repeating the question, the testifier maintains that targeting civilians was not ANC policy. It did occur, it was due to some undisciplined elements, elements “that have to be dealt with”.

Both commissioner Mkhize and commissioner Lewin tackle a very sensitive topic, related to gross human rights violations committed by the ANC. By posing these questions they indicate that the TRC is well aware of ANC human rights violations. They clearly do not want to ignore these abuses as they refer to them explicitly in this testimony. By doing so exactly in this victim’s testimony – a victim who presented himself as a strong ANC supporter and who had been severely abused by the apartheid regime – they possibly tried to balance the emotions of the audience. People had probably been moved by the emotional testimony of Mr Chiba, but it was important to remind them that not only the apartheid regime should be labelled as perpetrator – also the liberation movement’s policy should be questioned.

To conclude this chapter I would like to refer to the testimony of Teddy Williams. Mr Williams had been active as an anti-apartheid activist, but at a certain point in time he was taken to an ANC military training, where he was severely maltreated. He directly accuses the ANC and the ANC leaders of the abuses and he wants the ANC to take responsibility for what happened in some of its training camps. Strikingly, Mr Williams is given an extraordinary amount of time to tell his story – all in all he talks for over one hour. He is also given a lot of liberty to structure his narrative the way he wants to. In fact, he seldom replies to questions posed by the commissioners. He merely recounts the story of his life – in great detail – and he devotes a lot of attention to issues that are not of interest to the HRV Committee, such as the daily life in these camps, and the mutinies that took place in the camps. All the time he is allowed to continue talking, which
indicates that the TRC did not mind to listen at great length to human rights abuses committed by the ANC. The mere fact that victims of the ANC were allowed to tell their stories before the HRV Committee, was indeed a proof of the Commission’s general neutrality regarding political affiliations – as the commissioners themselves regularly stressed.

In any case, the commissioners seem to be understanding vis à vis Mr Williams, until a certain point however. All of a sudden, both chairperson Xundu and commissioner Sandi lose their patience. They ask Mr Williams to stick to the topic, they use harsh words to get him to answer to their questions and they even cut him short. No reason is mentioned for this sudden shift in the commissioners’ tolerance. It is possible that they had to interrupt the testifier for the sake of time, and not because they refused to listen to the way the ANC was accused of misbehaviour. It seems to me that the testimony of Teddy Williams can serve as an example of the deliberately proclaimed unbiased character of the TRC. By granting a lot of freedom of speech to a testimony that put the ANC in a bad light, it looked as if the Commission tried to prove its impartiality.

To sum up, the political-ideological position taken by the commissioners was layered, oscillating between trying to stay neutral, indirectly defending and protecting the ANC, or manifestly trying to enhance the image of an impartial Commission. One could suppose that statements favouring the ANC would be accepted when testifying before the HRV Committee, just like expressing in favour of any other political group was an accepted attitude. Testifiers were definitely allowed to strongly identify with a particular political party - either or not the ANC; at the same time, though, it was also appreciated if they showed some consideration for people with different political affiliations. Although they did belong to various political factions, it appears as if, in general, the commissioners tried to live up to the expectations of impartiality as proclaimed in the TRC Act – expressing impartiality can, from the side of the commissioners, be regarded as the preferred reaction to political statements made by the testifiers.

The examples given in this chapter illustrate how the interaction between commissioners and testifiers was multilayered when it comes to the political position presented. In the majority of testimonies the commissioners voiced no explicit preference for any political party, which means that they served the preferred ideological stance of impartiality.
Occasionally, though, the committee members seemed to ignore their supposed impartiality by promoting the interests of the ANC. Also occasionally, they explicitly stressed that that all political parties were equal before the TRC, they deliberately seemed to challenge or criticise the policies of the liberation movement, or they granted a lot of freedom of expression to testifiers who were vehemently opposed to certain aspects of the ANC policy. In these ways, the Commission’s impartiality was particularly highlighted.

Throughout the HRV process the commissioners attempted to establish a compromise between favouring the liberation movement and complying with the preferred ideological stance of impartiality. They often succeeded in stressing the unbiased character of the Commission, although once in a while their commitment to the liberation movement seemed to emerge. We should take into account as well that the political-ideological position created at a HRV hearing was highly dependent on the personal background of the leading commissioner. If he or she had been actively involved in the liberation struggle - which could be the case, despite the fact that none of the commissioners had a high political profile -, the preferred stance of impartiality was sometimes ignored.

Note that in this feature I have given the commissioners a more active role in the construction of the archive, as compared to the role of the testifiers. It was mainly the task of the commissioners to uphold the impartial image of the Commission. Although also the testifiers could take preferred or less preferred positions, HRV victims could not be expected to be impartial. They were definitely allowed to express a specific political affiliation. It was then up to the commissioners to frame these expressions conform to the ideological profile of the TRC.

Just like in the previous features, I have tried to demonstrate how the construction of the HRV archive was a joint operation between victims and commissioners. For both of these groups of speech participants certain raised topics were more preferred than others, and a specific way of reacting to each other’s questions or replies seemed to be favoured. An amalgam of the discursive manifestations of various, either valued or refused, political positions, led to this feature of discursive layeredness.
4.2.4. Feature Four: respecting testifiers

One of the reasons why South Africa opted for a truth and reconciliation commission instead of a criminal justice procedure revolved around the concern for apartheid victims. It was claimed that in a court case attention primarily focussed on the perpetrators, while victims tended to be largely ignored (see for instance Rakate, 1999; Shea, 2000: 6). After the transition to democracy the negotiating parties decided that in post-apartheid South Africa the victims should be in the centre of interest. The victims should not only be given a voice at the HRV Committee, they should also be explicitly honoured and respected in compensation of what they had endured.

Therefore, the TRC Act specifically required the Commission to “restoring the human and civil dignity of such victims by granting them an opportunity to relate their own accounts of the violations of which they are victims, and by recommending reparation measures in respect of them” (TRC Report, 1998, 1/5: 55). Furthermore, the Act defined guiding principles for the Commission when dealing with victims. Among these were to treat victims “with compassion and respect for their dignity”, to treat them “equally and without discrimination of any kind”, to take appropriate measures to “minimise inconvenience to victims” and to “ensure their safety”. (Picker, 2003: 2).

Based on this mandate the Human Rights Violations hearings were to achieve several goals: amongst others, the hearings had to restore the victims’ “human and civil dignity” and they had to try to contribute to “the healing of a traumatised and wounded people (…)” (TRC Report, 1998, 1/5: 127). It was also with an eye to respecting the victims that the HRV Committee decided to limit the number of public testimonies: “We wanted to ensure that people felt they had had ample time to tell their story and that they had been duly acknowledged.”, according to chairperson Tutu (1999b: 84).

There thus existed a reigning culture at the TRC “of being sensitive to the needs of victims and survivors (…)” (Harris, 2000: 77-78). This respect towards victims tended to be related to the search for reconciliation, which was embedded in the TRC process. Honouring and respecting victims would make them feel valued in South African society, a sentiment that could be the first step towards building a reconciled and united society.
Or, as expressed by Christo Uys after having witnessed a theatre play on liberation fighters (TRC Report, 1998, 5/9: 416):

“We also have victims, people who died in the struggle and eventual reconciliation can only come about if these people are also honoured together with the comrades who were honoured by means of a play today.”

Indeed, it is quite striking that when analysing the HRV hearings a lot of respect seemed to be attributed to the testifiers. Special attention was paid to their requests, to their needs and to their expectations. Testifiers were praised and characteristics that were less praiseworthy were ignored or justified. Many times, the victims were honoured explicitly, especially in the opening and closing statements of the commissioners. Sometimes, respect could be inferred indirectly from the discourse of the commissioners. In a number of cases, as will be illustrated, there even seemed to be a conflict between the urge to show respect to the testifiers (as an inherent feature of the TRC) and the necessity to reveal the truth (another inherent feature of the TRC). Oftentimes, such a clash between TRC values resulted in the dominance of the ‘respect stance’. Clearly, it was crucial that the victims would feel at ease and that they would leave the TRC with a positive inclination towards the whole process.

Before giving a few illustrations of the culture of respect towards the testifiers, I should stress that these examples can only give a slight impression of the reigning atmosphere of respect. It is thus important to emphasise that throughout the HRV process each and every victim was respected, although in some cases more explicitly than in other cases. It is some of these more explicit cases that I will highlight here.

The first example comes from Pralene Botha, whose husband supposedly committed suicide in prison. Right in the beginning of this testimony, respect is being paid to the victim by informing how she wants to be addressed. Forms of address were given a lot of attention at the HRV hearings. It seemed to be a sign of respect to address testifiers correctly, especially women.

REV FINCA: We would like to call on Pralene Mora Botha. Welcome, is it Mrs or Miss?

MRS BOTHA: Pralene.

REV FINCA: Pralene we thank you for coming forward to give your testimony to the Commission today I see you have someone accompanying you. Is she a relative of yours?
MRS BOTHA: Yes, she is my sister-in-law.

(…)

REV FINCA: (…) but we appreciate that you are you here to sit next to your sister-in-law and to support here as she gives her evidence before the Commission. We’ll now ask you Pralene to stand up to take the oath and Reverend Xundu will administer that.

Mrs Botha clearly feels at ease, since she would like to be addressed by her first name. As usual, the leading commissioner then thanks the testifier for coming to the TRC. Thereafter her sister-in-law is addressed and also welcomed - every testifier could bring a friend or a relative to give support while rendering the testimony.

Mrs Botha continues to tell her story: she first gives some background information about her husband George. In a thankful and cautious way commissioner Crichton then asks her to move on to what actually happened.

MRS BOTHA: (…) He was actually the person who stood behind them when persons perhaps some of his colleagues or other adults were a bit more conservative in their approach to the situation George would actually be with the pupils and understand their position and not condemn them for the stance they took.

MISS CRICHTON: Thank you for filling us in on that bit of background, can you now proceed with the story of exactly what happened as you understand it.

Strikingly, the testifier has to talk about the events the way she understands it – so by using her own words. In a manifest way, the commissioner thus emphasises that victims would be given a lot of liberty while testifying. They were given the opportunity to relate past experiences through their personal interpretative frame, referring here to the much-embraced TRC concepts of personal and narrative truths (see TRC Report, 1998, 1/5: 111). In the remainder of the testimony commissioner Crichton is actually guiding this victim through her story, always asking to continue with the next phase of the narrative in an indirect and careful way.

MISS CRICHTON: Can you now continue and tell us what happened on the Wednesday when Colonel Snyman came to see you.

(…)

MISS CRICHTON: Can you tell us something of what happened at those proceedings?

(…)

MISS CRICHTON: One of the reasons why I asked you to give a character reference, if you want to call it a reference, at the beginning was so that we would know a little bit of what his personality was like. Do you believe that he committed suicide?
In the final extract Mrs Crichton clarifies why she has asked the previous question. It looked as if unclear questions were not to be posed to the testifiers without a justification. Victims had the right to know why the TRC was interested in certain facts. This extract does not only demonstrate the respect attributed to the testifier. It also tells us that the TRC supported Mrs Botha’s conviction about her husband not being the type of person to commit suicide.

Also the end of Mrs Botha’s testimony, when she is asked if she has related everything she wanted to, is highly respectful. This testifier is given ample time to round off her story, making sure that nothing has been forgotten – even the help of Pralene’s sister-in-law is accepted. Testifying before the TRC was a once-in-a-lifetime experience, indeed. Concern for the victims obliged the commissioners to help the testifiers to take advantage of this unique experience.

MISS CRICHTON: Pralene do you feel that you have completed your testimony to us, is there anything that you might want to say or your sister wants to whisper in your ear that you’ve forgotten?

MRS BOTHA: No, I think I’ve said enough but if she wants to add something...

Before testifiers were asked to tell their stories at the HRV Committee they always had to take the oath or make an affirmation (to swear that they would tell the truth) (TRC Act, 1995, 29 (4)). It seems as if before the TRC this taking of the oath was sometimes regarded as an infringement on people’s privacy. It was an act explicitly requested from all testifiers; if they refused, they would not be allowed to testify. For instance, if relatives or friends who accompanied the official testifier wanted to add to the related story, they first had to take the oath or make an affirmation before being allowed to say anything. Sometimes, one has the impression that the commissioners felt a little uncomfortable about this oath. It obliged victims to perform a certain act – while it did not seem to feel all right to *oblige* these people to do anything. Usually, the request to take the oath was thus formulated very carefully. One example comes from Gregory Beck; as a police officer he was shot at by members of the UDF. This is how commissioner Boraine requests to take the oath and then introduces the testifier:

DR BORAINE: (...) I’d be very grateful if you would stand *please* for the taking of the oath.

GREGORY EDMUND BECK: (sworn states)

DR BORAINE: Mr Beck you are or were a policeman, I am not sure if you still are.
MR BECK: I am a detective.

DR BORAINE: Thank you very much Detective Beck. The story that you are going to tell took place in 1988 and you will remember it very vividly, but in order that someone can help you and guide you and direct you in this a fellow Commissioner Hlengiwe Mkhize will lead the discussion. Thank you.

Note the abundance of the expression “Thank you” and also the attention paid to Mr Beck’s title. The testifier explicitly says that he is a detective and Mr Boraine immediately uses this title as the form of address.

As we will see later, in the course of his testimony Mr Beck attests to a change of attitude via à vis the liberation movement. He explicitly states that he did not understand the viewpoint of the liberation movement in earlier days, while he does so now. He is also critical about the liberation movement when he accuses them of having killed many policemen. This attitude is accepted by the commissioners – a sign that the TRC respected various viewpoints of testifiers, among which also criticism towards the liberation movement.

MR BECK: But as you mentioned there that it was well-known that the liberation movements had an armed struggle against the State and we, as the police, were the first targets of that armed struggle. In that year a lot of policemen were killed.

MS MKHIZE: Well I must thank you for your openness about your understanding of what was going on.

Next, commissioner Ally poses a question about the relation between the police forces and the apartheid state. This sensitive topic is introduced most circumspectly, by first of all praising the victim.

DR ALLY: Mr Beck I don’t want you to take the question that I am going to ask as any indication of any insensitivity to what you have experienced. I am sure that everybody here round the table is moved by what actually happened to you and sympathises. But I would like to know what your opinions are on the - it is well-known that during the period that you are speaking about the police and the army and all other such structures were seen as an extension of the apartheid state which was oppressing people, and therefore as legitimate targets, how do you feel about that position and in the context of what actually happened to you?

Mr Beck stands firm and maintains that he did not know anything about covert operations by the police forces. Also this opinion is respected by commissioner Ally.

MR BECK: Okay. Before 1990 I can say that we as ordinary policeman didn’t know much about these covert operations. We didn’t know anything about it. It was mostly the specialist policemen, the Security Police, Murder and Robbery and all those kind of guys who knew about
these type of operations, and as we are now in the transparent and new South Africa more of these incidents are now revealed.

DR ALLY: Thank you for that honest answer.

Finally, also commissioner Randera asks a question about the relation between the police and the liberation movement. Also he introduces this question carefully, while paying tribute to the sufferings of the victim in the first place – note the softeners “just” and “please”.

DR RANDERA: Mr Beck if I can just ask you two questions please. In your statement, and please this doesn’t take away what you have told of pain and suffering that you have experienced, and still suffer, in your statement you say that amongst police circles it was thought that this was a liberation movement attack. Did any liberation movement ever take responsibility for this attack?

Bernice Whitfield is one of these testifiers who is really handled with velvet gloves. Mrs Whitfield’s husband was killed by an APLA bomb attack in 1993. This lady is highly critical about the South African government and about the TRC process itself. Mrs Whitfield is an exceptional victim, since she is White and since she was victimised by the liberation movements. It might have been on purpose that the TRC treated her with a lot of respect – to stress that the Commission was unbiased, that it wanted to include all apartheid victims and also that it stood open for vehement criticism. Especially Miss Maya, the leading commissioner, is extremely understanding and respectful. Her questions are always formulated very cautiously and note the abundant use of softeners (“just”, “thank you”, “are you able to”) and modal expressions (“would you like”, “would you”).

MISS MAYA: Thank you Mrs Whitfield, I would like to ask you just a few questions as I said earlier.

(…)

MISS MAYA: I would like you to share with us the effect that his death has had on you and especially your children and also tell us how many children you have, their ages and whether they are schooling or not.

(…)

MISS MAYA: Thank you. Are you able to tell us at all what the nature and the extent of injuries your husband sustained in the shooting?

(…)
MISS MAYA: Thank you. Would you like to place a request or a recommendation before us so that we can convey that to the State President?

(...)

MISS MAYA: Thank you very much. I'm going to hand you back to the Chairperson but there could be other questions from the rest of the panel. Thank you Mrs Whitfield.

To most of these questions Mrs Whitfield replies rather harshly – and usually very self-confident. This contrast makes the gentle discourse of commissioner Maya even more striking.

In his closing statement commissioner Finca explicitly emphasises this respect that has been attributed to Mrs Whitfield. Both for the prestige and the inclusive character of the Commission (see later) it was important, indeed, that different types of victims were welcomed and honoured to the same extent. The TRC should demonstrate that it not only provided a platform for victims of the apartheid security forces, but also for white victims of the liberation movement (who could sometimes be very negative about the new South Africa). It is thus no coincidence that Mr Finca manifestly states that he has “very serious respect for [the fact that she has been] honest [and] forthright in talking [to the Commission]”. Testimonies like these were “helpful” to the Commission – because they helped to get insight in different aspects of the apartheid regime, but also because they helped to boost the inclusive image of the TRC.

REV FINCA: Reverend Xundu? Okay the question is withdrawn. Just one question from me Mrs Whitfield. You have painted a very gloomy picture of our future and even your coming to the Commission has been put in a context which has a lot of pain and doubt about the validity of doing that and I've got very serious respect for that in that you have been honest, you have been forthright in talking to us and that is very helpful. It reminds us that we are a Truth Commission and if people come to us in truth although it may be painful to listen to that truth but it's also very helpful (...).

It looked as if in all of the testimonies respect for the testifiers was expressed by explicitly showing understanding for what the victim had experienced. Another way of attributing respect was when commissioners gave the impression that the TRC was going to follow up on the related incident. This happened in the testimony of Vusumuzi Ntuli, who was attacked by members of the IFP and stabbed with a knife. Commissioner Dlamini asks all kinds of details that seem important to solve the case in the future.

MR NTULI: That Golf disappeared. Even that Cressida, that white Cressida, disappeared. We don't know where they took those cars to.
MR DLAMINI: Do you know the Golf registration number?

MR NTULI: It was NN 15997.

MR DLAMINI: Of these 30 people who attacked you did you see people that you can identify?

MR NTULI: Some of them I can, like one guy who's my neighbour. His name is Zinhle. He's now in prison. Zintho, that's his name, Zinho Jiyane.

MR DLAMINI: You said he is in prison.

MR NTULI: Yes, he is in prison.

MR DLAMINI: Which one?

MR NTULI: I am not sure whether here or in Waddervaar.

(…)

MR DLAMINI: Do you know their names or their surnames?

MR NTULI: Yes. One is Nhlanhla, and then this other one is Bravusi. I don't know his surname.

MR DLAMINI: But if one can take you to Madadeni Police Station can you identify them?

MR NTULI: Yes, I can because I know them very well.

By explicitly asking about the registration number of the perpetrator’s car, about whether or not Mr Ntuli would be able to identify the perpetrators, about their names and about where they are imprisoned, Mr Dlamini seems to indicate that the TRC will surely investigate this incident. In this way, the testifier got the impression that his testimony before the HRV Committee had yielded something - indeed, being assured that the past incident was going to be followed up was often expected (as a kind of compensation) from the testifiers. Anticipating to this expectation in the course of a testimony was a method of honouring the testifier’s sacrifices.

Quite a number of testifiers also expected financial compensations from the TRC. Many times they were hesitant to ask for money directly; these material request rather tended to be implied in their discourse. For instance, testifiers explicitly mentioned that they had to provide for their grandchildren since the time their child was killed under apartheid. They sometimes added that school fees and medical costs were expensive these days or that they had to move to a smaller house because it had become too difficult to pay the rent. As we have seen in an earlier section, these material requests did not always seem to be appreciated by the commissioners. They were probably not the preferred kinds of
requests – the TRC rather liked communal and symbolic requests. Sometimes, the commissioners thus tried to convince testifiers that caring for their fellow South Africans was nobler than merely desiring money from the Commission. In a number of cases, however, material requests were accepted and the commissioners tried to give advice on how the victim could be financially compensated. Accepting these desires and anticipating to them was a sign of respect towards the difficult situation the testifiers often lived in.

An example of a testimony in which the material requests of the victim are respected is the one by Mzothuli Maphumulo. This person had three of his children killed by the ANC. Mr Maphumulo indicates that he has to care for a number of grandchildren and that he “cannot make ends meet” with the money he is getting for his pension. Although he does not ask the Commission explicitly to solve these financial difficulties, this is clearly understood. Commissioner Dlamini seems to honour this request by elaborating on how Mr Maphumulo could go about to get some social welfare.

MR MAPHUMULO: Thank you very much because it is true. I will not try to drag the ANC's name through the mud, because the President is not involved, he is not doing what the youth of the ANC is doing. He is preaching peace. And I cannot make ends meet with the money that I am getting for my pension.

(...)

MR DLAMINI: Maybe this thing can be fixed right here, there's no need for you to go to Johannesburg. If we can only try and talk to the social workers and social welfare people maybe they can try and do something rather than going to Johannesburg and waste money. Maybe people - social workers from Blaauwbosch can help you.

(...) 

MR DLAMINI: As we've already said we've noted your request that, even though compensation will not bring back your children, but you would like to be helped with regard to your grandchildren who were left by your children, and that you need medical attention, as well as your wife, and that one of your children needs medical attention with regard to epileptic fits. We've noted these requests and we shall pass them over to the Government, who will make a final decision as to how you should be helped. And after we've done the work for the Commission we are going to file a report, as well as recommendations and suggestions to the Government.

Also in commissioner Lax’s closing statement, Mr Maphumulo is treated with a lot of respect. Based on the video images we see that Mr Maphumulo is an elderly gentleman. According to his physical appearance he seems to be committed to traditional Zulu
values. Maybe, this old age and his status in the community command the commissioners’ respect – an attitude clearly expressed in this closing statement.

**MR LAX:** (…) *We know that this incident will leave you sad, it will leave you with sadness that won’t leave you, but we hope that you are able to progress, and to use your age and your stature and your maturity to continue working to bring both sides together, because, as you know, political violence of this nature brings nothing to people except misery and grief, and we hope that if anything is learnt from this that it is that people should - despite their differences they should live and work together. So again thank you very much for coming in and sharing your story with us. Thank you.*

As said in the introduction, we sometimes notice the presence of conflicting values in the course of one and the same testimony. The conflict I am referring to involves the delicate balance between respecting the testifier on the one hand, and interrogating this same person on factual truths on the other. A first illustration comes from Johannah Skhosana, who testified about her brother who was killed – also her house was burnt down. As happened many times respect is already attributed to the victim in the commissioner’s introductory phrases.

**MR BORAINE:** Mrs Skhosana, you are going to tell a very terrible story of what happened ten years ago when ten or nine, rather, young people were brutally killed, *but I do not want to put words into your mouth so I am going to ask you to tell your story in your own words and when you are ready, please start.*

Mr Boraine emphasises that the testifier is to tell her story in her own words, thus paying tribute to the individual narrative of this testifier – note: “you are going to tell your story in your own words”. The Commission will not “put words into [her] mouth”; they will merely be attentive and understanding listeners. According to these words, the TRC does not want to pressurise testifiers. People could start relating their experiences whenever they felt ready. Both time and space are thus available to the use of the victim. Also the abundant use of the word “please” – in all of the testimonies – indicates that testifiers were treated respectfully.

When Mrs Skhosana has finished her story, Mr Boraine would like to have some clarification. Interestingly, he does not use the verb ‘to clarify’, but the mitigating term “to complete”. It seems as if he does not want to sound too harshly by arguing that her story was ‘unclear’ – it might have been just ‘incomplete’.

**DR BORAINE:** Thank you very much indeed Mrs Skhosana. I have just a few questions which will help us to complete the picture. Before I do that though, I am sorry, I forgot to ask about the person who is sitting next to you. Could you just please tell us who that is.

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MRS SKHOSANA: Emmah Skhosana, my daughter.

DR BORAINE: Emmah, I just want to say a word of welcome to you too and I am grateful to you for being in support of your mother today. Mrs Skhosana, the young people who stayed in your home, there were nine of them.

After requesting to clarify/complete her story, Mr Boraine refers to the person who is assisting the testifier. Usually, these people were welcomed at the beginning of the hearings. Mr Boraine seems to have forgotten to do so in this case, for which he explicitly apologises. The softeners “just” and “please” refer again to the respect paid to the victim. Also the way Mr Boraine then addresses Mrs Skhosana’s daughter is a sign of utter respect.

In the course of the questions that are being asked later on it becomes clear that Mrs Skhosana’s narrative has not been all that straightforward. Many issues are still unclear and it is the commissioners’ task to try to reveal as many aspects of the factual truth as possible. It is at this point that we notice a clash between different TRC values. The commissioners are desperately trying to make Mrs Skhosana’s story more understandable. At the same time, though, they have to be respectful and they should not pressurise the testifier too much.

DR BORAINE: So he just disappeared afterwards.

MRS SKHOSANA: Yes, but my sister’s son, she said she saw this person in Eersterus. He was wearing a police uniform. He is a policeman.

DR BORAINE: She actually identified the same man who was with them later on wearing a police uniform. Is that what you are saying to us?

The “So” in the first sentence already indicates an attempt at clarification – Mr Boraine is saying: ‘You mean that he just disappeared afterwards?’ The testifier just continues her line of thought, which seems to make things even more obscure. Mr Boraine then reformulates Mrs Skhosana’s previous answer and he explicitly adds “Is that what you are saying to us?”. It appears as if he trying to get at the facts of the story, but in a very gentle and tentative manner.

Further, at certain points in her testimony, it seems as if the commissioners do not accept the truthfulness of Mrs Skhosana’s story. In the next fragment, Mr Malan seems to challenge Mrs Skhosana’s narrative.
MR MALAN: They, apparently, according to some of the evidence, the boys stayed at Mr Shabangu’s shop at the supermarket at Tweefontein and later, the statement says, a woman who worked for him, a certain Johannah, offered them, after an attack at Shabangu’s supermarket offered them accommodation at her place which was 20 kilometres away. Just to put it to you, but you have no knowledge of that?

MRS SKHOSANA: No. The boys that were staying by me, I never heard that they were charging any stores. I do not know anything about it and I do not know this Shabangu. I know that they were at my house only.

Very tentatively – “apparently, according to some of the evidence” – Mr Malan asserts that the boys Mrs Skhosana was protecting had attacked a supermarket. In fact, he is thus trying to accuse Mrs Skhosana – he does not only doubt whether she has spoken the truth but he also implies that she is accessory to a robbery. These accusations are not only voiced extremely implicitly and carefully – “Just to put it to you” –, but Mr Malan also replies to the accusatory question himself in a negative way. Mrs Skhosana, on the other hand, stands firm. She is very affirmative about the relation between herself and the boys and she does not seem to be thrown off her balance in any respect.

In this testimony we thus notice that the commissioners are trying to find the middle course between honouring the victim and posing questions very cautiously on one hand. On the other hand, though, they had to demonstrate that they were actively searching for the truth, and they had to enquire about facts that were not always straightforward. In the case of Mrs Skhosana we see that mostly the respect-stance prevailed. It seemed as if contradictory elements in the testimony had to be discussed carefully and testifiers could not be dealt with severely.

Also in the testimony of Kenneth Manana we see a tension between these two TRC values. Mr Manana was arrested and tortured by the police. Mr Manana’s narrative is rather short and immediately thereafter we see that commissioner Manthata is asking for more clarification. Most of the time, these questions are introduced very cautiously as well.

MR MANTHATA: Kenny please forgive me, I will try to find out as to your arrest. Was it to do with your robbery at Savoy?

MR MANANA: I would say it was connected with that matter.

MR MANTHATA: Because the others were killed there was no one who witnessed that your issue was political.

MR MANANA: Are you asking about the media or what?
MR MANTHATA: I am not talking about the media. I am saying you yourself you appeared in court. When you got in court you were charged for Savoy. Your case wasn't married with the issue of APLA.

(…) 

MR MANTHATA: What I want to find out is whether you were sure that there wasn't anyone, we know that you were an APLA member, that all that you were doing you were involved in politics and did you only (indistinct) a story. I would say that up to the time when the case came to an end you were the only person who knew that you were an APLA member. Your involvement or your contact with police, it wasn't anything connected with politics. It was only the robbery issue which came into the focus.

Quite extensively, but still very carefully Mr Manthata explains to Mr Manana what he is concerned about. He wants to know whether the testifier was known as an APLA member at the time of his arrest. Mr Manana does not immediately seem to grasp this question, so Mr Manthata takes the time to clarify what he means – a sign of respecting the communicative capacities of the testifier. Just like in the case of Mrs Skhosana, also here the commissioner is trying to get to the facts behind the story – but still, by realising that respect for the victim is of utmost importance before the TRC.

Finally, commissioner Mkhize wants to get some information about the policies of APLA. Implicitly, she seems to challenge Mr Manana’s loyalty towards APLA as well. Also this request for clarification is introduced tentatively.

MS MKHIZE: A small question. I don't remember well if you have clarified that before. Can you briefly explain to us that when you say you were an APLA member things like criminal acts were then allowed by APLA policies.

MR MANANA: I will say no because our policies were on the line of the struggle against the government at the time.

Clearly, Mr Manana remains faithful to his organisation. Clarifying questions have been posed, his relation to the liberation movement has been tested, but the overall impression is that first and foremost also this testifier was honoured and respected by the commissioners.

The same feature as in the previous two testimonies can be found in the testimony of Emily Siko. This lady got seriously wounded when her family was attacked by the extreme right-wing Afrikaner Weerstandsbevewing. Mrs Siko’s story does not seem to be all that clear to the commissioners and very carefully commissioner Randera asks for further clarification.
DR RANDERA: Now I just want to understand. You were already staying - what is this area called, sorry - we keep on talking about this area where you lived?

MRS SIKO: The place is called Khayeleto.

Interesting is the phrase “I just want to understand”, which seems to indicate that Mr Randera himself did not fully understand the story line – this misunderstanding would thus be his fault. What he possibly means, though, is that Mrs Siko did not MAKE herself clearly understood, which puts the fault on her shoulders. By phrasing this sentence accordingly commissioner Randera seems to take the blame for a communicative deficiency of the testifier. Note that he also apologises for not remembering the geographical location Mrs Siko is talking about.

Also commissioner Manthata does not seem to be clear about certain aspects of Mrs Siko’s narrative. He reformulates an element from her testimony, but apparently he has not fully understood what she means.

MR MANTHATA: If I understood you very well, you even tried to go to Motala?

MRS SIKO: No, no, we didn't try any attorney. We didn't try any attorney. I went to the police station and I came back. They didn't pay any attention to me. Even the statement-takers told me that there was nothing they knew and I didn’t pursue this matter further.

MR MANTHATA: What is very surprising, is this issue of an attack on that night because some people in this area work, are employed by these attackers.

MRS SIKO: Yes, some of them are working for these attackers.

MR MANTHATA: In other words, the same employers were attacking the employees?

MRS SIKO: Yes.

From “What is very surprising” onwards, it looks as if Mr Manthata raises doubts about certain facts in Mrs Siko’s narrative. “What is very surprising” is a gentle way of voicing these doubts - he does not say ‘What surprises me’ or ‘What is difficult to understand’. By means of the sentence “In other words…” Mr Manthata rephrases the testifier’s previous utterances. He tries to paraphrase her thoughts and thus seems to assist her in presenting her opinions coherently. After Mr Siko’s very affirmative “Yes” he changes to another subject. This means that he does not pursue his questions and doubts, which could be interpreted as a sign of respect towards the testifier.
As already seen in the case of Mr Manana, the commissioners sometimes tried to respect the testifiers’ lack of communicative competence. This also happened with Manzala Dingumblaba, whose communicative competence will be further discussed in Feature Twelve (in Feature Twelve I will also give more theoretical background regarding this term). Mrs Dingumblaba talked about her father who was tortured by the security forces. The chair notices that his question might be too complicated for her and he reformulates the question in easier terms.

**CHAIRMAN:** I just want to ask you a question. Were there any endeavours to report the Government, because your people came back from detention in ill-health. I do not know whether you understand me well?

**MS DINGUMHLABA:** I do not understand.

**CHAIRMAN:** Members of your family were detained by the police. On their release they were ill in many ways until such time that they died. Did you try in any way to report the Government, the structures?

**MS DINGUMHLABA:** No, we never tried to report the Government.

Ms Dingumblaba’s testimony also started off in a highly respectful manner, when commissioner Xundu welcomed her by inquiring about her clan name. This shows that he is not only concerned about using the correct forms of address, but also that he respects her traditional background.

**MANZALA DINGUMHLABA:** (sworn states)

**REV XUNDU:** Thank you Mrs Manzala. What is your clan name?

**MS DINGUMHLABA:** Manzala Dingumhlaba.

As I said in the introduction to this section, in fact each and every testifier was being respected before the HRV Committee. Paying tribute to the victim mainly happened in the opening and closing statements of the testimonies. In order to illustrate this feature, I will give the opening and closing phrases of some of the testimonies – no further explanation is necessary since the discourse speaks for itself. The first example comes from Josephine Msweli:

**MR LYSER:** It’s Mrs Josephina Msweli. Good afternoon, Mrs Msweli. Thank you very much for coming in. You’ve come to tell us about the death of your son, Simon Msweli, and also Michael Mtherwa. Before you tell us that story please can you stand up and take the oath.

(...)
MR LYSHER: Mrs Msweli, thank you very much for coming in and we know it has been very difficult for you to relive all those terrible experiences that you have gone through but you have volunteered to come here and it’s very important for us that you have come here, to have told us what it was like for you and your family to have lived through those times, to have given us a detailed description of how the police harassed you perpetually, continuously harassed you, and killed two of your sons. (...) So thank you for giving us your story. It’s a very important story. Thank you very much.

Next, there is Patrick Morake:

MR MGOJO: Thank you for coming to give us the story which has been a cancer in your heart eating you and through the grace of God the TRC was introduced so that people can tell their stories. But before you do that I’m going to ask you to stand up and take an oath that what you are going to say here is true, God being your helper.

PATRICK MORAKE (Sworn states) (Through Interpreter)

CHAIRMAN: Now, I’m going to ask one of my colleagues, Mrs Regina Gcabashe, to lead you in the process as you tell your story.

MRS GCABASHE: Good afternoon, Mr Morake. How are you feeling today?

MR MORAKE: I’m fine.

(…)

MR MGOJO: Then we thank you very much for coming here to tell your very sad story and I would encourage you to encourage your Senama home to come forward and see the statement takers so that he can also have an opportunity to tell his story because that is the whole aim. You’ve just mentioned him but he has not had a chance of himself coming forward to tell his own story, to pour out his own pain. So would you please encourage him to come forward and also write his statement so that he can tell his own story. Thank you very much.

Then there is Muhammed Ferhelst. He testified together with his mother.

MR BORAINE: Thank you, will you please be seated. Now you are going to tell us about detention and torture. It’s not an easy thing to talk about, it’s sometimes difficult to relive those moments. But I am very grateful to you for coming and doing that because it’s very important. If we are going to have any kind of future in this country, that we understand what has happened so that we can build a better future. Thank you, and I’ll hand over to Ms Burton.

(…)

MR BORAINE: Thank you very much, first of all may I say to Mr Ferhelst we really appreciate your being alongside your son. This is very important that he has support in the same way as I am sure it’s important that he supports you, both morally and in every other way. I want to thank you both for coming, and Mr Ferhelst I want to thank you for speaking up on behalf of your comrades. (...) We grateful to you for your courage to undergo the torture that you’ve undergone is a very-very heavy thing to do. And I am quite sure you carry that with you, I hope you won’t explode. I hope that you will use the courage that you have demonstrated today, as a creative force to built and try to reach out to the very people
you've been talking about and perhaps together as from today there can be a new start.
Thank you very-very much indeed both of you for coming. Thank you.

Also the opening and the closing phrases of Charity Kondile’s testimony are highly respectful:

CHARITY KONDILE: (sworn states)

DR BORAINE: It may be necessary to swear others who are with you, at least one, but let's hold that for the moment, we'll start with you Mrs Kondile. The story that you have given to the Commission and the Commission staff, is a very stark and terrifying one and we are very sympathetic to the need for courage and strength in trying to tell this story which has caused you so much pain. Dumisa Nsebeza is going to help you tell that story and he will lead the evidence now. Thank you very much.

MR NTSEBEZA: Thank you Mr Chairmen. Mr Chairman, it has been said that when one of the stories was told in the trial of Eugene de Kock, mention was made of the horrifying murder which was described in vivid terms as shark feeding frenzy in respect of another victim. But in that same trial we were to hear also of the harrowing details of how Gcinisizwe Chonyane Kondile, the son of the witness now on the stand died, and I would like to call her to the stand for her to tell us in her own words how it is to be the mother of a child whom you have never buried.

(...)

MR BORAINE: Thank you very much for your testimony. We hope that in the telling of your story and the vindication that you have received, admittedly so gruesomely, that there will have been some contribution to the process of healing. I thank you very much for coming before the Commission. We value enormously your contribution. I suggest that we take a break and come back at a quarter to five.

Finally, these are the opening and the closing statements in the testimony of Paul Williams:

DR BORAINE: I call now Paul Manuel Williams and Marilyn Javens. Good morning nice to see you. I would like to welcome you on behalf of the Commission, we are very-very glad that you have decided to come before this Commission. Because once again you'll be revisiting the time of deep pain, sorrow and anguish, injury and death and we appreciate it enormously because it is very important we think that the country should know the complete picture as possible as to what happened and the extent of the effects of violence on a community as well as on individual. Mr Williams, I would ask you please to stand, if you would like to remain seated please do so, just for the oath.

(...) 

MR WILLIAMS: Like I said advocate, it is beyond my control that him being granted Amnesty, but should he go free and walk on the streets, my duty as committed Christian should be I think to reach out to him. And that is what I would like to do.

ADV NTSEBEZA: You are very rare person, Mr Williams.
MR WILLIAMS: Thank you.

MR BORAINE: Thank you very much.

Note that in these last opening phrases Mr Boraine pays attention explicitly to Mr Williams’s injuries. As a result of the violent attack Mr Williams comes to testify about he is walking with a limp. Mr Boraine is thus very considerate when allowing the testifier to sit while taking the oath. In his final words commissioner Ntsebeza seems to be full of admiration for Mr Williams; Mr Boraine finishes by expressing sincere gratitude.

Finally, I should mention that many of these testimonies were highly emotional and more than once, testifiers broke down while talking about their traumatic experiences. In these difficult instances a lot of respect was always attributed to the victim: the commissioners often repeated that the testifier could take time to recover, they asked whether the testifier felt all right and they requested to offer water or a tissue. I will list a few of these interventions by the commissioners – also here, no further explanation is needed.

At a certain point, Emily Siko bursts into tears when she tells how members of the AWB hit her with a brick. Commissioner Randera immediately intervenes:

DR RANDERA: Take your time, all right. Can you please give the lady some water to drink, please.

The same happened to Laloo Chiba when he talks about his torture experiences:

MR CHIBA: I feel proud of that fact. To deny the enemy the information that they so dearly wanted, was something that I felt good about. At the same time ... (Pause) ...

MS SOOKA: You can take your time, it is okay.

MR CHIBA: Yes. At the same time I think I must say something. I had screamed out in pain, I had pleaded for mercy from an enemy, a people's enemy, I had asked them to stop torturing me. I had given them the pleasure of listening to my screams and it is something that haunts me up till today. As I repeat this here, I feel a deep sense of shame for the shortcoming. I don't think that a revolutionary should actually give the enemy the pleasure of listening to one's screams. I think I failed in that respect. I hope that you people understand that. It haunts me up until today, and I don't think that I can ever come to terms with that. Anyway ...

I think I will take a glass of water.

MS SOOKA: Take your time there. Are those ear-phones uncomfortable?

MR CHIBA: No, they are quite okay, I'm sorry, they are quite okay. I think time is passing, I think I will move rather quickly now.

And finally there is the example of Mrs Nkabinde:
MR DLAMINI: And what happened about the case?

MRS NKABINDE: There was not enough evidence so the case never proceeded up until today.

MR DLAMINI: Take your time. We understand that this is very sad. It's not easy for one to relate such a sad story. (Pause) You can continue if you're ready.

MRS NKABINDE: I was confused because I never quarrelled with anyone. I was never involved in any conflict. I heard that people were fighting, IFP/ANC were fighting, but I was never involved

In this chapter I have illustrated the different ways in which testifiers before the HRV Committee were honoured and respected. As set out in the TRC Act, respect for the victims was an inherent feature of the HRV proceedings - in fact, it was obvious that testifiers should be welcomed, comforted, praised and admired while giving their testimonies before the TRC. And indeed, in each of the victim testimonies, commissioners tried their best to honour victims: they honoured their past experiences, their present situations and also their courage to build a better future. Through all kinds of implicit and explicit statements this indispensable - and highly valued - ‘culture of respect’ took shape. This happened each time again, at every HRV hearing and vis à vis all kinds of testifiers, hence also demonstrating the inclusive nature of the TRC. Respect for the victims seemed to be part and parcel of the reconciliation discourse created at the HRV hearings, so I thought it necessary to give quite a few examples of the different methods employed by the commissioners.

As a final point I should mention that, of course, there existed personal differences between the commissioners. In these illustrations the names of Mr Dlamini and of Mr Boraine have been mentioned regularly. It seems, indeed, as if their discourse was even more careful, as if they even used more softeners or gentle expressions than the other commissioners. This difference is merely a matter of personal characteristics, which needs no further explanation here. Maybe, these commissioners also put an extra effort in honouring the testifiers, being aware of how crucial this respect was for the image of the Commission. These extremely cautious and considerate commissioners could be labelled ideal commissioners – I will come back to this categorisation later on.
4.2.5. Feature Five: emphasising emotional discourse

The TRC has been labelled the ‘Kleenex Commission’ by a number of critics (Tutu, 1999b: 83). This was due to the fact that a lot of emotions tended to be displayed at the hearings: testifiers started to cry spontaneously when reliving their traumatic experiences and sometimes the commissioners themselves wept and broke down. At these highly emotional instances the briefers, who were assisting the victims while testifying, often handed a Kleenex-tissue to the speaker – hence the term ‘Kleenex Commission’.

The content of the HRV narratives was often very emotional, since it was an explicit reliving of traumatic incidents from the past. Therefore, we could define the HRV testimonies as narratives of trauma (Rogers, et al, 1999). Not only the content was emotionally loaded, also other trauma signals were displayed at the hearings, such as long silences, a sudden loss of control over emotions, repetitive reporting or changes in voice and body language (Benezer, 1999: 34-36). In addition, a feature also apparent at the HRV hearings, traumatic narratives tend to be very incoherent and fragmented (Leydesdorff, 1999: 15).

The point I want to make here is that testifiers did not only express emotions spontaneously; sometimes it also seemed as if they were stimulated by the TRC panel to do so. Expressing emotions tended to be encouraged, for instance by stressing that the hearings were inherently emotional and by claiming that crying before the TRC was an accepted - even normal - way to deal with apartheid traumas. An emotional atmosphere was thus built up and cultivated throughout the hearings.

Connected to this stimulating of emotions was the fact that personal - often physical or medical - details were referred to a lot during the hearings. Testifiers were explicitly asked to elaborate on torture experiences, to give details about their physical condition since the time of the incident, or to explain what kind of psychological treatment they were getting. Also other authors, such as Ross (1996) and Franz (1997) have argued that the TRC’s primary focus has been on violations of the body, although by focusing too closely on bodily experience other aspects of the testifiers’ sufferings could be left unnoticed (Ross, 1996: 27). According to these authors, especially female victims were often not inclined to emphasise their experienced physical pain, although these traumatic
events were often highlighted by the TRC commissioners. Recalling medical details or reliving torture incidents could be highly emotional to the testifiers, in the same way as listening to these issues could be highly emotional for the audience and for the HRV panel members. This could thus also be seen as a way to create an extremely dramatic and emotional atmosphere.

On the basis of my reading, indeed, the commissioners sometimes really seemed to prompt testifiers to talk about personal experiences, even if the testifiers did not seem to be inclined to do so. Metro Bambiso, for instance, was a testifier who was very reluctant to talk about his torture experiences. Commissioner Sandi however, insists on hearing details about the way Mr Bambiso was tortured. Mr Bambiso was arrested and severely tortured by the South African security forces.

ADV SANDI: What did they do after they handcuffed you?

MR BAMBISO: They tortured me.

ADV SANDI: Please explain to us the ways in which they tortured you.

MR BAMBISO: Firstly, Mr Chairperson, it is very painful for me to say or to explain to you what was happening. They were kicking me. Even in the township before they took me to the van they were assaulting me, kicking me in the township and they took me to the police van, took me to town. They did not take me to the police station. There was a place which was used as a rent office in town in the BAAB offices. They took me there. It was quarter past nine at that time, because there was a watch there. From quarter past nine till quarter to three they were assaulting us. They would squeeze our private parts and they would close them to a drawer. That is when I got injured.

ADV SANDI: When you say that you were being tortured and everything was done to you, what do you mean?

MR BAMBISO: There are many ways, there are many things they did to us. The police would take a cigarette to our noses and they would take needles and put them under our nails.

ADV SANDI: For how long did this last?

MR BAMBISO: We arrived in this building at quarter past nine and we were released at quarter to three in the morning when we were taken to the charge office.

ADV SANDI: Were you injured in any way?

MR BAMBISO: Yes.

ADV SANDI: Please tell us how were you injured?

MR BAMBISO: I was injured in my private parts, because after all this my private parts were swollen up, because of the Boers.
ADV SANDI: Did you receive any medical treatment or are you receiving treatment now?

MR BAMBISO: I am not receiving any treatment.

We see that this dialogue about the personal physical experiences of Mr Bambiso takes quite a long time. When Adv Sandi’s first question is briefly answered by “They tortured me”, it seems to be obvious that Mr Bambiso does not want to elaborate on this traumatic incident. Adv Sandi insists, whereupon Mr Bambiso tells him in a polite, but very affirmative way how difficult it is to relive this torture practice by talking about it. Nevertheless, he gives some details, but this does not seem to satisfy the commissioner. Adv Sandi asks for even more details and he also wants to know for how long the torture lasted. Finally, he asks whether Mr Bambiso got injured. Again, since the testifier answers this question with a short “Yes”, he does not seem to feel like dwelling on these injuries. Adv Sandi insists again, so Mr Bambiso is in fact obliged to talk about how he got injured. Mr Bambiso’s reluctance to elaborate on these injuries is understandable, since he got injured in his private parts. He seems to feel uncomfortable to talk about his private parts in front of the entire world.

One wonders why Adv Sandi keeps insisting on these personal details of the victim’s experience. As soon as Mr Bambiso indicated his reluctance, the commissioners could have respected - and accepted - this wish.

Not all testifiers were unwilling to talk about their torture experiences. Laloo Chiba, for instance, gives a lot of information about the ways in which he was tortured by the apartheid security services. But still, the commissioners demand more details, especially commissioner Sooka and commissioner Mkhize. Mr Chiba was severely tortured and detained for eighteen years. I first give some fragments to illustrate how he unsolicited elaborates on torture details.

MR CHIBA: They started assaulting me, punched me, kicked me and in the process my face was badly bruised. My left ear-drum had been punctured. They wanted to know who my contact was in MK. They wanted to know the next link in the chain of command. I pleaded ignorance. I told them that I didn't know anything. I told them that actually there must be some sort of a serious mistake that they were making on their part. The assault must have lasted half-an-hour or so. It is very, very difficult for me to assess the passage of time under these circumstances. But what was to follow was far more serious than the assault that had taken place. From behind someone threw a sack, a wet hessian sack over my body so that half my body was covered and I was partially strait-jacketed. I was then flung onto the floor. My
shoes and socks were removed and I could feel electric wires being tied to my toes, to my fingers, my knuckles and so on. They wanted to know who my contact was. To them that was a very crucial issue. I pleaded ignorance. I told them that I did not know. Every time I resisted answering the questions, they turned on the dynamo and of course, violent electric shocks started passing through my body. They did so every time I refused to answer. All I could do was to scream out in pain. I could only scream and scream and plead ignorance.

(...)

MR CHIBA: I entered the room. I found, amongst others, Lieut Van Wyk and Rooi Koos Swanepoel. I was assured that unlike the previous time they won't even lay a finger on me. What they did was, they took a foolscap sheet of paper, A4 size, they put it on the floor and they asked me to stand on that. They said that I was not allowed to move off from that sheet of paper.

I tried to work out what their strategy was. Previously when I was arrested they had assaulted me very badly. They had tortured me with electric shocks and they had - I did not answer any questions. This time the idea was that I should be kept standing for many, many hours without sleep. I stood there from about nine o'clock on Monday morning until Wednesday early in the evening, late in the afternoon. That was a period of approximately 58 to 60 hours without sleep.

(...)

MS SOOKA: Thank you very much. I am just going to take you back to a few issues, just for clarity. We have had the evidence of Abdulla Jassat, and he was quite detailed, in fact, about his own torture. He detailed the question the wet bag treatment and it seems that that was quite common. It was done to you as well. But he also described a particular form of torture where you were held by two policemen and dropped by the one standing in front of a window and then the other person grabbed the other leg. For me it seems that it would point to the fact of how a number of people were killed, in falling from different floors. I wonder with you, was that done to you as well?

MR CHIBA: Thank you. No, that was not done to me.

(...)

MS SOOKA: It is also important for the Commission to document the kind of torture that took place. It is very important for our records. Particularly in the different periods during our history, because there was a definite change after a certain period. But you talk about the Stockholm Syndrome, and I would be grateful if you could just deal with that briefly.

(...)

MS MKHIZE: A related question. Based on your evidence, I should think you are one of the those people who will assist this Commission in terms of getting a clear picture of the practice of torture as a human rights violation in this country. I just want to know from you whether you think the methods you utilised, they got severe over the years; because historically you come, you have an experience of your rights being violated as far back as the Sixties. We have had people coming with the same phenomenon who were tortured in the Eighties. In your own judgment, when you look back now, do you think their methods utilised got worse or severe over the years, or they were milder?
Mr Chiba does not seem to feel uncomfortable to talk about the torture methods that were inflicted on him. In fact, his story consists of a number of parallel subnarratives, each of which having an identical structure. In each of these narratives Mr Chiba starts by explaining how he participated in activities of the liberation movement. In a next stage he gets arrested and detained, and the climax of the subnarrative is always the torture experience. It seems as if these narratives are deliberately built up towards this torture-climax. Mr Chiba might be aware of the fact that the audience probably sometimes awaited spectacular and gruesome details, and that also the TRC panel is interested in these accounts.

Mr Chiba is very emotional, though, when reliving these experiences. A number of times he breaks down, he starts to cry or he has to stop talking. However, both Mrs Sooka and Mrs Mkhize are interested in more details on these torture methods. Their questions are fairly theoretical: Mr Chiba is compared to other torture victims and he is asked about the evolution of torture techniques under apartheid. Interestingly, both of these commissioners frame their questions similarly. Both of them argue how important it is to get insight in the torture methods under apartheid, in order to obtain a clear picture of the past – revealing apartheid atrocities was indeed one of the main objectives of the TRC. Mrs Sooka puts it like this: “It is also important for the Commission to document the kind of torture that took place. It is very important for our records.”, while Mrs Mkhize states: “Based on your evidence, I should think you are one of the those people who will assist this Commission in terms of getting a clear picture of the practice of torture as a human rights violation in this country.” By giving details about torture methods, Mr Chiba thus contributes to composing the apartheid archive; he helps to complete the truthful apartheid past the TRC attempted to reconstruct.

By reverting to the historical relevance of torture information, it seemed as if these commissioners tried to justify their questions. They might have felt uncomfortable to confront Mr Chiba so explicitly with his torture experiences – Mr Chiba had talked about these experiences himself, indeed, but he had also been very emotional when doing so. By framing the questions in this particular way they could have indicated that it was not their desire to inform about torture methods - it was their duty as a TRC commissioner.
Also Mina Day, an elderly lady who testified in Worcester is explicitly asked to elaborate on the way she was abused by the police.

**MS WILDSCHUT:** Thank you Ms Day but maybe we should just go back a little bit and - do you mind if I ask you to tell a little more about the evening when you have been beat so much.

**MS DAY:** The cause was that they were beating my son. Crosby came along with them; that was the cause of my beating.

**MS WILDSCHUT:** So you were trying to defend your children and by defending your children the police said that you were being cheeky.

**MS DAY:** Yes - yes.

(...)

**MS WILDSCHUT:** Ja, I am trying to understand and I am sure that everybody who is listening to your testimony today, is also trying to understand why somebody of your age should be beaten so severely and then imprisoned for three months

(...)

**MS WILDSCHUT:** Ms Day I know this might be difficult for you but I wonder if you can tell us how was your stay in prison - how were you treated what were the conditions like in prison?

**MS DAY:** I didn’t get any bad treatment the only place that we got bad treatment was here in Worcester. In Cape Town there was nothing bad but there was one particular day when we asked when we were going to be released, they threw teargas at us and we were separated and put in different cells.

**MS WILDSCHUT:** How were you affected by the incident that you talked about today, by the beating and your subsequent imprisonment, how did that affect your life?

**MS DAY:** One of my kidneys is not functioning properly and I’m getting cramps time and again, it’s a side effect from that beating. Even if I’m not working now I’ve got that child who was released and was working but now he is unemployed. He couldn’t find any employment because of this situation. They don’t want to employ him because they say that he was involved in the burning down of the house and the throwing of stones. As I’m not working I’m waiting for them to support me.

**MS WILDSCHUT:** So the impact on your family has not just been on - on you but also on your children and your son in particular.

By raising the topics of police abuse of this elderly lady, her conditions of imprisonment and the medical effects of the incident, Ms Wildschut seems to illustrate to what an extent HRV discourse was sometimes directed towards spectacular issues. In answering Ms Wildschut’s first question, Ms Day does not go into great detail. She only indicates what the reason could have been for the behaviour of the police, but she does not give any physical details. A couple of minutes later, commissioner Wildschut comes back to the maltreatment by the police. She underlines what a tragedy it is for an elderly lady to
be beaten so severely by the police. By juxtaposing “somebody of your age” and “beaten so severely and then imprisoned for three months”, commissioner Wildschut enhances the dramatic effect of this testimony. Ms Day is presented as a highly innocent victim, a person of age who should be respected instead of being abused. Since these lines are fairly dramatic, they add to the emotional atmosphere that had been built up in the course of the testimony. At the same time, these utterances of the commissioner justify her questions on emotional topics: only when information about the terrible past would be revealed in great detail, the TRC could attempt to understand the apartheid past — gaining insight into the apartheid past was seen as one of the key objectives of the TRC.

Later on, Ms Wildschut wants to get some more information about Ms Day’s imprisonment. The question “how were you treated” refers to the possible occurrence of maltreatment and torture, experiences testifiers were expected to be described. However, Ms Day states that she did not get any bad treatment, which prevents the expression of a certain type of emotional discourse. Finally, commissioner Wildschut tries to gain information about the testifier’s present medical condition — this can be seen as a final way to raise emotionally loaded topics. Ms Day’s elaboration on her physical problems and especially the fact that she relates the impact of the incident to her entire family situation, seems to satisfy the commissioner.

The next testifier I would like to refer to is Phebel Robinson. She talked about the detention, torture and killing of her husband and a couple of times references are made to the way he was gruesomely murdered, both by commissioners Wildschut and Potgieter.

**MS WILDSCHUT:** Ms Robinson I have before me some really gruesome photographs of your husband’s body. I know it’s very terrible for you to go through this experience. You did say that you were not allowed to see your husband’s body at the time of the funeral. Where you able at any point to - to get to know how badly he was hurt?

**MS ROBINSON:** (…) Because he was fair but he did not have any color in his face because it looked like burn marks and candle marks the way they tortured him. That is why I doubt it because if the police weren’t after him for all these years, I wouldn’t have had such strong doubts and reservations in my mind.

(…)

**ADV POTGIETER:** Ms Robinson you said that you had some document - some documentation with regard to the injuries. Was it - is that a medical report?

**MS ROBINSON:** Yes.
ADV POTGIETER: Do you have it with you?

MS ROBINSON: Yes, I brought it along with me.

ADV POTGIETER: Apart from the stab wounds, which other injuries were inflicted on the body - which other injuries could you see?

MS ROBINSON: [indistinct] marks as they dragged him along and I don’t know what else they did with him. But it was - it’s a long report and I cannot say - I cannot mention everything because the report is far too long. Because every part of his hand, his fingers had marks, stab marks, scuff wound - scuff marks from being dragged. I just cannot mention everything.

Ms Wildschut starts by referring to the “really gruesome photographs of your husband’s body”, words that emphasise the dramatic nature of Ms Robinson’s experience. Cruelty is visualised by incorporating these pictures in the testimony. Although the commissioner only refers to them verbally, the terms she uses are so dramatic that most of the people in the audience can imagine vividly the way this victim was mutilated. This dramatic atmosphere is even intensified by the following words: “I know it’s very terrible for you to go through this experience”. Further on, Ms Robinson is incited to relive the confrontation with her husband’s tortured body, when Ms Wildschut asks when exactly she was able “to get to know how badly he was hurt”. Precisely according to what the TRC probably wants to hear, Ms Robinson then gives some details on how her husband could have been tortured.

Mr Potgieter continues along this emotional line. He also wants to know what kinds of injuries were inflicted on Ms Robinson’s husband. This topic is introduced by referring to the medical report. Especially the question “Apart from the stab wounds, which other injuries were inflicted on the body – which other injuries could you see?” must be quite confrontational for the testifier. She is forced, again, to relive the traumatic moment of identification, probably the most traumatic instance of the entire incident. Ms Robinson gives a few details, but then she says twice that she can just not mention everything. She might not be able to remember the details from the medical report, or she might be unwilling to re-experience this physical confrontation with her husband’s mutilated body.

Also at the testimony of Muhammad Farid Ferhelst commissioner Potgieter seemed to be interested in gaining details about torture experiences. Mr Ferhelst was arrested and tortured in prison. When Mr Potgieter takes over from the chairperson to question Mr Ferhelst, the first issue he addresses is the torture incident.
MR POTGIETER: Thank you chairperson, just two issues, two issues Mr Ferhelst, when you were taken away with the bag over your head, right.

MR FERHELST: Okay.

MR POTGIETER: With the bag over your head that you spoke about, you were taken and you were handcuffed in a shower. That incident that you spoke about, did you have that bag over your head the whole time, whilst you were tortured?

MR FERHELST: Like - in the first and second evenings the bag was over my head but on the third night one of the policeman took off the bag. I was virtually unconscious and he then took the rifle and gave it to me and said why don't you pull the trigger because we going to kill you anyway. (...) And during interrogation you make sort of peace with yourself and you - you realize that what must be, must be. To - if I can put it this way, you - you actually prepare yourself for the worst.

MR POTGIETER: I am just trying to find out, on that day when you were in the shower cubicle, could you recognize any of the voices?

MR FERHELST: Yes, Van Brakel's voice, he was the one person's who's voice I could recognize, because the kind of a language that he used, like communist rubbish, he was always terribly rude, and I recognized his voice, but the other's no, I couldn't recognize their voices.

Mr Ferhelst is definitely not unwilling to elaborate on how he was tortured. He even takes a fatalistic and distant approach towards his torture experience: “And during interrogation you make sort of peace with yourself and you - you realize that what must be, must be.” Mr Potgieter keeps insisting on more details. By asking how for long Mr Ferhelst had the bag over his head and what he heard in the shower cubicle, the commissioner prompts the victim to actually relive the torture incident. Note that through “I am just trying to find out” commissioner Potgieter again tries to justify his insistence on torture details – it was the TRC’s duty to unravel the past.

These illustrations have shown that at the HRV hearings it seemed to be a recurring feature to stress emotional, dramatic and personal details in the victims’ testimonies. When reading over the testimonies, one is sometimes tempted to ask why the commissioners had to go into such great detail. It is true that, according to their mandate, the commissioners needed factual information. Sometimes however, it is shocking to have people explaining about their injuries, treatments and medical problems and one could wonder why this was necessary. In some cases, it even looks as if testifiers were obliged to elaborate on traumatic incidents, even if they did not really want to – see especially Mr Bambiso’s case above. Also note that commissioners did not always seem to feel comfortable to ask about emotional issues – see the justification they sometimes
formulated, and statements such as “I know this might be difficult for you”, “do you mind” and “I know it’s very terrible for you to go through this experience” in the extracts above.

A number of explanations for the emphasis on emotional details during the HRV hearings have been formulated. One explanation could be that talking about these personal aspects was healing for the victims. Elaborating on past traumas could be a cathartic experience, an appropriate way of dealing with these traumatic incidents. Many times it has been claimed, indeed, that for most of the victims who came forward to the HRV Committee testifying was a healing experience (see for instance Boroughs, 1997; Govender, 1998; Minow, 1998: 66; Rakate, 1998; Fourie, 1999; Meiring, 1999: 371). As Susan Rose (1999: 163-164) argues, recovering from trauma is both an individual and a collective process. Talking about a traumatic experience can be healing, especially when there is a reciprocal willingness on the part of the audience to listen and bear witness, and when this takes place in an officialised forum - as was the case at the HRV hearings. Talking about past traumas is not always healing, though; not all victims, for instance, are prepared to relive the traumatic past (Rigby, 2001: 2). Sometimes, narratives of trauma stir up memories, which victims have fought hard to keep out of consciousness in order to get on with their lives (Leydesdorff et al, 1999: 17). Some victims might feel the desire to talk about a traumatic past, but since language usually falls short when trying to express emotions, they might end up disappointed (Laub, 1995; Dawson, 1999: 184; Krog, 1998a).

In its Report (1998, 1/5: 113) the TRC states that healing truth - the kind of truth “that places facts and what they mean within the context of human relationships” - was central to the TRC process. Further on, the Report (1998, 5/9: 350) claims that healing was indeed one of the central issues at the TRC, since healing of the victims was seen as part of the restoration of their human dignity. At the TRC, healing could be realised through truth-telling, official acknowledgement, decriminalisation and exoneration. And although the Report emphasises that not all storytelling heals and that not everyone wanted to tell his or her story, it does give a large number of testimonies in which the healing potential of storytelling is illustrated (5/9: 350-365). According to the TRC Report, the Commission thus partly succeeded in realising its healing aspirations.
I will not elaborate any further on the possible healing aspect of testifying before the HRV Committee. But even if recalling traumatic experiences is healing from a psychological point of view, one can still wonder whether it was necessary to sometimes compel testifiers to go into gruesome details of either torture methods or the ways in which loved ones had been murdered.

According to my opinion, stressing emotional, physical and dramatic issues in the victims’ testimonies could also have been a way of highlighting the necessity of the truth commission. If a lot of emotions were shown at the TRC, the devastating effect of apartheid was emphasised and in this way the necessity of the TRC as a healing instrument became more apparent. By especially stressing the physical effects of apartheid, the TRC took part in a current day tendency in which a lot of attention is paid to ‘bodility’ (references to this ‘bodility’ can already be found in Foucault’s Histoire de la sexualité, 1984). The ‘body’ is getting more and more importance, in a positive way when talking about health and exercising, and in a negative way when explaining how the privacy of the body can be imposed upon by others – for example by the state. Invading the privacy of the body is seen as one of the most effective and one of the most threatening ways to have an influence on people. Therefore, describing in detail how this invasion - through torture and injuries - took place under apartheid made a lot of impression. In this way the terrible truth about apartheid was explained to the TRC audience in a very efficient way. At the same time, dramatic language and emotional detail could also enhance the nation-wide compassion for the victims of apartheid. As a result, the more shocking the system of apartheid seemed to be, the more people could be convinced that the reoccurrence of such a system has to be prevented at all costs – a conviction the TRC wanted to communicate to the entire world.

Finally, paying a lot of attention to emotional details could also be a means to try to meet the appeal for spectacle that might have existed among the TRC audience – especially the media producers. Indeed, the HRV hearings were designed to have a powerful public effect. They were not merely meant to be representative, but also to be demonstrative, hence the attention paid to particularly graphic narratives. Other authors (for instance Legassick & Minkley, 1997; Marx, 1998; Mda, 2002; Bester, 2002; Bharucha, 2002; Goodman, 2003) have called the TRC an extravert drama or a media spectacle that was too theatrical. Trauma had to be made explicit, and if possible visualised through pictures.
or demonstrations at the actual site of the hearings. A well-known example is Benzien’s demonstration of the wet bad method of interrogation and torture at the amnesty hearings. This demonstration was an archival moment that has become iconic of the TRC. Bester (2002: 155-173) links this TRC spectacle to Foucault’s theories. In outlining a history of the production and reproduction of the power to discipline and punish, Foucault (1975) suggested that punishment, as a spectacle, declined, since “our society is not one of spectacle, but of surveillance”. However, the South African TRC process, according to Bester, reflects anything but a decline of spectacle. “The TRC process, quite empathically, is a theatrical re-presentation of pain suffered and inflicted by victims and perpetrators of apartheid era violence” (Bester, 2000: 2). The HRV commissioners seemed to cultivate this impression through their discourse, maybe to enhance the indispensable character of the Commission, or to make the TRC hearings attractive for a wide audience.

When trying to understand the rules of formation of the HRV reconciliation discourse the emphasis on emotional discourse will be a prominent feature. Torture details, descriptions of physical or psychological injuries and the expression of grief, either verbally or by crying, seemed to be valued statements at the HRV hearings. The fact that these statements were preferred might have had a purpose: they could have served the testifiers themselves, the TRC as an institution, or the wider audience (media included). Creating an emotional atmosphere thus seemed to be an element of the master-narrative the TRC sought to construct. Testifiers who did not want to submit to the features of this narrative – because they were explicitly unwilling to elaborate on personal or gruesome details – were often dispreferred testifiers. They did not fit the concept of the ‘ideal HRV testifier’, a concept that was personalised by a number of victims from my corpus, as we will see later on.

4.3. Historical layering

4.3.1. Feature Six: apartheid-talk

Every piece of discourse an individual uses in a discursive event is historically layered (Blommaert, 2005: 125-127). In any discursive event, people refer to the past and reflect on the future by using specific linguistic registers (different styles, different words,
different grammar or different language varieties). Their discourse shows remnants of past discourses, it is projected into the future, and in this way it is adapted to the unique discursive moment itself. This discursive moment can be called ‘event-time’, while the references to the past and the future can be aspects of either the ‘structural time’ or the ‘conjunctural time’ (Braudel, 1969). According to Braudel the structural time or slow time refers to the slow development of the socio-political system. The conjunctural time or intermediate time is the time of long cyclical patterns, for example the time of a particular political regime – the apartheid era as compared to the post-apartheid era for instance. Event-time is defined by Braudel as “the short time, measured on individuals, everyday life, our illusions, our understandings and awareness” (Braudel 1969: 45-46). It is indispensable to get an insight in each of these three time frames to understand the specificity of historical events.

In the course of their testimonies before the HRV Committee, victims constantly went back and forth, shifting between present-day discursive registers, connotations and indexicalities on the one hand and associations with the past or reflections on the future, on the other hand – thus shifting constantly between different historical time frames. In their discourse we mainly notice an interaction between two historical layers: the current day time frame belonging to the liberated South Africa, and the time frame of the apartheid past, with terms and connotations linked to the pre-1994 era of repression and terror. In this way the HRV hearings were the site of a creative interplay on the level of the conjunctural time (apartheid discourse versus post-apartheid discourse), whereby a specific discourse was established, appropriate to the unique event-time.

I have labelled the discursive elements that clearly refer to the apartheid era as apartheid-talk. In fact, apartheid-talk involves emblematic discourse where apartheid as such is thematised. It refers to a set of apartheid frames that are being activated by means of various discursive practices – and this usually retrospectively. This term includes a range of linguistic features: mostly the fact that non-Afrikaans speakers employed Afrikaans words or phrases in the course of their testimonies, and the fact that certain terms were used – usually judicial, military or racial terms – that had an emblematic apartheid connotation. According to my interpretation, when non-Afrikaans speakers made use of the language Afrikaans, they explicitly - iconically - wanted to relive certain instances from the apartheid past, or they used Afrikaans to convey a certain
metapragmatic impression about individuals or experiences from the past. Through Afrikaans the apartheid past was evoked, the traumatic event was re-experienced and the testimony was given an extra dimension – this often happened by quoting some one in Afrikaans, or by using the Afrikaans terms for certain specific words.

Although in the new South Africa Afrikaans is one of the eleven official languages, sometimes it still tends to be stigmatised as ‘the language of the apartheid oppressors’. In fact, the National Party's ruthless apartheid regime and simultaneous promotion of the language forged a link between the language and the political system that remains to this day (http://nc.essortment.com/historyafrikaan_reps.htm). According to the 2001 census, 13.3% of South Africans have Afrikaans as their mother tongue (http://www.info.gov.za/yearbook/2004/landpeople.htm). It is the first language of approximately 60% of South Africa's Whites, and over 90% of the Coloured population. Large numbers of black, Asian, and English South Africans also speak it as a second language (http://www.wordiq.com/definition/Afrikaans_language). During the apartheid era solely Afrikaans and English were the official languages in South Africa. It was the apartheid state’s attempt to impose Afrikaans as a medium for instruction in black schools that gave rise to the mass struggles in the 1970s and 1980s (http://www.polity.org.za/pdf/languagepolicy.pdf). Nowadays, although a large number of non-white South Africans have Afrikaans as their mother tongue, the language still carries certain apartheid-related connotations, also internationally – which is one of the reasons for me using the term apartheid-talk.

As explained earlier (see 2.4.6.), Afrikaans was not regularly used by victims who appeared before the HRV Committee. Some white and Coloured victims did speak Afrikaans when testifying – among my thirty case studies there are only two people who testified in Afrikaans, the Coloured lady Phebel Robinson and the white Afrikaner Johannes van Eck. When discussing apartheid-talk the testimonies of these native Afrikaans speakers will not be taken into account. Also the Coloured young man Muhammad Ferhelst spoke Afrikaans, but only in the second part of his testimony – as will be explained later. In what follows I give a number of examples of testifiers who seemed to relive the past experience by using apartheid-talk. These examples will clarify my understanding of the term in question.
The first example comes from Emily Siko, who talked about an attack by the Afrikaner Weerstandsbeweging. It is unclear in which language Mrs Siko testifies - this is not indicated in the transcriptions and it cannot be inferred from the video recordings. In any case, Mrs Siko testifies in an African language, most likely in one of the nine official African languages of South Africa. She tells her story in the African language throughout, but when she gets to the actual attack she quotes some of the AWB people in Afrikaans. In the transcription only the English translation is given, but on the video one can clearly hear how Mrs Siko speaks Afrikaans. In the following fragments it is the italicised words that are pronounced in Afrikaans, though transcribed in English.

**MRS SIKO:** They were axing the door. They were saying AWB, we have no place here, *this is our place, this is our place for our nation*. Then I said, please "baas", I didn't put myself here, *but somebody sent me to stay here*. Then they hit me with a brick.

**DR RANDERA:** Take your time, all right. Can you please give the lady some water to drink, please.

Both of the phrases “this is our place, this is our place for our nation” and “please, baas, I didn’t put myself here, but somebody sent me to stay here” are pronounced in Afrikaans. Apparently, this is a highly traumatic recollection to Mrs Siko, since she starts to cry after the sentence “They hit me with a brick”. Commissioner Randera immediately responds to this emotional instance by consoling the victim and by asking the briefer to offer her some water to drink.

Switching to another code is sometimes a marked language choice (according to Susan Gal, 1979 and Myers-Scotton, 1993, for example), and also in this case this passage is very interesting. It looks like an instance in which Mrs Siko attempts to evoke the past by literally quoting the AWB members. In the literature on code switching it is argued that people are often quoted in the original language. Quoting is even said to be one of the reasons for code switching (Auer, 1984; McClure & McClure, 1988; Alvarez-Caccamo, 1998). In the course of her testimony, though, Emily Siko quotes the AWB people a couple of times, and she usually does so in the African language she is testifying in.

Maybe, this was one of the most traumatic moments of the entire experience – regarding Mrs Siko’s emotional reaction afterwards. Possibly, it is these exact words that are branded into her memory. The experience might have been so traumatic that the only way to relive it is by literally quoting the AWB people. In addition, the attackers are
clearly identified as apartheid suppressors by quoting them in Afrikaans. A stereotype inherent to many of the HRV narratives was that the apartheid perpetrators were white Afrikaners, while the victims were black, Coloured or Indian South Africans. By quoting the attackers in Afrikaans, and by thus identifying them explicitly as white Afrikaners, the stereotype is confirmed.

Very interesting in this fragment is the use of the term “baas”. ‘Baas’ can be literally translated as ‘chief, master, boss’. Typically in the South African context, it is the polite form to address white men, especially one’s superior or boss (http://roepstem2.tripod.com/snaaks.html). Under apartheid ‘baas’ was the term whereby non-Whites were supposed to address white men, even if it was not their chief or master. This term expresses inferiority of the person who uses the term and superiority of the one who is addressed. ‘Baas’ is a typical South African apartheid term, associated with unequal social relations and the superiority of the white male. When attacked by the AWB, it is possible that Mrs Siko purposely used this term to express humility and politeness vis-à-vis the attackers. The use of this term might have conveyed that she accepted the unequal power relations, that she was aware of her – inferior – position in society. By using the same term when telling her story before the HRV Committee, these same attitudes and emotions seem to be evoked and brought back from the past to the present.

Most likely, ‘baas’ is a term so inherently connected with apartheid oppression that it cannot be translated. Indeed, also the transcribers thought it appropriate to have the term in Afrikaans and not to translate it to English. They did put the term in quotation marks, maybe only to indicate that it is a word in a different language, maybe to stress the pragmatic connotation of the term. Namely, as said before, by using this Afrikaans word the racial relations as they existed under apartheid are expressed. Apartheid reality is thus projected onto the TRC moment. At this certain point in the testimony, both the TRC participants and the TRC audience are transposed back in time, back to the apartheid era. This word emphasises again how unequal social relations where under apartheid and how non-white South Africans were humiliated every time they used this term ‘baas’.

Some minutes later on, Mrs Siko uses the term ‘baas’ again, when she is addressing the man who has been stabbing her and her child.
MRS SIKO: Then Salty said I brought you here with whom. Then I said "baas" Salty, I am paying here. Then he pulled the knife off again. They stabbed my child on the right leg. Then they cut off the veins at the back.

Mrs Siko is not quoting Salty in Afrikaans anymore, but the term ‘baas’ seems to be so inherently connected with addressing white men, that she unconsciously uses it in Afrikaans – again, the transcribers have also left the word in Afrikaans and put it in quotation marks.

Mrs Siko is about 30 years old when testifying before the HRVC, which means that she grew up under apartheid. For her, addressing a white man with ‘baas’ might be natural. And although after 1994 life changed in South Africa, it is possible that these apartheid discursive patterns are still dominant in the minds of many non-white South Africans.

Maybe, it was only people who consciously opposed this apartheid language who succeeded in replacing terms like ‘baas’ by more egalitarian words - Mrs Siko might not have belonged to this group of self-aware victims.

Also further in the testimony, Mrs Siko quotes the Afrikaner attackers in Afrikaans – actually it is always the same person she quotes. Every time, through this change in register, the experience is presented in a highly graphical way and the apartheid past is evoked.

MRS SIKO: Then they hit me on the head. Then my daughter fainted. Salty then said to me I told you not to be lenient with these people, you should have killed them. They went out, they said sorry, we were at the wrong number.

(...) 

MRS SIKO: I could only remember Salty Visser and I know the way he talks, because he is stammering all the time and then he is the one who says it is the wrong number, and Simon who said it is the wrong number. Visser said he must not kill the children. Then I was looking at him, then he hit me with something.

Muhammad Ferhelst is a victim who told the main part of his story in English. In the course of this English narrative, he also quoted some people in Afrikaans, just like Mrs Siko. Mr Ferhelst was imprisoned by the South African police and severely tortured. These are some fragments from his testimony.

MR FERHELST: There was approximately 20 to 30 'cops' in the dining room and this Captain burst into the room where I was laying, I was till in a shorts. He pulled me up, he said can I use the exact words because like it's hard for me to forget what that man said today and like I tried to forget, but it's always there, this Captain his name is Van
Brakel. He came into that room, he and about 4 or 5 other SB’s, he said to me, jou slym etter gemors, ons het jou, ons gaan jou nou vrek maak you piece of trash, we have you now, now we going to kill you.

(...)

MR FERHELST: From there they took me to Bracenfell police station, they booked me in, threw me in a cell. At about seven or eight Van Brakel came, he started asking me questions, smacking me around what and then he left again and he said ons maak jou nog vrek, voor jy uit die tronk uit kom they told me they would kill me.

(...)

MR FERHELST: Ja, they took me to a doctor once, I can still remember the doctor was somewhere in Bellville, my whole body was bruised. I had marks on my face and I came to the doctor, the doctor just took out a stethoscope, put it against my heart and he reckons to the SB, die donner makeer fok all, vat hom hier weg.

In the first two fragments, Mr Ferhelst quotes a white policeman. Although he often quotes white policemen in the course of his testimony, he usually does so in English. These quotes in Afrikaans could thus have a special significance. Possibly, when interrogated by the police, it is these exact words that are branded into Mr Ferhelst’s memory. The experience might have been so traumatic that the only way to relive it is by literally quoting the policeman. Mr Ferhelst asks permission to use the exact words and he also explicitly tells the Commission that he still hears these exact words in his mind. It is possible that he asks permission because the Afrikaans words are very vulgar. In the transcription also the English translation is given and on the videotape as well you hear the voice of the interpreter who translates these words.

The translation sounds fairly civilised, but the Afrikaans words are extremely harsh, impolite and rude. Words like “slym, etter gemors” are very loaded words, words one usually does not speak out loud in public. Using them in front of the TRC makes one re-experience the apartheid era, but it could also have another specific purpose. Maybe, Mr Ferhelst wants to describe this policeman as a rude and uncivilised person, a barbarian who uses very insulting words. Quoting him in English would not have made the same impression on the audience and it is possible that this victim purposely wants to shock the audience.

Just like in most of the previous examples this code switching is a metaphorical code switching (Gumperz, 1982), as it concerns communicative effects and as it is not related to any kind of situational change. The people who transcribed and edited this text also
noticed that these words have a special - pragmatic - connotation: it either emphasises the highly traumatic nature of the experience, or it specifically identifies the apartheid police in a negative way. That is why the transcribers highlighted them in the transcription (in bold letter type). Usually, no other language than English was used in the transcriptions, so the mere fact that the Afrikaans is transcribed already indicates that the transcribers noticed something peculiar about these words.

Also in the second fragment Mr Ferhelst’s quote in Afrikaans is translated in the transcription. The translation given by the interpreter is a favourable one. Literally we could translate these words by ‘We will finish you off before you get out of jail’. When you watch the video recording of this testimony you can see that the victim smiles before pronouncing these words in Afrikaans. He probably knows that the words will have a big impact on the audience. This smile could be interpreted in different ways: he may feel uncomfortable to pronounce these harsh words, maybe he feels uncomfortable to relive the past so explicitly, or maybe he is satisfied to present this policeman in such a bad light.

Finally, Mr Ferhelst also quotes the doctor he was taken to by the police after they had tortured him. This appointment with the doctor was probably traumatic as well, which could be one reason for reliving the past by quoting this doctor literally. Another possibility is that Mr Ferhelst wants to present this doctor as an accomplice of the police - by quoting him in the same vulgar Afrikaans. The Afrikaans phrase could be translated as follows: ‘Nothing is wrong with this bastard, take him out of here!’.

In each of these three cases, the code switching to Afrikaans projects the present-day TRC reality back to the apartheid era. The terror of a police interrogation and the humiliation by apartheid doctors are re-experienced in the event-time of the TRC moment, taking the listeners back into time and drawing sharply the difference between the apartheid and the post-apartheid eras.

In fact, Mr Ferhelst uses the discursive code of Afrikaans in a highly creative way, both to relive the past, and to convey specific meta-pragmatic conceptualisations with regard to apartheid actors and events. The way Afrikaans is recontextualised makes you understand how emotionally loaded Mr Ferhelst’s present situation is as a victim before
the HRVC – it must be extremely difficult for him to relive the traumatic experience, and he might be torn between loyalty towards his mother tongue and rejecting this connotation with white suppression. Indeed, Afrikaans is Mr Ferhelst’s mother tongue (he belongs to the Coloured population group and his mother, who testified before him, told her story in Afrikaans), so testifying in English could have been a deliberate choice. By talking in English this testifier seemed to distance from Afrikaans-speakers and from the language Afrikaans as a tool of the apartheid regime, an aversion to Afrikaans that was inherited from the apartheid era and that could still be dominating his language practice. In essence, by projecting past emotions, connotations and associations (conjunctural time) to the TRC discourse (the event-time), the testifier created a discursive genre in which Afrikaans could only be negatively indexed as part of the apartheid regime.

Another interesting victim with regard to the use of apartheid-talk is Nelson Jantjie. He testifies about his sister who was shot by the police and about his own imprisonment. Mr Jantjie testifies in Xhosa, but he switches to Afrikaans on a number of specific moments in his testimony. It seems as if he wants to highlight certain words in his testimony by pronouncing them in Afrikaans. Later on he also quotes some policemen in Afrikaans.

MR JANTJIE: These policemen were trying cover up their filth, it is Silingo who had killed this - who had killed this man. Because they were covering up their filth, they were accusing me. They are filthy people these gemorse - I don’t know anything about anything, I worked in Cape Town, I don’t know anything, the nonsense that went on, the petty stuff I had just arrived, I was from Cape Town, they ruined my life because I was going to marry a woman. But I had to part from here, because of them - these bastards.

(…)

MR JANTJIE: Who is guilty - who is guilty. Who is guilty - who is guilty. She was picked up from the streets, who is guilty - even if she had verbally offended someone - no-one had the right to shoot her, that is nonsense. I do not want to say anymore, I've had it.

(…)

MR JANTJIE: I did not get bail, they refused, our advocates tried to get bail for us. They even requested if I could go to my sister’s funeral, they refused. They said that I am dangerous - they are the one’s who are dangerous not me.

In the first two fragments, Mr Jantjie only pronounces some specific words in Afrikaans. First the Afrikaans words “gemorse” (‘bastards’) is maintained in the transcription and even highlighted in bold letter type. Mr Jantjie then repeats “gemorse”, but this time it
has been translated by the transcribers. The word “nonsense” is also pronounced in Afrikaans, but translated in English in the transcription. Pronouncing one word in a different language, or intrasentential code switching is sometimes called transfer or code mixing (Auer, 1984). Although this kind of code mixing is claimed to be not always interactionally meaningful (Auer, 1998: 17), it does seem as if Mr Jantjie deliberately pronounces these words in Afrikaans, in order to convey a specific meaning. Mr Jantjie is very angry when testifying, as we have seen in a previous chapter. Pronouncing ‘bastards’ in Afrikaans adds to the impression that Mr Jantjie is absolutely furious. “Gemorse” is a negative and very insulting word. By identifying the policemen as ‘gemorse’, the testifier wants to enhance their negative image. It could have been a word often used by the Afrikaner policemen themselves under apartheid. By applying this word to these policemen, Mr Jantjie might be recontextualising the apartheid term in a way appropriate for the new South African situation – the policemen can be called bastards now, and not solely the black people as was the case in the apartheid era. By repeating “these gemorse” Mr Jantjie makes a huge impression on the audience: it was quite audacious to define policemen as ‘bastards’, especially at the formal TRC setting. As can be heard on the video recordings, the audience is very noisy indeed, after Mr Jantjie has expressed his anger in such a fierce way.

In the second fragment, the testifier pronounces “nonsense” in Afrikaans, probably also to emphasise his anger and to stress the significance of his words. Towards the end of his testimony, Mr Jantjie gives one example of an intersentential code switching. He quotes the policemen in Afrikaans: “They said that I am dangerous”, and then he pronounces the rest of the sentence in Afrikaans as well, although this is no longer a quote. He seems to imitate the policemen by reversing the roles that were established by the police: “hulle is gevaarlik, ék is nie gevaarlik nie.”. Through these words he evokes the apartheid past, where policemen used to insult and humiliate people in Afrikaans. In addition, he also seems to ridicule the police – something that is very well understood by the audience as they react laughingly.

What I also labelled as apartheid-talk is when testifiers manifestly used apartheid racial categories, such as ‘White’, ‘Black’, ‘Coloured’, ‘Indian’, especially when these terms were used in combination with other identifying words in order to form a stereotypical category – for instance “white perpetrator”, “black victim”, “white soldier”.

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Combinations like these recalled apartheid oppositions. It was known that the majority of perpetrators was white and the majority of victims was black, so there was no need to explicitly mention this. By still doing so, the testifying victims – maybe unconsciously – relived apartheid categorisations. They brought pre-1994 social stratifications to the present TRC moment.

One testifier who used racial terminology explicitly was Josephine Msweli. She testified about her sons who had been killed by the KwaZulu/Natal police.

**MRS MSWELI:** We were branded as ANC criminals, that's how they called the police to come and attack us. And when I sat down and spoke to the police telling them that there was nothing of the sort, *they said I was a criminal myself - the white police.*

(…)

**MRS MSWELI:** (…) and there were *certain white people* who came who were building the gum-trees. They said we should move to another place but Msweli at that time refused to move from that place because he was self-employed. That was his sole source of living. He said that he was going to fix the land for himself because he wanted to use it later and he went to the chief’s father. And the chief asked him as to what he was going to do with gum-tree. He asked what were *the white men* doing with gum-tree. He was going to do the very same thing that *the white men* were doing with the gum-tree and he went to *the very same white people* and they gave him permission that he should plant the gum-trees.

In the first fragment Mrs Msweli is describing an interaction with some policemen. She juxtaposes “ANC criminals” to “police”, thus emphasising the tense relation between the ANC members and the policemen. The police branded them as criminals, but clearly, Mrs Msweli is convinced that the police should rather be called ‘criminal’. This is clear from the last phrase of this fragment: “they said I was a criminal myself – the white police”. Especially the word “myself” indicates that in her mind the police are the criminals, and not the ANC people. The police are explicitly labelled as ‘white’, a term which identifies them negatively. The ‘white police’, as an inextricable unit, are presented as the evil ones, as a highly condemnable group, thus clearly evoking apartheid stereotypes.

In the second fragment Mrs Msweli is talking about white people who came to plant gum-trees and her husband who wanted to have the same land rights as these white people. She manifestly identifies the people who planted the gum-trees as “white”. Through using the indefinite identifier “certain” in the beginning of the fragment the white people are negatively categorised. By putting her family, her husband and the chief
in one camp (the ‘good ones’) and the white people in the other (the ‘bad ones’), she recalls the racialised apartheid oppositions, again projecting past associations to the present TRC moment.

Also Mina Day, used different types of apartheid-talk throughout her testimony. Mrs Day was an elderly lady who testified in Xhosa and who was severely beaten and detained by the South African police. When she talks about policemen, she always identifies them by means of a racial term: “white policeman”, or “Coloured policeman”. This might indicate that she mainly remembers people on the basis of their racial background. Racial categories were so prevailing under apartheid and it still seems to be this lady’s habit to classify and identify people predominantly by racial characteristics. Later on, Mrs Day also quotes one of the policemen in Afrikaans.

MRS DAY: One of the detectives from Worcester said to us, you dronkgat (drunkard) you are always making these “viva” slogans but we didn’t answer him and then Hansen said to this child … We didn’t answer his insults. He said you old lady you’re always making the “viva” slogans and I asked, when did I do these things.

In this extract we see that the policeman tried to offend Mrs Day by saying that she was just an old lady who was singing ‘viva’ slogans, meaning that she was an ANC activist – under apartheid ‘viva’ was one of the terms used to praise and celebrate the liberation movement. Just like in the example above, also here the Afrikaner policeman is quoted in Afrikaans to relive the traumatic experience and to project the present TRC moment back to apartheid reality. Mrs Day’s quote in Afrikaans starts with the word “dronkgat” (drunkard). This is a very insulting word, especially when addressing an elderly lady. By pronouncing this insult in the original language, Mrs Day deliberately identifies the Afrikaans-speaking policeman in a negative way. In the transcription the Afrikaans term is translated in English, possibly bearing in mind the non-Afrikaans speaking audience of the TRC.

Another example comes from Lizzy Phike. Also this lady made use of what I call apartheid-talk – she also testified in an African language, most likely Xhosa. She was arrested and while in detention her son Ntemi got killed by the police. When talking about policemen, Ms Phike consistently identifies them by means of racial categorisations (for instance: “the police came, the whites came to fetch me at home”). She also uses the Afrikaans term ‘boer’ to refer to the Afrikaner policemen.
**MS PHIKE:** She also told me about what was happening in the township, about the AZAPO, the PAC’s and the Boers who were - who wanted the youth - were collecting the youth. And they also wanted Ntemi. I was worried because even my husband was once harassed by *this white boers*. They even said that my husband was lying it he says he doesn’t know anything about them. They said they had the right to ask for whatever they want. I told them to take Ntemi to - to - I told them to take Ntemi to Gugulethu. My cousin took Ntemi to Gugulethu so that the police couldn’t find her.

The Dutch word ‘boer’ originally meant farmer, but in the South African context the significance of the word has been narrowed down, referring now specifically to Afrikaners or Afrikaner policemen ([http://dictionaries.travlang.com/AfrikaansEnglish/](http://dictionaries.travlang.com/AfrikaansEnglish/)). When used by non-Afrikaners it is sometimes perceived as an insulting term to refer to white South Africans. Insulting these white Afrikaners could thus have been an incentive for Ms Phike to use this term. In any case, ‘boer’ is a typical South African word, associated with white Afrikaners as they lived their lives under apartheid. Identifying white South Africans by means of this term brings the addressees back to the apartheid past, to a different historical layer.

Throughout the HRV testimonies, the lexical linkage illustrated in this fragment is one of the most prominent apartheid remnants. ‘Whites’ still seems to be associated with ‘the police’ (as the embodiment of the culture of violence) and subsequently ‘the police’ continues to be associated with ‘boers’ (as the embodiment of the enemy). This discursive chain is the expression of a mental connection that still seems to be embedded in the minds of a number of apartheid victims. It is an extremely interesting indexical association, since it links a racial category with an institutionalised profession and with a historically established designation – the latter having pejorative connotations in certain communities. Similar indexical associations exist in other speech communities as well. In Flanders for instance, the profession of hairdresser tends to be connected to a specific nationality (Italians) and also to gay men – and its accompanying stereotypes.

Strikingly, when talking about terms that refer to criminal justice, Ms Phike uses the English words most of the times: “policeman”, “restrictions”, “interrogated”, “criminal offence”, “political reasons”, “charge”. Maybe, these terms cannot easily be translated in Xhosa. It is also possible that Ms Phike has mainly heard them being used in English – since these are typical terms employed by the South African security services. She recalls the past by expressing these terms related to criminal justice in English and thus evokes the terror and fear associated with the apartheid security system.
Patrick Morake is a victim who was shot by an Afrikaner gang. Just like the previous witness, Mr Morake identifies the people in his narrative by means of the apartheid opposition ‘Black’ and ‘White’. He uses these terms in a very generalising way, giving the impression that all Blacks were victims, while all Whites were perpetrators. He also quotes a policeman in English and refers to Afrikaners by means of the term ‘boer’.

**MR MORAKE:** I never got the results thereof but what I got were insults which I got from a certain person that I suspect was also a boer. The station commander told me that, "You kaffir, what do you want? Do you want to die?"

(...)

**MR MORAKE:** I tried to go to the police. That's where I was insulted and told that I was a kaffir and I never went back to the police station and I never got the results of the ballistic tests.

(...)

**MRS GCABASHE:** How do you feel ever since this has happened?

**MR MORAKE:** This occurrence changed my life so drastically. I feel I have this deep hatred for a white person. When I see a white person, especially at night I have these negative thoughts and even at work when I white person speaks to me I just look at him. I totally distrust them because during the day they are people and in the evening they are killers.

In the first fragment the term ‘boer’ is juxtaposed to the derogatory term ‘kaffir’, a term that was often used by the security services to refer to black people. It is a typical term from the apartheid era, recalling the way black people used to be insulted and humiliated. Mr Morake’s aim seems to be to identify the police in a very negative way, since he repeats the insulting term ‘kaffir’ also later in his testimony. In the final fragment we see how Mr Morake expresses his hatred towards white people, but this in a very generalised way, an attitude that is not accepted by the commissioner, as we saw in an earlier chapter.

Similar to Patrick Morake’s testimony is the way Metro Bambiso applied apartheid-talk while testifying before the HRV Committee. Mr Bambiso testified in an African language and he talked about his torture at the hands of the South African police. He uses the term ‘boers’ to identify the Afrikaner policemen - again this typical lexical association - and he also classifies all apartheid perpetrators as White in a very generalising manner.

**ADV SANDI:** Please tell us how were you injured?

**MR BAMBISO:** I was injured in my private parts, because after all this my private parts were swollen up, because of the Boers.
MR BAMBISO: Firstly, the reason why I referred to reconciliation is that I know that if victims or people who were oppressed by the white people, if we want to revenge our country will not develop.

In addition to these elements of the discursive apartheid frame, Mr Bambiso also pronounces certain specific terms in English, namely “police”, “police station” and “uniforms”. Possibly, these terms are difficult to translate in his African mother language. Since they are all terms related to the security system, Mr Bambiso might express them in English because in his mind they are associated with the language of some white policemen. The apartheid past, with its particular police terminology is thus evoked at this TRC moment.

Also Bernadine Mwelase kept on categorising people on the basis of racial apartheid labels. He was arrested, detained and tortured by the police and then employed as an askari by the apartheid regime.

MR MWELASE: No, I just spent days here in this house. They will take turns torturing me. I could not sleep. They will sleep and take a break, but I was forever and continuously tortured. It was a black and a white. Mdletshe and the other he has just mentioned were even better. They gave me a better treatment. Mdletshe and the colleague would even grant me some time to rest, because I could just fall any minute. I was tired, I wasn't getting some sleep at all. And naked by the way.

COMMISSIONER DLAMINI: You've made mention of Mdletshe, that he was kind to you.

MR MWELASE: Mdletshe - and Warren Gunn is a white man, Mdletshe is a black man. They were treating me kindly. He didn't interrogate me.

COMMISSIONER DLAMINI: You said your job as an askari was to infiltrate. What is that, what is infiltrate?

MR MWELASE: No, we have operations. You know, when we operate, when we are coming to arrest you as a terrorist when you shoot we shoot back.

COMMISSIONER DLAMINI: How would you tell if a person is a terrorist?

MR MWELASE: There is an album, we had an album. I also have a picture in that very album. That album had all the pictures of people who were terrorists. You know, people will go there. If they were missing their sons they will go to the police station to have a look at the album, and that's when they will know if their sons were terrorists or what. I was there as well, and my name was there. (…) There were traitors that were known that
will send you to go and fight, and when you get there you will be shot and die. We were using that album and looking at the picture as direction.

In the first couple of extracts we notice that Mr Mwelase mainly remembers his interrogators on the basis of their racial background. It seems to be important to classify people in this way; more important than other classifying features. Especially this racial categorisation is a typical remnant of the apartheid historicity. The distinction between Black and White used to be crucial, although officially this is no longer the case in the new South Africa.

When relating about his life as an askari, Mr Mwelase adopts some of the terminology from the apartheid security forces. He talks about “terrorists” and “traitors”, but this from the point of view of the apartheid regime, using them with their - the apartheid regime’s - connotation. He, as an askari, had to arrest terrorists and identify traitors, referring to liberation fighters. Members of the liberation movements were indeed labelled as ‘terrorists’ and ‘traitors’ by apartheid security forces. Since askaris cooperated with the security services, they probably adopted this terminology. By using these terms before the HRV Committee, Mr Mwelase re-experiences his role as an askari. The apartheid division with security services and askaris in one camp, and the liberation movements in the other camp is thus highlighted. Importantly, also the liberation movements probably used the terms ‘terrorist’ and ‘traitor’ as part of their apartheid terminology. In their case, the connotation was different, since from their perspective, it was the apartheid security services that should be labelled ‘terrorists’ and the askaris that should be called ‘traitors’.

Through all of these examples we come to understand how discourse used by the HRV victims was still partly anchored in apartheid era connotations and indexicalities. Typical Afrikaans or English apartheid terminology was recontextualised, through code switching the apartheid experience was relived and apartheid categorisations and subdivisions were applied. In this way past emotions and conceptualisations were projected to the TRC discourse. I have talked earlier about the fact that the HRV commissioners tended to use a lot of collective categorisations (see chapter 4.2.2.). Before the TRC South Africans were classified on the basis of their generation, their community or their victim-hood.
Very rarely – almost never – the commissioners used racial categorisations. In section 5.4.2, I will elaborate on the idea that the HRV commissioners employed these apartheid categories with great circumspection. In post-apartheid South Africa it appeared as if racial categorisations were almost taboo. We thus understand that before the TRC there sometimes existed a tension between old – apartheid – classifications (expressed by testifying victims in their attempts at vividly remembering the past) and new – post-apartheid – classifications (expressed by the commissioners in their attempts at reacting against apartheid indexicalities). Or, put differently, it is especially when discussing the feature of apartheid-talk, that we clearly notice a field of tension between the apartheid archive and the new, post-apartheid – or reconciliation-oriented – archive as constructed at the HRV hearings.

In any case, through HRV discourse the apartheid regime seemed to be re-experienced, thus vividly opposing the post-apartheid era to the era preceding the 1994-transformations. This historical layering turned HRV discourse into a multivoiced phenomenon. Testifiers relived the past in order to construct a certain kind of discourse appropriate for their present position as a HRV testifier. By doing so, they constructed a multidimensional identity, an identity that was in transition between the old and the new South Africa.

Another method through which the testifiers indicated that they were still reliving the apartheid past had nothing to do with their formal discourse, but rather with the content of their narratives. In these traumatic stories victims regularly expressed how there existed continuity between their lives under apartheid and their lives in the present post-apartheid moment. Illustrating this feature will be the purpose of the next section.

4.3.2. Feature Seven: continuity between the past and the present

The Truth and Reconciliation Commission stood as a symbol of the transition to post-apartheid South Africa. Apartheid roles were reversed - non-white people were honoured, while certain Whites were condemned -, recommendations were formulated with an eye to a peaceful future and the past was remembered in order to be able to gradually forget it. Throughout the testimonies however, victims indicated that although the post-apartheid era might have been heralded symbolically, in practice nothing had changed in their lives. They continued to relive the apartheid terror and humiliations,
often not as starkly as in the past, but still significant enough to mention before the HRV Committee.

The link between the past and the present was made explicit as well by connecting the testifier’s apartheid experience to the present-day moment. This often happened by elaborating on present-day implications of the incident – both on a medical, a social and a judicial level. This too was a way of stressing the continuity between the apartheid past and the post-apartheid present. It indicated how the past was still part of people’s current lives and how the past was still experienced on a daily base. Finally, testifiers also relived the past by quoting in direct speech. This was an illustration of how past events had been literally preserved in their memories. By recalling them in direct speech the past experiences were projected to the present moment.

In what follows I will give a few examples of the ways in which testifiers discursively stressed the ever-lasting continuity between the past and the present. This is an aspect of historical layering, since it involves a shift between different time frames, bringing the apartheid past to the present and projecting it to the future. The first example comes from Gladys Papu; she talked about her husband who got killed by a rival political group. When recounting what happened to the perpetrators, Mrs Papu clearly links the incident to the present-day time frame.

**ADV SANDI:** The people you mentioned, Gumeli Papu, was he arrested?

**MRS PAPU:** It was Lichlie Papu and Gumeli Fana.

**ADV SANDI:** Were they arrested?

**MRS PAPU:** Yes, they were arrested, but they were released. They gave a statement to the police saying that Landezwa and the other man paid them to do this.

**ADV SANDI:** Was there anyone charged?

**MRS PAPU:** The case is still on, but the witnesses, the magistrates witnesses cannot be found. They ran away since they were released. I heard that they have been arrested. I heard that Gumeli was arrested, but when we went to court I told them that he was in Qesi, but at the time of the court case he was not there. I was told that he was released. So there are no witnesses.

As Mrs Papu explains, “the case is still on” and “they ran away since they were released”, meaning that the traumatic incident is not closed yet. It is still an open question what will happen to the perpetrators. Mrs Papu and her family cannot yet turn the page and
continue with their lives. By projecting the past incident to the present moment, the
dramaticality of this human rights violation is stressed, thus arousing more empathy with
the victim.
Also by using the present tense in “So there are no witnesses” Mrs Papu indicates that
she is still reliving this experience, even now at this TRC moment.

A victim who was very emotional in connecting the past experience to the present was
Laloo Chiba. He talked about his detention and torture by the South African security
services. Through his discourse one can understand that he still relives the traumatic
incident, on a personal and emotional level, as well as when thinking about his friends.
Also on a political level Mr Chiba connects the past to the present, thus indicating
continuity in the policy of the ANC.

MR CHIBA: At this point in time I think it is necessary for me to say that I was rather
pleased with myself at the fact that I had not divulged any information whatsoever. I feel
proud of that fact. To deny the enemy the information that they so dearly wanted, was
something that I felt good about.

(...)

MR CHIBA: Yes. At the same time I think I must say something. I had screamed out in
pain, I had pleaded for mercy from an enemy, a people's enemy, I had asked them to
stop torturing me. I had given them the pleasure of listening to my screams and it is
something that haunts me up till today. As I repeat this here, I feel a deep sense of shame for the
shortcoming. I don't think that a revolutionary should actually give the enemy the pleasure
of listening to one's screams. I think I failed in that respect. I hope that you people
understand that. It haunts me up until today, and I don't think that I can ever come to terms with
that. Anyway ...

(...)

MR CHIBA: Thank you. No, that was not done to me. I know that Comrade Abdulla
Jassat was very, very severely tortured. It had been done to him. I wasn't an eyewitness to
that, but that he described to me, he described that to me later. But I want to state this,
that he was so severely tortured that up to today he suffers from epileptic fits, if I remember
correctly, and he is unable to lead a normal life. I have witnessed, I have seen that myself.

(...)

MR CHIBA: So what I can say here, that was very, very unfortunate. I myself am not
happy with that and those people, the undisciplined elements have to be dealt with, they
need to be dealt with. But it is not the policy and it was not the policy of the African National
Congress. Sometimes accidents do take place but I want to stress it was certainly not the
policy of the African National Congress.

The first two fragments deal with Mr Chiba’s emotional self. He expresses an ambiguous
attitude: on the one hand he still feels proud about the fact that he did not divulge any
information to his torturers, on the other hand he feels ashamed because he screamed when being tortured. By using present tenses and by saying “up until today” the witness indicates that these ambiguous feelings are still pursuing him to the present moment. Also this victim has not been able to go back to normal life. There is even a connection with the future, since Mr Chiba thinks that he will never be able to come to terms with these emotions. The traumatic incident will have repercussions for the rest of his life, again an idea that stresses the dramaticality of the narrative.

The same link between the past and the present is expressed with regard to the torture of a friend of Mr Chiba. The experiences of this friend are incorporated in Mr Chiba’s story and it is stressed that also this person suffers from the implications of the apartheid atrocities until today. Finally, Mr Chiba moves to a political level and also on this level the past and the present are connected. By using the present tense he claims that there is continuity between the policy of the ANC under apartheid and its current policy. Although South Africa has thus been drastically transformed after 1994, the past still reverberates in the present, and this on a number of different levels.

Vusumuzi Ntuli is a young man who was attacked by members of the IFP. Throughout his testimony he links the past with the present, both to indicate that a lot of conflict situations from the past still remain unsolved and that until today he suffers from the effects of the attack.

**MR NTULI:** This went on until in 1993 one day, it was late at night, I think it was about half past eight - comrades at that time, ANC comrades, never used to sleep home because they were scared, so they used to run away. Up until today there are a lot of cases which were opened and they were never investigated.

(…)

**MR NTULI:** In 1994 Inkatha came to my house. They attacked my house, they broke windows, and the ZPs were there. I even know the KwaZulu Police who shot me, because one of them told me that he's Bravusi, and he's from Durban to kill me. Now they aren't driving that Golf, they are driving other cars, but they are still around. That Golf disappeared. Even that Cressida, that white Cressida, disappeared. We don't know where they took those cars to.

(…)

**COMMISSIONER LAX:** It was because of this hand?

**MR NTULI:** Yes. I can hold with my hand, but I have difficulties in doing so because I have cramps.
COMMISSIONER LAX: Did they tell you to stop working or you decided to stop because of your problem?

MR NTULI: Yes, it's me. I decided to stop because I could tell that I can't handle. Even when the weather is cold I have a problem.

In the first extract, Mr Ntuli expresses criticism with regard to the present government: some of the cases have never been investigated up till today, which means that these cases are still not closed and that up till today the victims did not receive any compensation for their suffering. When talking about the IFP attackers, Mr Ntuli explains that these perpetrators are still around. He means that the situation as it existed under apartheid still persists – maybe, also his emotions of fear and terror have not changed after the 1994-transition. The effects of the human rights violation still continue in his daily life, which is made clear when he tells the TRC panel how he had to quit his job because of medical problems. By linking the past and the present Mr Ntuli seems to convey a straightforward message: conditions of life have not really changed a lot in the new South Africa – from day to day the past is relived.

Also Thembisile Rita Nkabinde, explicitly linked the past to the present, both when she states that the case has not been brought to court up till today, and when she claims that life has not really changed since 1994. As a supporter of the IFP she was attacked by members of the ANC.

MR DLAMINI: And what happened about the case?

MRS NKABINDE: There was not enough evidence so the case never proceeded up until today.

(…)

MRS NKABINDE: And another thing as well is that people used to come and break our windows, harass us. In 1994 as well our house was attacked. ANC attacked our house. At home there was no one who was active, who was an Inkatha member who was active, except for me. My brothers aren't like that. Even now I can't walk alone at street. I am scared. Even though I know I have never fought with anyone, but I am scared walking alone in the street. Even now I don't know what to do.

MR DLAMINI: This harassment that you are receiving, is it words people are swearing at you, or people are breaking something?

MRS NKABINDE: No, people are harassing me, swearing at me.

MR DLAMINI: These people who are doing this thing to you, do you see them, do you know them, can you identify them?
MRS NKABINDE: Yes, I can.

In the first fragment Mrs Nkabinde implicitly complains about the fact that the perpetrators have not been punished so far. Further on, she gets very emotional when talking about the present-day situation in her neighbourhood. She is still afraid to walk the streets, people are still harassing her and she can even identify these current day attackers. Clearly, the apartheid past continues well into the present for this victim. Misery and terror are still experienced on a daily basis and the atmosphere of conflict has not been transformed to peace and security.

Josephine Msweli is a testifier who seems to relive the killing of her two sons by the KwaZulu/Natal police on a daily basis. She is still afraid of certain people in the community and she still has medical problems as a result of the incident. This is expressed in the following fragment.

MRS MSWELI: And I knew that the induna was my enemy. Even now, I still have to duck and dive when I see him. They used to come every day at my place and I never got any rest. We used to sleep in the forest with my children. Then after Musa had died I told them to come and kill me as well and they said they were very sorry that they had killed Musa and I should not report them to the police. I asked as to why they had killed him because he was the only one who was left now. "Why did you kill him?" I sat there ever since then because when I think of all these things, at times I fall out of the bed when I'm sleeping because I think a lot because I'm maintaining these children and they are being killed by people of the law. It would be Inkatha as well as the police. They are troubling us so. They have violated my rights. They have tormented me. They've stripped off whatever rights I thought I had. What is wrong with being an ANC member? I tell them that I am a staunch ANC member because it does not discriminate. It wants to make people equal. I love ANC.

This seems to be a very emotional scene when watching the videotape of the testimony, since Mrs Msweli is in tears. These emotions are then verbalised by means of some highly dramatic language - “I told them to come and kill me as well”, “he was the only one who was left now” and “They've stripped off whatever rights I thought I had”. At this very moment, in November 1996, Mrs Msweli still fears for her life. She still has trouble sleeping when she thinks about the children she raised and who were being killed by the police. The apartheid emotions and conflicts are still everyday realities to her. Also the present tense of “They are troubling us so” is a sign of the everlasting difficulties in Mrs Msweli’s life. The quote "Why did you kill him?" stands out as a very dramatic exclamation. It is expressed in direct speech to stress the emotions and to evoke the past
trauma in a vivid way. Mrs Msweli’s discourse goes back and forth between the past event and the present TRC moment, adding an extra dimension to her testimony.

The next example comes from Mr Maphumulo, an elderly IFP member whose three sons were killed by members of the ANC. He explicitly links the past events to the present, especially on the level of his mental health. The fact that he uses a lot of direct speech when quoting from the past indicates that he is still reliving the past incidents – for this victim the apartheid past does not seem to be over yet.

**MR DLAMINI:** How old are you? Are you well?

**MR MAPHUMULO:** I am well, but whatever happened keeps on coming. I relive the event. Maybe it's because I never cried. I am not well. I keep on thinking about whatever happened to me.

(...)

**MR MAPHUMULO:** Mhlongo said, "You mustn't go to your house." I said, "No, I have to go and see. My children are dying." I didn't know what to do, and then eventually Mhlongo and Mrs Mhlongo let me, and then I went to my house. As I was going there my children were lying down, and the youths was coming out from my house.

(...)

**MR MAPHUMULO:** After that I left everything, everything in my house. I left as I am, and then I sent someone to go to my house and take my refrigerator and use it, because I didn't want to waste that refrigerator. But Nora came and stopped that person from taking the refrigerator. So I left just like that as I am today.

Mr Maphumulo explicitly states that he is still reliving the event and that he keeps on thinking about whatever happened to him. Especially on a psychological level the trauma seems to have left its traces. When describing the killing of his children the victim uses direct speech to quote his neighbour. In this way the events are projected to the present moment, making the story even more dramatic. Finally, Mr Maphumulo tells how he left his house: he left everything “as I am today”, probably meaning that his living conditions have not changed a lot since. Throughout this testimony, the past and the present are connected, which indicates that the testifier constantly shifts between different historical layers.

Stephanie Kemp is another witness who manifestly links past and present time frames. As a white member of the Communist party she was detained and tortured while in prison. When recounting her story, she refers to the fact that she still relives the
traumatic experience, that she would like to thank a lady who helped her while imprisoned, and that she is still proud to have taken part in the struggle. All of these emotions – remembrance, gratitude and pride – connect the past to the present. While being expressed they bring the apartheid past to the present moment, thus arousing empathy and pity.

**MRS KEMP:** In the morning a 19 year old wardress with uncommon sensitivity took some risk in coming to the spy hole of my cell to tell me John Harris had been hanged. *Since then on the 1st of April every year, I have almost unwillingly recalled John Harris and relived the pain of that hanging.*

(…)

**MRS KEMP:** She sat down with me and said that as long as I was in her prison, she would not allow the special branch near me. Now, 32 years later, the same Erica van Zyl is, I believe, head of the prison services in our country. I think she is a brigadier now. *I would like to take this opportunity to thank her for her kindness then back in 1964, it was a very rare situation.*

(…)

**MRS KEMP:** We were lucky. *I am honoured* to have been part of the struggle and I am warmed by the remembrance of the love, support and comradeship we shared with people from all over the world, from Tanzania to Denmark, from Vietnam to the Soviet Union, and East Germany.

Bernice Whitfield is a lady whose husband got killed in an APLA bomb attack. She is embittered about her situation, especially on a financial level. Throughout her testimony she stresses that life has only deteriorated since the incident. She emphasises the troubles she is encountering in the present, troubles that seem to be a direct result of the attack.

**MRS WHITFIELD:** I couldn’t pay for the funeral. My mother-in-law paid all the costs. *To this day I haven’t been able to pay her back.* I had to change jobs because as I said financially I could not cope. I had three children at that stage.

(…)

**MRS WHITFIELD:** *At the moment* my daughter has been chosen to go overseas to represent South Africa in the United Kingdom and I need R10 000 but I trust in God for he has provided for me up to now and he will provide for us when she leaves in November. Must you be a criminal to get to the top? Do people like us have to pay the price where our families get brutally murdered for the sake of political power. What power have we got? What power has any political party got or any ordinary man in the street.

(…)

**MISS MAYA:** Thank you. Would you like to place a request or a recommendation before us so that we can convey that to the State President?
Mrs Whitfield is very negative when elaborating on her present-day living conditions: she has lost her job, she needs money and she is convinced that white people do not have any power in the new South Africa. Mrs Whitfield does not even want to place a request, since she does not expect the State to do anything for her. This negative situation is claimed to be the result of the human rights violation committed by APLA, so this incident seems to have had an overwhelming impact on her current life. Mrs Whitfield’s present negativity is also projected to the future, since she does not want to express any hope for a better future. Clearly, the bomb attack is still dominating both her present and her future life.

Also Muhammad Ferhelst talks about present-day implications of the incidents that took place under apartheid, and this both from his personal point of view, and from the point of view of his comrades in the struggle. Leading commissioner Burton openly asks him to talk about the effects of his prison experiences. Mr Ferhelst is then quite explicit and elaborate when relating these effects – using harsh terms like “we were thrown away” and “we were called gangsters”. The causal relation between the detrimental incidents in the past on the one hand and the miserable present-day situation of his friends on the other, is an association he makes spontaneously. Considering the importance of brotherhood among liberation fighters, it is especially this reference to his comrades which makes this link between the past and the present so significant and dramatic. At some very emotional instances in the course of his testimony, Mr Ferhelst also quotes people in direct speech in order to re-enter himself – and the audience – into that particular situation.

MRS BURTON: Well thank you very much for telling us all about your experience. Can you tell us what effect this had on you?

MR FERHELST: Basically when I came out of prison I was withdrawn from everything, everybody I know. Like I had no friends, I was my own friend, then you come out, the other guys who I recruited like they were with me, but when we came out of prison it was a whole different game here outside, like we were thrown away. Nobody like nobody stood up for us. We were called gangsters and that kind of [indistinct] like we had no support. That’s why I can say my life was never the same.

(...) 

MR FERHELST: And secondly what I would like to say is that our people outside, I was not alone, we were a military wing, there was a whole group of us. If I look at them, I
recruited quite a few of them, and I taught them how to defend themselves and now, now that we have won the struggle, nobody is looking after them. They’ve become gangsters, and really hurts not the fact of the interrogations so much but the fact that nobody is actually taken care of by my colleagues and my comrades, that really hurts me. I recruited a lot of them, I am responsible actually for their - for their welfare, I am responsible for the fact that they sacrificed their lives for the struggle. And I think that it will be good if I can speak on their behalf and that somebody could care for them.

(...) 

MR FERHELST: I was virtually unconscious and he then took the rifle and gave it to me and said why don’t you pull the trigger because we’re going to kill you anyway. And when they interrogated me - I am talking now of the first ten day period.

Until today, Mr Ferhelst seems to be bothered by the way in which he and his comrades are treated in the new South Africa. His own life was never the same after he returned from prison, but he is especially worried about his friends. At this point, some of them have turned gangsters and he calls upon the TRC and the state to take care of these freedom fighters. The past thus still has an impact on his life and on the lives of his comrades. When talking about his torture experience he quotes the policeman in direct speech, a phrase he will remember forever and which brings the traumatic experience to the present.

A typical example of some one who relives the apartheid past by quoting in direct speech comes from the testimony of Emily Siko. She explained how her family was attacked by the Afrikaner Weerstands beweging.

MRS SIKO: Because I was saying I am paying here, what is the problem. They said to me this is not my place. Then I said I have the number. Then I said it is No 11. Then this Kosimang, they light with the torch. Then the other one pulled a knife. Then when he held the knife, I fell on my baby, because I said please don’t kill me, who is going to take care of my children.

(...) 

MRS SIKO: I went to the next-door neighbour to call the boys. I asked them where are you. They said we are here. I said aren’t you injured? They said no, we are fine. I said please go and call a nurse called Koba to come with a Kombi to take my child to the hospital. (...) I said people, come and help me, the Whites have killed my child.

(...) 

MRS SIKO: I said to him I cannot walk. He said try all the means you have, because I want to help you. I was so scared and I thought he would kill me. I didn’t go.

(...)
**MRS SIKO:** He said to my father - my father said to him *I have a patient here and this person is weak, she cannot even stand on her own*, and Van Rensburg gave him an answer. He said *we have given them the stitches, now what do they want here?* And he said to my father okay, *just put her on the bed, I am going to give her a further injection to kill her.* And I didn't lie on the bed. (...)

Throughout her testimony Mrs Siko quotes people in direct speech. In this way the incident is illustrated clearly: it seems as if the victim is reliving the event at the moment she is testifying before the HRVC. Because the experience is so vividly recounted, the empathy of the audience might be aroused. People can imagine Mrs Siko’s terror and her panic when her child was threatened. Strikingly, it is especially at very emotional moments – when her child is in danger or when the doctor threatens to kill her – that direct speech is used. Especially these traumatic instances seem to be branded in her memory. It is especially these exact words that are still remembered and it is especially these terrifying emotions that are experienced until today.

Finally, there is Kedu Mahlangu, who talked about an incident in which he was almost set alight. Whenever he quotes some one in the course of his testimony, he uses direct speech. In this way, all of the TRC participants are projected to the past event.

**MR MAHLANGU:** The whole Cabinet arrived and I greeted them by hands and they said, *are you also here?* I said, *yes, I am here.* They said, *did you see the place clearly?* I said, *yes and they asked me which one is better, is KwaNdebele better or is this Ciskei better?* I said, *no, KwaNdebele is much better than Ciskei.* The King that has spoken earlier on said to me, please, *support me in the Parliament.* He said to me we should take the independence because our area is more developed than this area. I said to him, *yes King, I will support you.*

(...)

**MR MAHLANGU:** The King that has just spoken before me said, *listen guys, I have lost before because of you.* He said, *you make me lose the son of a King and you just make an ordinary person to win.* He said to us, *you like it or not, there is going to be fighting in KwaNdebele. Whether you like it or not, there is going to be fire in KwaNdebele.* That is what he said.

(...)

**MR MAHLANGU:** I told van Niekerk that, *listen van Niekerk, Imbokhoto has never assaulted your policemen.* How could you say that Imbokhoto assaulted your people. I said to him *conduct an investigation and then you will come up with a clear statement as to who did this.* The investigation was done and only two guys were found back.

(...)

**MR MAHLANGU:** I said to them, *what are you going to do with these people.* They said to me, *no, do not mind. We are just going to release them.* I followed them up to Motete to make it a point that they dropped the people off.
At this HRV hearing Mr Mahlangu gives a rather self-confident impression. He seems to be used to talking to high-ranking people, and to giving orders. This self-confidence might be enhanced by quoting in direct speech. Not only is the past relived through this direct speech, it is possible that in this way Mr Mahlangu also tries to stress the truthfulness of his story. This is an important aspect, since Mr Mahlangu is mainly presented as a perpetrator at this HRV hearing. By using the exact words when quoting people he thus tries to convince the TRC panel to believe his version of the truth. In a later chapter I will come back to this feature of testifiers having a double identity before the HRV Committee – both the identity of victim and the identity of perpetrator.

As we have seen, for many HRV testifiers there seemed to exist a level of continuity between the apartheid past and the present. Oftentimes the human rights violation they came to talk about still affected their lives and many of the apartheid conflicts still remained the same. It looked as if post-apartheid South Africa was very similar to apartheid South Africa to many of these people. On a discursive level, the continuity between past and present was illustrated not only through the content of the narratives, but also on a formal level, by quoting in direct speech and by using present tenses.

When constructing the archive of the HRV discourse we will suggest that expressing continuity between the present and the past seemed to be welcomed at the HRV hearings. Through the links between past and present time frames, the past incident could be relived vividly, both by the testifiers and the commissioners, and by the TRC audience. The result could be an increased level of empathy vis-à-vis the testifier. The audience and the commissioners could imagine the emotions and sufferings the testifier had experienced and the dramatic atmosphere at the hearings was enhanced. The more lively people understood what victims had endured under apartheid, the more the apartheid regime was condemned.

In addition, emphasising how strong the past incident still affected victims’ present lives - medically, socially and emotionally -, and stressing how the apartheid past was re-experienced by those victims on a daily basis, could turn the TRC into an indispensable transitional instrument. Through these utterances the need for the TRC as an institution to bridge the past and the present was highlighted. Healing the past and starting with a clean slate when facing the new era seemed to be crucial for many testifiers. It was at this
phase that the TRC could present itself as a necessary tool to help people starting a new
life – especially since this reliving of the past often enhanced the dramaticality and
emotionality of the testimonies, stressing again that it was the TRC’s duty to help and
support these tormented people as soon as possible. Therefore, this historical layering of
the HRV testimonies might not only have been significant to the individual testifiers –
reliving the traumatic experience in the present could be part of the healing function of
the HRV narrative, and emphasising their present needs could result in some concrete
support, as many of the testifiers supposed. At the same time, this layering could also be
meaningful with regard to the construction of opinions and attitudes of the wider
audience, and to the presentation of a specific TRC profile.

It is also possible that this historical layering contained an aspect of social relevance.
When testifiers indicated that their lives had not really changed since the end of apartheid
– that they still felt threatened, or that they still experienced the same poverty – the
Commission could send a clear message of social criticism to the present government.
The idea was that all the complaints, requests and questions raised by the victims would
be taken into account to formulate recommendations for the government in the TRC
Report. In its Report, the Commission did indeed recommend some concrete measures
to change the life of victims, such as provisions for adequate housing and education for
children, the fact that disciplinary measures should be taken against police who abuse
their powers, and the fact that all legislation pertaining to health care should focus on
primary health (TRC Report, 1998, 5/8: 320-333). In order to be able to formulate these
recommendations and to have any legitimacy when addressing the government, it was
very useful to get an idea of how victims experienced their current living conditions –
how did testifiers conceptualise post-apartheid South Africa and what was their vision for
the future. Therefore, expressing continuation between past and present could not only
stress the positive and indispensable image of the TRC, it could also serve some of the
Commission’s objectives – both of which turned these utterances into much-preferred
pieces of discourse.

4.3.3. Feature Eight: audience as actor

Introduction
In the first draft of the National Unity and Reconciliation Bill it was stipulated that all
amnesty applications and hearings were to occur behind closed doors (van Zyl, 1995;
FXI Update, January 1995). The Human Rights Violations hearings, though, should take place in public – the fact that victims were going to tell their experiences to the world was part of the cathartic function of the TRC. This proposed Bill was considered unacceptable to many associations and civil organisations; perpetrators should confess their atrocities in public, they should not be given the chance to tell lies at in camera hearings. The Bill was amended and as a result also the amnesty applicants had to appear in public hearings.

The final TRC Act (1995: 33) did thus not discriminate between the HRV hearings and the amnesty hearings; both of them were to be held in public, a few exceptions notwithstanding:

33. (1) (a) “Subject to the provisions of this section, the hearings of the Commission shall be open to the public.
(b) If the Commission, in any proceedings before it, is satisfied that-
(i) it would be in the interest of justice; or
(ii) there is a likelihood that harm may ensue to any person as a result of the proceedings being open, it may direct that such proceedings be held behind closed doors and that the public or any category thereof shall not be present at such proceedings or any part thereof.”

What I will try to illustrate in this chapter is how some of the testifiers were capable of taking advantage of this public space. Obviously, this public space was created on behalf of the testifying victims, so it was their right to make use of the audience in a manner they deemed suitable. Some of them, though, very explicitly addressed the audience and clearly considered the audience as participants to the HRV hearings.

What I will call the ‘immediate audience’ - so the people actually present at the hearings - usually consisted of friends and relatives of the testifiers, of members of their communities, of people from the press and also of a limited number of ‘foreigners’, in addition to the HRV Committee itself. Besides this immediate audience we should also take into account the ‘wider audience’, consisting of TV watchers, radio listeners and readers in South Africa and beyond. When using the term audience here it will mainly refer to the people present at the hearings: the actual public and – to a lesser extent – also the TRC commissioners. The wider audience will not explicitly be dealt with. Some of the features that influenced the immediate audience could also have an effect on the wider audience – especially when watching video taped images of the hearings the experience of this wider audience could resemble the experience of the audience in the TRC hall.
Mostly, though, the way the immediate audience got involved in the hearings was unique. Similar emotions, reactions and sentiments could never be replicated in another setting. Since the experience of the wider audience was usually a totally different one, it will not be explored here.

At this TRC moment, unique in history, most of the testifiers wanted to project a specific identity – a feature that will be discussed more elaborately later on. Through establishing a ‘monologal’ interaction with the audience these testifiers tried to confirm or boost this desired identity. They thus used the TRC moment not only to deal with the past, but also to project a specific identity into the future. In the following examples I will not deal with the identity formation of the victims, since this will be the topic of other chapters. I will merely illustrate which discursive techniques were used to establish this dialogue with the audience. Also the reaction of the HRV commissioners to the voices of the audience will be paid attention to.

I have categorised this chapter under the heading of *historical layering* because it actually focuses on how a certain discursive moment was used with an eye to the future. This interaction with the audience was aimed at the future, since it was the audience (friends, family, community – also media) the victim was going back to when stepping down from the TRC stage. It was with an eye to the future as well that the TRC commissioners tried to monitor the audience-victim interaction.

The HRV testimonies can be defined as ‘hidden transcripts’ (Scott, 1990) – transcripts that circulate within a certain group of people, discourses about these people, the others and the relationship between both groups (For a detailed analysis of the relation between the term ‘hidden transcripts’ and TRC narratives, see Blommaert, Bock & McCormick, 2001; Vandergucht, 2003). In line with Scott’s discussion of hidden and public transcripts we can argue that one of the main functions of the TRC victim hearings was to bring hidden transcripts - so in-group transcripts that were completely excluded from the public realm under apartheid - to the public forum. This introduction of these previously hidden transcripts to the public sphere could only take place if these hearings resulted in an interaction between the testifier and the audience - the hidden transcripts needed a social space and an audience in order to become public (Scott, 1990: 118). At the HRV
hearings the interaction between addresser and addressee could be very implicit and intangible - in a Bakhtinian sense -, or more concrete, as will be the focus of this chapter.

Bakhtin has indeed been one of the key authors to define language as predominantly an interactional/dialogic process. According to Bakhtin, the audience shapes the utterance as it is being made – instead of the audience only playing an active role after an utterance is made. Hence, for Bakhtin every utterance is “the product of the reciprocal relationship between the addresser and the addressee” (Morson, 1986a: 4). Every utterance is connected with possible replies of the addressee, resulting in significant decisions of the speaker at the time of producing discourse (Holquist, 1986: 64-66). In addition, according to Bakhtin audience can also refer to an abstract entity such as ‘the Nation’ or ‘God’. As quoted by Blommaert (2005: 77): “the speaker orients towards […] a ‘superaddressee’, whose absolutely just responsive understanding is presumed”. Bakhtin gives a number of examples of such ‘superaddressees’: God, absolute truth, the court of dispassionate human conscience, the people, the court of history, science, and so forth. We will see that also the HRV victims seemed to address a ‘higher level audience’ besides the concrete public present at the hearings.

Clearly, for an utterance being meaningful it has to be understood by an audience. Usually, the speaker presents a specific interpretation of his or her narrative to the addressee, whereupon the addressee is expected to go along with this interpretation (especially in public discourse). Therefore, according to Zelizer (1993: 205), “narratives in public discourse may have as much to do with the self-legitimation of their narrators as with the relay of information such narratives contain.” – a feature we will indeed notice in some of the HRV testimonies.

Some authors have, based on Foucault, compared public hearings to public executions (for instance Bester, 2000; Lynch & Bogen, 1996: 89-114). Just like ‘the spectacle of the scaffold’, also a public tribunal or a public hearing in a quasi-judicial truth commission, demonstrates the sovereignty of the authority. Both of them can be seen as ways of ritually displaying reigning regimes of truth. In both of these settings the audience is a main participant and in both of them speakers tend to call upon the audience. In their analysis of the Iran contra affair-hearings Lynch & Bogen define testifiers who call upon the audience either concretely - by addressing the audience directly at the actual hearings.
- or virtually - by invoking the ‘American people’ for instance. It is especially the first kind of audience addressing that will be referred to in the case of the HRV testifiers.

As emphasised in theories of performance, speakers tend to orient their discourse towards real or presumed audiences. This audience can include, in addition to addressees, overhearers, imagined or secondary audiences (Verschueren, 1998: 82-83). Often, this orientation of speakers’ discourse towards an audience refers to the fact that speakers shift some aspects of their language towards the language of member(s) of the audience. In this way, language choices ‘perform’ both speaker and audience identity(s) and relationships (Jaffe, 2000: 40). Also Thornborrow (1999b: 146) claims that speakers usually adapt their discourse to the public, a process he labels ‘audience design’. According to this author, speakers are often involved in linguistic convergence to display solidarity with the audience.

Finally, reference should be made to Ochs (1997: 185), who developed the term co-authorship, meaning that especially conversational narratives are being produced through interaction with the addressees. The audience is seen as a crucial co-author by Ochs, resulting in teller-driven stories versus recipient-driven stories. In many discursive situations the co-narrators, such as the audience, have the power to either endorse a viewpoint presented by the speaker, or to challenge this perspective by defending another version (Ochs, 1997: 202). This is an aspect of co-narratorship that was mainly absent at the TRC victim hearings. The narratives of the HRV testifiers were seldom questioned or challenged by the audience in the hall. If so, the audience was not really given a voice - their reactions became only clear through uproar and noise. In fact, the audience was not supposed to actively participate in the hearings. These people should merely be present in the background. Under no circumstances were they allowed to replace the TRC commissioners as primary addressees of the testifiers.

**Language choice as audience design**

At the HRV hearings, it seemed as if language choice as such was sometimes a way in which testifiers oriented their discourse towards the audience. In my analysis this language choice in function of the audience only refers to the use of English. As far as I could analyse the HRV setting, English seemed to be the only language used by victims...
to testify while it was not their mother tongue. Among my selection of thirty testifiers there were nine people who testified in English:\^\textsuperscript{20}:

- Bernice Whitfield
- Charity Kondile
- Gregory Beck
- Laloo Chiba
- Muhammed Ferhelst
- Paul Williams
- Pralene Botha
- Stephanie Kemp
- Teddy Williams

Since the linguistic background of the testifiers is unknown to me, I could only assume which testifiers are native English speakers – and this on the basis of their socio/political/economic backgrounds. I thus suppose that all of them have English as their first language, except for Muhammed Ferhelst, Stephanie Kemp and Teddy Williams. I am absolutely sure about Mr Ferhelst and Mrs Kemp. Both of them have Afrikaans as their first language. In the case of Mr Ferhelst this is indicated by a shift to Afrikaans in the second part of his testimony. When relating his story in his own words, Mr Ferhelst speaks English. When answering the commissioners’ questions and especially when interacting with the Afrikaans-speaking commissioner Potgieter, Mr Ferhelst changes to Afrikaans. He seems to feel more at ease when talking Afrikaans, especially when answering questions.

In the case of Mrs Kemp, she explicitly mentions in her testimony that she had an Afrikaner upbringing, but that she refused to speak Afrikaans any longer after realising the apartheid injustices.

\textit{MRS KEMP:} By the early 1960s when I was at the University of Cape Town, studying physiotherapy I had come to the painful realization that the poverty, that Sharpeville and detention without trial were ways in which my own people were trying to claw their way into white privilege in our country. \textit{I never spoke Afrikaans again until my return from exile in 1990.}

\textsuperscript{20} I am absolutely sure about all of them, except for Mrs Whitfield and Mrs Botha - the quality of their videotapes was extremely bad; a number of paralinguistic features made me decide accordingly.
As for Mr Williams, I cannot be sure about his mother tongue. This testifier is an African, he comes from the Eastern Cape and he has been active in the liberation movement. Also, his English seems less fluent and it seems to belong to a lower style register that can be expected from a native speaker. I thus assume that Mr Williams’s first language is Xhosa and not English.

Mrs Kemp has political-ideological reasons to testify in English. These motivations date from many years ago and they are not established in a TRC context. Mr Ferhelst and Mr Williams might have testified in English to orient their discourse towards the audience. They probably realised that this was a unique opportunity to tell their stories to their communities, to South Africa and to the world. In order to be heard - and thus acknowledged - as widely as possible they might have opted for English as testifying language. This is clear from the following fragment, taken from the beginning of Mr Williams’s testimony:

**MR WILLIAMS:** There is a lot I could have like to have said but I know it would - I could compile a book, would sleep and wake up again but I will try to be as brief as much as possible so that I do not bore you with all the details. Some of the things I won’t state - in short, I would like to speak in English so that I can express myself as much as possible because I know that I could do that properly if I express myself in English.

When stating “I would like to express myself as much as possible”, Mr Williams probably means that he would like to make himself understood to as many people as possible. He seems to be convinced that this aim can be achieved by testifying in English. Obviously, all testimonies were translated in English, but maybe Mr Williams and Mr Ferhelst wanted to tell their experiences to the world in their own words. In their case language choice could thus have entailed an orientation towards the audience, in an attempt to be understood – and thus honoured as an apartheid victim – by a wide range of people.

We could also argue that by speaking English Mr Williams and Mr Ferhelst deliberately oriented their discourse to such an earlier mentioned ‘superaddressee’. It is possible that they wanted to address the nation at large, the nation as a “non-immediate complex of perceived meaningfulness” (Blommaert, 2005: 77) - imagining that their words would have a bigger impact on the citizens of this nation when uttered in English. The impression could be given that they did not trust the interpreters at conveying the truthfulness of their narratives. We could therefore claim that through their English discourse they also tried to address the absolute truth and the future of the country.
Maybe, they wanted their stories to link up with the concept of absolute truth and at the same time they also wanted this discourse to be remembered as truthful by future generations. It is possible that long-term visions were at stake in their language choice, since they wanted their truthful words to be part of the future TRC archive.

The only other testifying language I could recognise at the HRV hearings was Afrikaans. Only two testifiers from my selection spoke Afrikaans: Mr van Eck and Ms Robinson. Quite certainly, Afrikaans is the mother tongue of both of them. Mr van Eck might have had another reason to speak Afrikaans in addition to it being his first language. By using the language of the apartheid regime in this anti-apartheid setting he might have explicitly identified as an Afrikaner, as some one who is still proud of his language and culture and – most importantly – as an Afrikaans-speaking victim of the liberation movement. Also Mr van Eck could thus have oriented his discourse towards the audience, meaning part of the wider South African community.

For the sake of completeness I should mention that some of the other victims might as well have used a different testifying language than their mother tongue. Maybe, some of them testified in Zulu or Xhosa, two languages of wider communication in South Africa, instead of smaller languages like Ndebele or Venda. If so, their motivations to use Zulu or Xhosa might have been the same as the reasons for Mr Ferhelst and Mr Williams to speak English. Unfortunately, no information is available on the languages used by HRV testifiers, and except for English and Afrikaans I could not recognise any of the other South African languages.

**Discursive features aimed at the audience**

In addition to the testifying language itself, people also oriented their discourse towards the audience by means of all kinds of different linguistic devices, some of them verbal (vocabulary, grammar or morphology), some of them paralinguistic (facial expressions, gestures, eye contact). In what follows I will pay mainly attention to vocabulary, terminology and verbal expressions, and to paralinguistic elements. Since I work with the translated transcriptions, grammar and morphology are difficult to analyse. Sometimes, reference to the audience was also made by the commissioners, as will be illustrated later on. In this way the entire testimony was projected onto the audience, a feature which also deserves attention. Importantly, the noise or remarks expressed by members of the
audience are rarely represented in the written transcriptions. As a result, these reactions by the audience can only be inferred from comments made by the commissioners. When watching the videotapes, of course, the audience seems to be a more active participant – their noise is heard and the camera also points at members of the public once in a while. The illustrations in this chapter will mainly come from the written transcripts; only marginally attention will be paid to the audience co-authorship that appeared from the videos.

In this chapter the ‘speakers’ orientation towards the audience’ will not so much refer to “shifting some aspects of their language to the language of the audience” (as defined by Jaffe, 2000), nor to the process of linguistic convergence, as distinguished by Thornborrow (1999b). Rather will I discuss how the testifiers tried to catch the attention of the audience, how they referred to the audience or how they manifestly directed their discourse to the audience, thus engaging in a subtle kind of dialogue with the members of the extended TRC public. In other chapters I have elaborated extensively on the interaction between the TRC commissioners and the HRV victims, so this interaction will not be dealt with here.

One of the most assertive, proud and also angry testifiers from my selection is Mr John Buthelezi, who related a story about detention, torture and betrayal. In the beginning of this testimony the audience seems to be noisy, which was often the case when the next testifier came to the stage. Possibly, the audience was aware of Mr Buthelezi’s short-tempered character and they were noisy in anticipation of a lively testimony. This is how chair Manthata tries to calm down the public:

MR MANTHATA: (...) Sorry, sorry, Mr Buthelezi, come, I am sorry. Please, please, let there be order, please. Mr Buthelezi, who is, who is accompanying you?

Note that Mr Manthata apologises for the inconvenience cause by the noisy audience. This could be seen as an indication of the respect attributed to the testifiers, a feature that has been discussed before, but that will appear regularly in this chapter as well.

Mr Buthelezi immediately starts to talk about the torture and the harassment he suffered at the hands of the police. Right from the start it looks as if he wants to show off and to make an impression on the audience. In fact, Mr Buthelezi proposes to demonstrate how he was tortured, this probably with an eye to the audience and the TV cameras. He might
feel that words are not adequate enough to express his harrowing experiences - acting out these experiences will have a bigger effect on the audience.

**MR BUTHELEZI:** I was handcuffed to the pole, the flagpole, at the police station. I was handcuffed, *maybe I should demonstrate how I was handcuffed to the pole.*

**MR LEWIN:** Please do.

**MR BUTHELEZI:** *Yes, I was standing like this* and they tied my, the rope around my legs to the pole and my hands were handcuffed to the pole and I was tortured until I started to bleed. I was bleeding profusely through my mouth and my nose and they continued to torture me.

As stated earlier, the audience might have been expecting a lively, sensational testimony. A little later on we see indeed that Mr Buthelezi does not comply with the profile of a docile, reconciliation-oriented HRV victim. Instead, he is angry and he explicitly mentions that he is unwilling to reconcile. According to the reaction of commissioner Lewin, the public reacts fiercely to these words.

**MR BUTHELEZI:** I will explicitly emphasise the fact that I will never reconcile until I mention those who wanted to attack me and kill me.

**MR LEWIN:** *Could we have quiet please.*

**MR BUTHELEZI:** I will only reconcile if I will be given opportunity to see those people who called me informers, (…)

The reactions by the audience might have influenced Mr Buthelezi’s next utterance. Before Mr Lewin’s intervention the victim clearly states that he “will never reconcile until I mention those who wanted to attack me”. After the reaction by members of the audience, and realising that his words have made a big impression, the testifier merely repeats these harsh words: he is prepared to reconcile, but only under certain conditions. Exactly the same happens a couple of minutes later. Every time Mr Buthelezi raises the topic of reconciliation, either by stressing that he will only reconcile after he has met the traitors and informers, or by maintaining that he refuses to reconcile, the audience reacts fiercely.

**MR BUTHELEZI:** *(…) I want to tell you that I will only reconcile when only I could be given opportunity to see those people who were painting others black and yet they were the evil ones, the traitors and the informers. That is when I will reconcile.*

**MR MANTHATA:** *Order please. Order, order please. We are asking you could you please be quiet.*

Go on.

*(…)*
MR BUTHELEZI: (...) I know all of those people and I am prepared to make mention of their names right here. People are here to reconcile.

MR LEWIN: Could we please have quiet. Do you want to read the Riot Act and I will ...

MRS SEROKE: Sorry.

MR LEWIN: Read the Riot Act. Just ask them, explain that we have to have quiet.

MR MANTHATA: Please we are expected to be quiet. If you want to hear the truth and let everybody hear the truth, please, let us be quiet.

MR BUTHELEZI: What I will say is that I was so much assaulted, harassed and I was going through sufferings and people would point fingers at me saying I am a traitor, an informer, calling me a sell-out.

(...) MR BUTHELEZI: So, I am not going to, I am not going to reconcile, I am not about to.

MRS SEROKE: Order please, order.

MR MANTHATA: Buthelezi, could you, I think you have come to the end, could you please take questions. Thank you.

MR LEWIN: Thank you, Mr Buthelezi, and could we please give the witness a chance to have his say.

Mr Lewin, Mr Manthata and Mrs Seroke take turns trying to calm down the audience. As mentioned, the public could be noisy because Mr Buthelezi does not fulfil the role of a docile, reconciliation-oriented testifier. In addition, Mr Buthelezi talks about traitors and informers. He implies that these informers belong to the community and that they are even present in the hall – note the “right here” in the second fragment. It looks as if he wants to mention these traitors in front of the Commission. Therefore, people in the audience might feel threatened, they might disagree with his accusations, both of which could lead to commotion.

According to the reactions of the committee members the noise is very disturbing. Mr Lewin seems to have difficulties to silence the public, so he calls upon the chair to read the Riot Act. Apparently, in such extreme cases, the HRV Committee could appeal to the Riot Act, which stipulated that people where not allowed to riot at the TRC site\textsuperscript{21}. We see then that calming down the public was not only connected to respect for the victims, it

\textsuperscript{21} Nowhere, not in the TRC Report, not in the TRC Act, not in any TRC literature and not through personal communication have I found any reference to this ‘Riot Act’. Apparently, according to the reactions by the commissioners, it did exist and it was appealed to in extreme cases.
was also connected to one of the general objectives of the TRC, namely getting after the truth. Mr Manthata clearly states that people have to be quiet if they want to hear the truth. Since a lot of the community members probably came to the TRC to get to know the truth, this connection might have been effective. However, the public seems to continue its tumultuous behaviour and at the end of this discussion Mr Lewin appeals again to the issue of respect for the victim in order to silence them.

The public then seems to be silent for a couple of minutes; towards the end of the testimony, though, uproar starts again.

**MRS SEROKE:** Nhlanhla, you have said in your statement you were tortured because you were manufacturing petrol bombs at home, you opened your own factory of petrol bombs. Is that true?

**MR BUTHELEZI:** Yes, that is true. Not alone.

**CHAIRPERSON:** Order please.

**MR BUTHELEZI:** With other Comrades.

**MRS SEROKE:** Were you alone or you had some company in this manufacturing?

**MR BUTHELEZI:** As I have said, we were many, except that the venue was my home.

**MR MANTHATA:** Please, people, we are here to listen to each and every word that comes from the witness.

(...)

**MRS SEROKE:** You say you launched an operation after they injured you at your private, on your private parts. How are you fairing now?

**MR BUTHELEZI:** No, I feel good, I feel good about myself. I, that is what I will say.

**MRS SEROKE:** Okay. Order please. Order. Thank you.

**MR MANTHATA:** Mr Buthelezi, we are very grateful for you to come and share with us today.

It seems as if the people in the audience are enjoying themselves. The victim refuses to comply with the typical HRV victim profile: he is showing off and he seems to be proud about himself as a victim. At the end of his testimony, it looks as if Mr Buthelezi even ridicules the Commission. The utterance “As I have said, we were many, except that the venue was my home” must be phrased in an ironic fashion, since the audience bursts into laughter (only audible on the video). The chair then intervenes to calm down the
audience. Again he appeals to the dignity of the victim – each and every word of the victim must be heard and understood, so people should listen to each other.

Finally, Mrs Seroke inquires about Mr Buthelezi’s injuries at his private parts. Here again, the testifier projects the image of a boasting young man. The phrase “I feel good about myself” could have a sexual connotation in Mr Buthelezi’s language – after this utterance the testifier smiles, he seems to be satisfied about these words and also the audience laughs enthusiastically.

To conclude, it should also be emphasised that throughout his testimony, Mr Buthelezi makes sure to mention some of the names of people who tortured him. He might do so with an eye to the audience as well: these torturers were probably known in the community and mentioning their names was a way of taking his revenge. This is an illustrating extract taken from the end of his testimony:

MR BUTHELEZI: When I was tortured at Denota Police Station I was kicked at my private parts and the person who kicked me was a police Templeton Sibaka, who is late now, and another one who use to torture a lot was Buslong. I have forgotten his surname, also I have forgotten to make mention of his name when I was telling you the whole story.

In this testimony we thus notice a combination of two ways in which the audience got involved in the hearing. First, the public is noisy in reaction to Mr Buthelezi’s words: they might feel threatened by his accusations, they might enjoy his boasting manner of challenging the commissioners or they might like his showing off and his manifest self-confidence. In addition, it also seems as if Mr Buthelezi enjoys this attention paid to him by members of the audience. His proud way of talking about his experiences and about his personality, his threats aimed at the audience and his explicit refusal to reconcile seem to be consciously directed towards the public. Hence, it looks as if Mr Buthelezi’s construction of the interaction with the public has to do a lot with his self-legitimation.

Both of these speech participants, the testifier and the audience thus seem to enjoy each other’s discourse and we notice, indeed, that their interaction intensifies in the course of the testimony. This culminates in the sexual insinuation at the end of the testimony. Mr Buthelezi might realise that the public tastes his ways of testifying and he responds to this sentiment by boasting about a popular topic, his sexual performance. The audience seems to appreciate this utterance and it values this way of talking by laughing excitedly.
The interaction between Mr Buthelezi and the audience is built up throughout the testimony – but it is constrained all the time by the commissioners. Clearly, the commissioners wanted to stay in control - hence the reference to the Riot Act. However, they phrased their efforts to contain the noise in such a way as to suit the values of the TRC. Namely, the audience had to be quiet out of respect for the testifier.

Another victim who did not really correspond to the most-appreciated profile of a HRV testifier was Nelson Jantjie. He testified in Karoo, on the 8th of October 1996. He talked about his sister who was beaten and shot by the police. Mr Jantjie is really angry while testifying, possibly instigating the audience to be noisy and tumultuous.

MR JANTJIE: They are filthy people these gemorse - I don't know anything about anything, I worked in Cape Town, I don't know anything, the nonsense that went on, the petty stuff I had just arrived, I was from Cape Town, they ruined my life because I was going to marry a woman. But I had to part from here, because of them - these bastards.

MS BURTON: Please, keep quiet while the witness speaks so that we can hear him.

Especially after the phrase “these gemorse” the audience is noisy and some people are laughing. It was probably the Afrikaans word “gemorse” that sparked off the reaction of the public. The fact that Mr Jantjie adopts the Afrikaans term and then recontextualises it to identify an Afrikaner policeman could sound ironic to members of the audience. The word is also quite insulting, which might have caused an admiring reaction of the audience. It is probably with an eye to the public that Mr Jantjie uses this word in Afrikaans – in Afrikaans it definitely made a stronger impression than in Mr Jantjie’s testifying language. With a lot of emphasis he then repeats the word “gemorse” at the end of his turn - this time it is only the translation in English that appears in the transcript. It was probably the reaction by the public that led Mr Jantjie to repeat the term – he might have sensed that the term attracted the attention of the audience and that it was appreciated by them. Mrs Burton then reminds the public that they should be quiet in honour of the victim.

Mr Jantjie is good at employing Afrikaans for communicative purposes – to attract the attention of the audience. In the following extract the sentence “they are the ones who are dangerous, not me” is pronounced in Afrikaans again. It is quite an ironic utterance, followed by laughter from the public.
MR JANTJIE: They even requested if I could go to my sister's funeral, they refused. They said that I am dangerous - they are the one's who are dangerous not me.

We may not forget that at the hearings we witness a narrative performance, staged both by the testifiers, the commissioners and the audience. The hearings were particular narrative moments where the audience sometimes felt inclined to participate spontaneously. However, this spontaneous participation was sometimes blocked by the commissioners, who wanted to keep the entire performance under control. Also the formal and institutionalised setting might have prevented the audience from cooperating too openly in the construction of the discursive performance.

At certain points in his testimony Mr Jantjie pauses, a discursive technique by which the previous words or phrases are emphasised and penetrate into the subconscious of the audience.

MR JANTJIE: (...) As we were walking towards the police station, we were accosted by investigators. They said that it is me that they wanted, they said that I am the one who had killed Bhokwe - these investigators assaulted, threw me into their car, after that truly I do not know what was going on.

In this fragment the testifier keeps quiet for a few seconds after the name “Bhokwe”, as if to stress how ridiculous this accusation is. The audience was probably expected to follow him in this line of thought – hence his way of addressing the audience implicitly.

Sometimes, it looked as if testifiers explicitly mentioned gruesome details of the incident they came to talk about, with as specific purpose to impress or shock the audience. This could be the case with Phebel Robinson, whose husband was tortured and killed in prison. Obviously, each testimony of these HRV victims was aimed at the audience. All of them wanted to tell the world about what they had endured. Sometimes however, a certain change of intonation, a certain gaze, or a certain gesture could indicate that a specific phrase or description was directly aimed at the audience. After having related her story, Ms Robinson comes back to the fact that her husband was “gruesomely murdered”. In great detail she describes how his body was mutilated – she even brought pictures to show, which indicates that the idea of impressing the audience might have been prepared beforehand. These shocking utterances are pronounced with a different intonation, with a louder and more explicit voice. Such an expressive intonation was likely to attract the attention of the audience. While pronouncing these words Ms
Robinson also gesticulates to demonstrate where her husband was stabbed and how his arms were slit open. Maybe, this effort to make the trauma more visible was also aimed at the audience.

**MS ROBINSON:** I would like the truth. Who is behind this whole thing or who was in on the murder because my husband gruesomely murdered. It wasn’t just one stab wound, his arms was slit open, he had several stab wounds on his body and marks from where they had tortured him. That is not one persons work, the report is laying there. I brought it with me who ever wants to read it can read it so that they can see what happened to him.

We have seen in an earlier chapter that Ms Robinson explicitly presents her husband as an activist who stood for his community. It is quite likely that this projected identification is oriented towards the audience, where many people from the community were present.

**MS ROBINSON:** My husband wasn’t scared, he was not afraid of anyone and he fought for human rights. He was a man for his community. He supported the poor, and the people that were battling.

(…)

**MS ROBINSON:** So once again I say that he was not afraid of anybody and he stood for what he believed in and for his community. There are many people here that can bear testimony to that - to the fact that he stood for his community.

During these utterances there is manifest interaction with the audience. After the phrase “He was a man for his community” the public applauds, indicating that they endorse Ms Robinson’s assertion. The testifier also emphasises the word “community”, meaning that she does not only talk about the community, but also to the community. Also in the next sentence Ms Robinson incorporates the audience into her testimony. She addresses the audience by claiming that many people in the audience can bear testimony to her husband’s community spirit. Through referring to the public she thus links the past experience with her present situation.

Also during the next fragment there is clearly an interaction with the public, although it does not show in the transcripts.

**MS ROBINSON:** (…) And they would just - there’s something that I want to mention today specifically. I would like them to bring Daniëls - who was an Investigating Officer forward so that he can come and give evidence as to who the informers were all these years.

After Ms Robinson refers to “Daniëls” members from the audience applaud again. This Mr Daniëls is probably known by the public and they seem to appreciate her negative
stance towards this Investigating Officer. At this point, the testifier also looks at the audience. Up till now she only looked at the commissioners, but now she clearly changes perspective by directing her attention to the public directly. The appreciation shown by the audience also seems to stimulate her to talk louder and faster. Realising that the audience values her testimony is an incentive to talk even more expressively.

Later on, Ms Robinson again mentions a name known to the audience. Again she seems to voice an opinion that is held by many community members present in the hall. While pronouncing the last sentence of the following extract, the audience cheers and applauds and the testifier looks at the public again explicitly. She knows that the people understand and support her.

**MS ROBINSON:** (…) Because if I remember correctly there was a time were he lived with Dullah Omar when he was - when he was on the run, but I did not want to tell him to tell him where he was. But I would like him to be brought forward so that he can come and give evidence as to who the informers were.

Finally, at the end of her testimony, Ms Robinson comes back to her husband’s community spirit. Before pronouncing “As somebody said to me” she looks at the public again, as if to attract their attention before pronouncing the next sentence, full of pride and affection for her husband.

**MS ROBINSON:** (…) But I do not have any children of my own. As somebody said to me in other words I am raising the community’s children and I said yes, that is what my husband left me to do.

Throughout this testimony, Ms Robinson is openly valued and acknowledged by the audience. The testifier is taking advantage of this situation by manifestly adding to the interaction with members of the public – mainly through gestures, facial expressions and intonation. Strikingly, this interaction with the audience is not constrained in any case, this in contrast with Mr Buthelezi for instance. Apparently, certain testifiers were more allowed to take advantage of the public space than others – I will come back to this element later on.

A testimony in which the audience clearly influenced the way the victim constructed his narrative was the testimony of Teddy Williams. Mr Williams was detained and tortured in an ANC camp. Mr Williams’ testimony is rather unstructured. The testifier hardly ever answers to the questions of the commissioner, he just keeps on telling his story, in great
detail and with a lot of deviations. The audience seems to enjoy this tension between the testifier’s narrative and the pressure to comply with the TRC norms as exercised by the commissioners. The people in the public are very tumultuous, although this can only be inferred from the video. At a certain point, the audience is so noisy that Mr Williams seems to feel threatened.

**MR WILLIAMS:** Yes sir. As mutineers, we were rounded up - excuse me, I would the Commission to try and protect me also - because you see I am a determined person. When I stand for a principle, I stand for it, I don't think anybody or anyone - that's why I was able to survive up to this point. And that's why the 16th couldn't break me - including the National African Congress itself.

(…)

**MR WILLIAMS:** As I said as a mutineer, we were rounded up and we were put in a concentration camp [protection, please] we were 21, and the ANC had a concentration camp.

During these fragments, the audience is extremely noisy. Maybe people start to get bored, because this is the end of the testimony and Mr Williams has been going on for more than one hour already. Mr Williams interprets this noise as a threat and as a reaction to the comments made by the audience he keeps asking for protection – in the second extract the request for protection is not represented in the transcripts.

The audience not only seems to be bored, they are also making fun of Mr Williams.

**MR WILLIAMS:** (…) the Commissar went in, he said "What are you doing, are you fighting against the Chief of Staff?". I said "No, I am not fighting, I am just blocking him, I haven't yet started fighting, if I start fighting, I will hit him very hard. The Commissar said ...(intervention)

The phrase “I will hit him very hard” seems to be ridiculous to the audience, because the people burst into laughter. At this point, Mr Williams is getting more and more confused, the testimony is getting less and less structured and the leading commissioner is desperately trying to get the testifier to answer to his questions. At the same time, the audience is getting more and more tumultuous. Especially after the following fragment the noise of the audience is overwhelming. There seems to be no respect for the testifier, but – strangely enough – this time the audience is not calmed down by the commissioners.

**MR WILLIAMS:** That one is not important Sir. What is important is that I will request, because you see, when I am here, I am not simply here.
Clearly, these sentences do not make a lot of sense; the people in the hall do not listen anymore and the situation of Mr Williams is pitiful. A couple of minutes later, the testimony is concluded. The members of the audience cheer and clap and also some of the commissioners smile visibly. Only Mr Williams seems to be unhappy and dissatisfied. These sentiments are probably the result of the way he was treated by the commissioners, but also of the reactions by the audience. The public did not show to Mr Williams that he was valued and supported – as was the case with Ms Robinson. They rather seemed to enjoy his struggle with the commissioners, they made fun of him and they clearly showed that they were bored. This testimony of Mr Williams thus illustrates how the interaction with the audience could be disadvantageous. Some of the testifiers clearly did not have the competence to appeal to the audience, to attract them and to take advantage of the public space offered by the TRC.

Some of the testifiers used interjections by means of which their discourse was directed at the audience. Mr Williams, for instance, very often uses the expression “you see”. These words could be a marker of nervousness - hedging phrases such as ‘you see’ and ‘you know’ could be markers of affect indeed, as highlighted by Blommaert (2005: 88) -, but it could also be a way of addressing the audience, meaning ‘do you understand what I am saying’, ‘do I make myself clear’. Mr Williams makes abundantly use of ‘you see’; these are just a few examples:

**MR WILLIAMS:** We felt this would lead to danger, you see we would be imperiled.

(…)

**MR WILLIAMS:** I don't know maybe it was a question of trying to boost their moral or what, you see some of us we had our morale boosted through the visions that we had about the New South Africa.

(…)

**MR WILLIAMS:** What happened as we saw that we were being surveyed, I will just try to be short you see, as we saw that we were being surveyed we felt insecure

(…)

**MR WILLIAMS:** When you explode you have the upper hand you see but then we didn't have this hindsight - we were innocent

(…)

**MR WILLIAMS:** You see people who were working for the Rhodesian Armed Forces were infiltrated.
MR WILLIAMS: Once more again for being given a party by Soviet Comrades, you see they called me to a party and then I was punished.

In all of these examples, “you see” does not have a communicative value. It merely directs Mr Williams's narrative towards the audience. If a marker of affect, these interjections could very well have been expressed unconsciously. On the other hand, though, Mr Williams explicitly testifies in English and this in order to reach a wide audience. It is thus possible that also the “you see” is clearly aimed at the public – being understood correctly was definitely one of his concerns.

Also Mr Paul Williams tried to get the audience involved in his story by using the expression “you know”. Mr Williams was injured as a result of an APLA-attack. What follows are a couple of phrases in which “you know” might be aimed at the audience.

MR WILLIAMS: (...) it was rather quiet you know it was a winter evening and light drizzle and nothing seemed very suspicious to me.

(…)

MR WILLIAMS: I am in the Post Offices you know - they have these models of hand grenades but for the first I actually see - saw a hand grenade hurling towards a live audience

(…)

MR WILLIAMS: And he was just spraying bullets you know randomly just across the Congregation and I was sitting on the end - on the end f the pew and that pew was rather full.

(…)

MR WILLIAMS: And you know everything seem like very slow motion, you just cannot imagine.

(…)

MR WILLIAMS: For me it was important to come to terms with my situation and you know the Bible teaches me that I must not only love my neighbours but I must also love my enemies.

(…)

MR WILLIAMS: We as Christians many times people think that Christians are - they are immune from suffering but it’s not like that. You know we are ordinary people like everybody else.
Since Mr Williams’s narrative seems to be highly structured, very coherent and also well-considered, the impression is given that the “you know” is consciously employed to appeal to the audience. Through “you know” the audience is not only drawn into the narrative, the people in the public are also invited to put themselves in the event, and to empathise with the experiences of the testifier. This empathising is suggested, but also considered as impossible by the testifier, according to the “you just cannot imagine” in the fourth extract. Still, because of “you know” the audience might have empathised with Mr Williams: a bond of understanding might be forged between the speaker and the addressees. Mr Williams thus seems to possess a lot of communicative competence, since it is possible that he can move the audience to showing pity and support. Especially in the final two fragments, when Mr Williams touches upon his faith, it looks as if he does not only ask for empathy, but also as if he tries to persuade the audience to accept his conviction. The teachings of the Bible should be understood, and also the fact that Christians are just ordinary people.

To sum up, Mr Williams tells a very moving and well-structured story, which he connects to the audience by using one simple expression. His appeal to the public is clearly more efficient and more productive than in Teddy Williams’s case. Paul Williams catches the attention of the audience. He might even persuade them not only to sympathise with his experiences, but also to understand and accept his religious beliefs. In contrast with the testimony of Teddy Williams, the audience does not cheer or laugh while Paul Williams is speaking.

I should also mention the testimony of Muhammed Ferhelst. Mr Ferhelst was detained and severely tortured by the apartheid police. Just like Mr Paul Williams, also Mr Ferhelst uses “you know” while relating his story. This expression could result in the audience being more involved, it might raise empathy towards the testifier and it might urge the public to understand, accept and acknowledge his narrative.

**MR FERHELST:** Did I lay charges, well not really. At the time you know what could we really do, nobody could really do anything, the police could do whatever they wanted to.

As discussed in an earlier chapter, Mr Ferhelst sometimes quotes his torturers in Afrikaans. This could be a result of the very nature of the traumatic experience – maybe quoting the police officers in Afrikaans was the only way to relive the incident. Mr
Ferhelst might also quote the policemen in this harsh and vulgar Afrikaans to negatively identify them, and to present them as personifications of the brutal apartheid regime. Interesting for this chapter is that Mr Ferhelst could also have used this uncivilised discourse purposely to shock the audience. The words he employs in Afrikaans are taboo words, not to be used in public spheres. Therefore, these Afrikaans quotes definitely attracted the attention of the audience, it made them aware of the brutality of these officers and it could also have enhanced their sympathy for Mr Ferhelst’s experiences. The exact fragments can be found in chapter 4.3.1.

Also Mr Mwelase established an interaction with the audience through the use of specific discursive items. Bernadine Mwelase was arrested and tortured by the apartheid security services and then turned into an askari. Apparently, the audience is tumultuous in the beginning of this testimony. It is with an eye to the issue of respect for the victim that Mr Dlamini tries to calm down the members of the public.

**INTERPRETER:** The interpreter still could not get that.

**MR DLAMINI:** Please let us be quiet. We have to listen to the speaker, and the speaker won’t be audible enough if there’s noise.

**MR MWELASE:** I have kids in East London. They don’t even know their surnames. In Pretoria I have kids as well. I have kids almost every province.

From then onwards, the testifier seems to be aware of the prominently present audience and he also tries to direct his discourse towards the public. He mainly does so by using “you know”, but there are also other discursive items aimed at the audience.

**MR MWELASE:** There were prisoners in Lobatse who were telling me that I should join the ANC. You know, it’s good to be an ANC member, I may even get abroad.

(…)

**MR MWELASE:** I was on a mission of onslaught. You know, when I got here in Natal people were just in slumber, they didn’t know things.

(…)

**MR MWELASE:** It was a convoy. I tell you there were more than 20 vehicles. They took me to Vryheid, to the house, where I was undressed and naked, tortured there.

(…)

**MR MWELASE:** No, we have operations. You know, when we operate, when we are coming to arrest you as a terrorist when you shoot we shoot back.
Throughout his testimony Mr Mwelase seems to present the image of a very proud young man, who is showing off about his experiences under apartheid. It is likely that he wants to be acknowledged as such by the audience and that he tries to establish a relationship of sympathy with the public through the expressions “you know” and “I tell you”. In each of the above-mentioned fragments Mr Mwelase directs his discourse towards the audience exactly at the point where he is boasting about a personal achievement or characteristic – when he proudly proclaims how good it is to be an ANC member, when he relates how he was on a mission in Natal, and when he explains how he operated as an askari. He seems to be interested in impressing the audience and thus takes advantage of the public forum offered by the TRC; it is quite possible that self-legitimation is at play here.

A testifier who explicitly established an interaction with the audience in order to arouse compassion is Bernice Whitfield. Mrs Whitfield’s husband was killed in an APLA bomb attack. Her testimony is full of self-pity, for which she tries to arouse sympathy from the audience. This self-pity is evident from Mrs Whitfield’s detailed and repeated explanation of her financial problems and from the dramatic ways in which she relates many different kinds of misfortunes that befell her family - some of which having nothing to do with the APLA bomb attack, such as the fact that her daughter was killed in a car accident. She also gives a gruesome description of the way her husband died – a description that might have raised the attention and sympathy of the audience.

MRS WHITFIELD: I think it was either three or four bullet wounds in the chest. He was alive for a while but he drowned in his own blood. That’s when he died.

A number of discursive constructions as well are directed towards the audience:

MRS WHITFIELD: In the end that building was sold and I had to move again. Just bear in mind that the first time I had Seven Hundred Rand plus Seven Hundred Rand maintenance deposit plus lights and water which was Five Hundred and something Rand at that stage. It came to over a Thousand Rand which I had to have spot on to move into Baysville from the house.

(…)

MRS WHITFIELD: Yes, fourteen years suspended for thirteen years. They had a picture of the gentleman in the paper and they said that they managed to catch this guy and it was a Black gentleman and they said that he got fourteen years suspended for thirteen years. I just tore the paper up and I said you know this is justice and I’m not even interested.
MRS WHITFIELD: Yes, I do have a lot of hope and because I don’t put my hope in people I put my hope in the Lord I see a lot of hope in the world. As I said if we focus on God because it’s only God that can give you inner peace ... you know I help and encourage so many people who come to me with broken heart and I say to them the world might reject you but Jesus will always love you and you know that gives us so much hope.

In the first fragment, “Just bear in mind” focuses the attention of the audience on the financial difficulties Mrs Whitfield encountered, in the same way as “you know” in the second fragment stresses the injustice in present-day South Africa. Especially the fragment on Mrs Whitfield’s faith is aimed at the audience. Just like Mr Paul Williams, it seems as if also this lady wants to persuade the audience of her religious beliefs. It almost sounds as if she tries to convert the listeners by convincing them of the overall blessing of Christianity.

Finally, there is the testimony of Mr Mahlangu, who was set alight by members of the UDF. Before the TRC he proudly identifies as a member of the vigilante group Imbokhoto. This is one of the rare cases where reference is made to the media in the written transcripts. The media were an important aspect of the audience and their presence probably influenced the testifiers. It might have overwhelmed them and made them more nervous. It might also have stimulated and encouraged them to tell their stories to the entire world. Sometimes, the media disturbed the hearing, as can be inferred from the remark of the chairperson. This is not the place to elaborate on the relation between the media and the HRV hearings – this remark merely indicates that the media should be considered as part of the TRC audience, an audience member that was prominently present at the actual TRC site.

CHAIRPERSON: Just, Russel please. TV cameras please, we have agreed that we would really have the fixed cameras. It is a bit distracting. Sorry, can you remain fixed or sit down? Thank you.

Mr Mahlangu’s projected identity of an Imbokhoto member might have been a controversial issue among the audience at the hearing – the audience probably consisted of both opponents and supporters of Imbokhoto. Throughout the testimony of Mr Mahlangu there is thus quite a lot of noise, although this is only visible in the written transcripts once.

DR ALLY: And what would you say to those people who argue that after 19 ...
CHAIRPERSON: Order please.

DR ALLY: How would you respond to those people who say after 1985 Imbokhoto became an instrument of those who wanted independence?

However, in his closing statement the chair comes back to the tumult of the audience extensively.

CHAIRPERSON: Thank you. Let me request the audience to behave. Sometimes we listen to stories that open up wounds of the past. Let us listen. We know it is going to be difficult, but when a person is here and is saying something that you do not wish to hear, let us say to the youth we have a new democracy and democracy says you have to listen even if a person says something you are against. Do not just keep quiet, you will also get your chance to give your side of your story.

Again, it is emphasised that people had to listen to each other in honour of the testifier. Also a bigger concern was at play, though. Especially at a hearing where different political factions or population groups were present it was important for the commissioners to keep the audience under control. The hearing should not degenerate into a political rally and all possible deviations of the pre-established structure should be neatly contained.

The testimony of Mr Mahlangu is the only one of my thirty case studies where the presence of the media is perceived as disturbing. In only one other testimony the media is referred to explicitly; in this case not to criticise them, but rather to stimulate the testifier. In Johannah Skhosana’s case, chairperson Boraine refers to the radio, the newspapers and the television, in order to boost the self-image of the testifier. Mrs Skhosana should be aware of the importance of the moment, since she will now be able to tell the entire world about what she experienced under apartheid.

DR BORAINE: Thank you very much. Mrs Skhosana, I know it is quite a nervous ordeal and especially being first, but I would ask you to please relax as much as you can and to speak up loudly and clearly because everybody wants to hear what you have to say. That is why they are here and also you will be speaking not only to those who are here, but through the radio, through the newspapers, through television you will be telling your story which you have already told to our statement takers.

This extract has nothing to do with the concrete interaction between HRV testifiers and the audience. It does indicate, though, that also the commissioners saw the media as crucial participants to the HRV discourse. In fact, during the largest part of its proceedings, the TRC has been inseparable from the media, as I explained already in 3.1.4. And indeed, the success of the TRC was partly a result of the media attention, an
issue the Commission was very well aware of. On their side, the media were very willing to cover the TRC. The TRC presented the story of how ordinary men, women and children had experienced apartheid, and that was a very appealing topic. The TRC hearings were especially fit for television journalism, as the camera could take emotions of people directly into your living room (Thloloe 1998, 52). The fact that much of the Commission’s work was transmitted by the media made the TRC media representations very influential (Hamber & Kibble 1999, 6). The media was thus crucial in order to connect the ‘wider audience’ with the proceedings and the results of the Commission; however, a concrete dialogue with the testifiers was not at stake.

**Conclusion**

In the course of this chapter we have noticed that quite a number of times the commissioners tried to calm down the audience. It seemed as if they wanted to stay in control, thus constraining the participatory power of the audience. In this way, the commissioners stressed that the HRV hearings consisted of two main participants: the testifiers and the HRV Committee. The audience was considered as a third-rate participant: it was necessary for the public character of the TRC, and sometimes - as in the case of Mr Buthelezi demonstrating how he was tortured - the interaction with the audience was encouraged to enhance the dramatic effect of the hearings. However, the audience was not supposed to actually partake in the conversation. It was never allowed to actively interact with the main participants – for instance by posing questions or by openly reacting to the expressions of the victims or the commissioners.

Interestingly, in some hearings the audience interaction seemed to be more checked in than in other hearings. In cases where the testifiers appealed to the audience to boast or to present a proud or angry identity (as happened in the cases of Mr Jantjie en Mr Buthelezi) - the public was usually immediately silenced by the commissioners. In cases where the testifier tried to raise sympathy, followed by reactions of approval or respect from the side of the audience, the public seemed to be given the opportunity to raise its voice (as happened in the testimony of Phebel Robinson). Apparently, a certain type of audience interaction tended to be more preferred by the commissioners.

A second type of conclusions we can draw deals with the extent to which the testifiers took advantage of the presence of the audience. When going over the illustrations it
looks as if it was mainly a specific kind of testifiers that addressed the audience. Testifiers who consciously oriented their discourse towards the audience were usually self-assured victims, victims who presented a well-defined identity at the hearing. Often, self-esteem, self-pity, pride or anger seemed to be incentives to address the audience explicitly. Mr Buthelezi and Mr Jantjie were angry testifiers; Ms Robinson, Mr Mwelase, Mr Malhangu were proud testifiers; Mrs Whitfield was angry and full of self-compassion. Also Mr Ferhelst and Mr Paul Williams presented a specific identity – of an MK activist and of a faithful Christian respectively. All of these people tried to attract the attention of the audience, they all tried to raise understanding for their projected identity. They all wanted to be explicitly acknowledged and they incorporated the audience in their efforts to create a distinct profile for themselves.

The testimony of Mr Teddy Williams shows us that to successfully attract the attention of the audience, also a certain level of communicative competence was indispensable. It was not enough to use dramatic language, to address the audience by means of specific expressions, or to orient one’s body language to the public. In addition, the testimony had to be presented in a coherent and well-structured fashion. Not too many details should be given and the testifier should stick to the topic. If not, the audience became distracted and noisy.

To conclude, the audience present at the hearings was definitely an actor at the HRV hearings. We cannot really talk about ‘co-authorship’, since the dialogue between the victims and the commissioners dominated the testimonies. There did exist a kind a ‘dialogic monologue’, in which the testifiers addressed the audience, without expecting a reaction in return. However, we can argue that the interaction between the testifier and the audience was a big issue for each of the three main participants in the HRV discursive situation. The TRC commissioners were pleased with the presence of the audience and to a limited extent the interaction with the audience was encouraged. Usually, though, this interaction was strictly contained. Especially tense and aggressive reactions from the audience were perceived as disturbing, while more space was allowed for encouraging and supportive reactions. One motivation to control the audience reactions was respect for the dignity of the victims. Also the level of control of the commissioners themselves was at stake, though.
With regard to the testifiers, some of them made use of the audience to boast their own identity, to raise empathy or to get acknowledgment. Others tried to establish a relation with the audience, but were unsuccessful due to a lack of communicative competence. The audience, finally, reacted differently to the testifiers’ audience orientation. They either appreciated or rejected the presented identities. They especially seemed to enjoy the testimonies of victims who refused to comply with the regulations and values of the TRC. Such testifiers were sometimes honoured for their courage, or they were laughed at, as in the case of Teddy Williams. The audience was thus not only useful for the image of the TRC, some members of the public also seemed to find the hearings entertaining. They were usually present to support a relative or a friend, but in addition they often tried to turn the hearing into a memorable personal experience by actively engaging in the process.

Apparently, each of the three discourse participants at the HRV hearings used the present interaction between testifier and audience with an eye to the future. At the actual TRC moment the range of discursive opportunities was explored, developed and manipulated with specific future-oriented purposes. The victims tried to project a certain identity into the future, the commissioners tried to present a certain image of the HRV hearings into the future, and the audience wanted to preserve a unique experience for future generations.

As said before, the audience’s involvement in the TRC proceedings was unique; no readers, listeners or even TV watchers could ever share their experiences. Because of the nature of my data (written transcripts) it was very hard to get an understanding of the role of the audience. In order to thoroughly discuss the function of the audience at the TRC hearings, one should analyse the videotapes. In this chapter, these tapes have been referred to a couple of times; however, it lies beyond the scope of this discursive analysis to devote more attention to the visual aspect of audience participation.
4.4. Identity layering

4.4.1. Feature Nine: struggling with an Afrikaner/white identity

In my corpus of thirty HRV testifiers I have selected three white South Africans: Johannes van Eck and Stephanie Kemp are Afrikaners; most likely, Bernice Whitfield is an English-speaking white South African. All three of them are a-typical victims, since the overwhelming majority of victims who came to the TRC were non-white – only 1,1% of the people who gave written statements to the TRC were white (TRC Report, 1998, 1/6: 167). The profile of Stephanie Kemp approaches the stereotypical HRV victim profile to a certain extent. Mrs Kemp has been an active member of the South African Communist Party, she has been detained and maltreated in prison, and she has lived in exile for a large number of years. Mr van Eck corresponds to the image of a typical Afrikaner man: he speaks Afrikaans, he is very critical about the present government, about the ANC and about the Truth Commission itself, and he manifestly proclaims his Christian faith. Mrs Whitfield speaks English, she is very negative about the current situation in South Africa and she also seems to be a strong believer. Both Mr van Eck and Mrs Whitfield have suffered from human rights violations committed by the liberation forces.

One of the objectives of the TRC was to condemn the apartheid policy of the National Party, a party of mainly Afrikaans speaking Whites. Although this might be a rather stereotypical interpretation, we should say that at the TRC site it was mostly black victims who were praised, while white perpetrators tended to be reproached. The TRC claimed to treat each and every victim equally, but especially among the audience of the HRV hearings the general atmosphere might have been pro-Black in certain instances. In fact, Whites seemed to largely ignore the TRC process, which means that the HRV audience mainly consisted of black supporters of the testifying victims (Meiring, 1999: 22)

More information about these categories of a-typical vs typical will be provided in chapter 4.5.1.

As said before (in 4.3.1.) also in post-apartheid South Africa Afrikaans was still sometimes associated with the apartheid regime of the National Party. After the NP had won the elections of 1948, the party introduced measures designed to favour Afrikaans speakers above others in the country, in the employment and business sector. It was also the National Party’s institution of apartheid and the decision to use Afrikaans as a medium of instruction in schools that was the main reason for the Soweto uprising of 1976 (http://nc.essortment.com/historyafrikaan_rqrs.htm).
Therefore, courage was needed for white victims to come forward, especially if they had been victimised by the liberation movement.

What we notice is that each of the three white victims seemed to struggle with his or her identity. This is mainly the case for Mr van Eck and Mrs Kemp, since they were Afrikaners – the population group that was most targeted before the TRC. Although Mrs Whitfield is not an Afrikaner, I did include her in this chapter, since she too seems to have troubles identifying herself as a white lady before the HRV Committee. In my understanding, ‘struggling with an Afrikaner/white identity’ can be interpreted twofold with regard to these three victims. In the case of Mr van Eck and Mrs Whitfield there seemed to be a tension between accepting their position as a victim before the HRV Committee - hence participating in the TRC process - on the one hand, and defending themselves as a white South African - at this TRC site that was attended mostly by Blacks - on the other hand. Both of these testifiers were categorised as TRC victims, so they belonged to a specific group in post-apartheid South Africa. This seemed to be an uncomfortable identifying label, as will become clear in the illustrating fragments.

Mrs Kemp, on the other hand is also struggling with her identity, but on a more fundamental level. She does accept her identity as a TRC victim, but it looks as if she is rejecting a particular aspect of her identity as a member of the Afrikaner community. This is not a struggle that is taking shape at the TRC moment itself, as is the case with the two other white victims, but a struggle that has been developed and fostered throughout Mrs Kemp’s life. I will first discuss the testimonies of Johannes van Eck and Bernice Whitfield.

Mr van Eck testified in Nelspruit, in September 1996. In December 1985 his car hit an ANC landmine, which resulted in the death of his wife and two children. Mr van Eck’s actual narrative is very emotional and it can be divided in two parts: he first reads from a written statement; after an interruption by commissioner Sooka he then continues to relate his story in a more spontaneous way. The ‘identity struggle’ I am distinguishing here refers to the opposition between Mr van Eck’s participation in/collaboration with the TRC on the one hand and his implicit condemnation of the Commission on the other hand. Hence, we are talking about a struggle between a well-defined macro-identification on the one hand and implicit micro-indexicalities on the other.
Although Mr van Eck never explicitly shows his aversion to the TRC, this attitude becomes clear when scrutinising the construction of his discourse. While reading his statement, Mr van Eck expresses some very strong resentment vis à vis the ANC, and this right from the start. In spite of the commissioners’ requests to talk about the traumatic event itself, Mr van Eck merely talks about the perpetrators. He is shocked that the ANC members who were responsible for planting the landmine have been released from prison and he is especially embittered about the fact that they were rewarded by Nelson Mandela later on. He then continues:

MR VAN ECK: I’m expecting from the ANC, through this Commission, to answer the following questions:
Is it actually the way of doing things to kill innocent peoples, women and children to show that you’re a hero? Is this actually your way of doing things to kill children of ten years and younger in order to obtain your objectives?
Is this your way of doing things to kill innocent women or anyone who is just an ordinary citizen to achieve your objectives? Is this your way to perform in a cowardly fashion by planting landmines on isolated private properties where you know innocent citizens are moving about? Is this your way of doing things to eliminate the families of citizens?
Is this your way of doing things to citizens and families and friends, to give them this pain by killing their loved ones? Is this your way of doing things that you justify all your murderous acts by linking it to a struggle against a regime? Is this actually habit or your policy to differentiate between just and unjust, murder? Is this your way of doing things or policy to call a killer of innocent women and children a freedom fighter? Is it your policy to honour the murder of innocent women and children? Is it your policy to honour cowardice? Mr Chairman I must ask you if it is your policy or practice to condemn bomb attacks like those at the Olympic Games but to revere the murder of women on our own soil as acts of bravery?

In these lines Mr van Eck accuses the ANC of cowardice, of inconsequence and of injustice. This is a very strong accusation, which indicates that Mr van Eck opposes the new ANC government. Interestingly, this accusation is formulated in direct speech, and thus seems to be aimed at the Commission itself. It looks indeed as if Mr van Eck associates the ANC with the Commission, especially when he states: “I’m expecting from the ANC, through this Commission” and “Mr Chairman I must ask you if it is your policy or practice…”. By voicing his criticism of the ANC in this particular way, Mr van Eck gives shape to the idea living in the minds of many white South Africans, that the TRC was merely a political instrument in the hands of the ANC. The TRC and the ANC are closely associated in Mr van Eck’s statement, which could involve an implicit condemnation of the Commission’s work.

The implied partiality of the TRC is even stronger emphasised when Mr van Eck states:
MR VAN ECK: I am saying leave Mr Ncube and Londula (the perpetrators, sic) where they are but leave also the officials of the old regime where they are. If it is not acceptable go on with your witch hunt of the officials of the past but you’ve got to lock up all those all those who have been found guilty of killing the innocent.

A number of white critics claimed, indeed, that the TRC conducted a witch hunt against white South Africans, by overdefending black victims and overattacking white perpetrators (see Roodt, 2000; Coetzee, 2003). Mr van Eck is not openly challenging the Commission, but he clearly reveals his sentiments in a subdued manner – note especially “your witch hunt”.

However, victims who appeared before the HRV Committee were not always allowed to read their statements. They rather had to recount their experiences spontaneously. It so happens that commissioner Sooka interrupts Mr van Eck by asking him to actually tell the Commission what happened. Mr van Eck meets this request and he continues by outlining in great detail what happened on that fatal day in December 1985. Interestingly, on a macro-level Mr van Eck cooperates with the Commission, although some clear aversion can be detected on the level of the actual discourse.

The story of Mr van Eck is horrible: he recounts the state in which he found his family members after the landmine explosion and this story clearly makes a huge impression on the commissioners. At the end of his story Mr van Eck again associates the TRC with the ANC, by addressing - and thus accusing - the Commission directly.

MR VAN ECK: And the question I have is this? What are you going to do? What is the ANC going to do about this? Are we going to overlook this evil deed and let sleeping dogs lie, so to speak?
Mr Chairman I appreciate the fact that there was an opportunity like this one that I could speak about this. You have responsibility, I say, you have responsibility. The question is, are you going to take this up or are you going to turn a blind eye? Thank you very much Mr Boraine.

Although the accusation of the ANC is more explicit than the accusation of the TRC, Mr van Eck strongly associates the two and he blames the Commission by addressing them directly – “you have a responsibility”, “are you going to turn a blind eye”. Also by mentioning chairperson Boraine at the end of this extract it looks as if the previous questions were aimed at the Commission. As a reaction, commissioner Sooka elaborates on the rationale of the ANC to use landmines on white farms – this feature of apparent bias has been dealt with in 4.2.3. She then asks the testifier what he thinks about the idea
of forgiving the perpetrators. In his reply Mr van Eck is again rather critical about the Commission.

MR VAN ECK: Mr Chairman, I think it was very clear in my submission, all I’m asking, my only request is that it (the Commission, sic) should be consequent, I said, leave those people as they are, leave them where they are, but then we should look at who we are hunting for in vain. In other words, the Commission stands for equality and justice. That’s all I’m asking for, for justice and nothing more.

Mr van Eck thus implies that the TRC is inconsequent, that it is hunting people in vain and that it does not live up to its promises of equality and justice. Although he completely complies with the formal requirements of the Commission, he utters critique vis à vis the Commission throughout his testimony.

The identity struggle we are discussing here is definitely more complex that merely an internal battle between Mr van Eck and his Afrikaner identity. It is rather a conflict between his self-identification as an Afrikaner and the way he is identified as a TRC victim by the outer world – a macro-identity that will be recorded in the TRC material archive. Mr van Eck does not forsake his Afrikaner identity in front of the TRC: on an implicit level he shows the audience that he is still a very proud and faithful Afrikaner, that he resents the ANC government, and that he is also highly critical about the objectivity and the consistency of the TRC. When looking at this testimony from a macro-perspective, though, Mr van Eck does collaborate with the TRC. He aligns with a large number of black apartheid victims. He even helps to uplift the image of the TRC by appearing before the Commission and thus stressing its impartiality and inclusiveness. There is thus clearly a contradiction between Mr van Eck’s discourse (which is probably a reflection of his self-identification) and his practice (which results in him being identified as a cooperative HRV victim in the TRC records). It is difficult for this a-typical victim to express straightforward resentment of the TRC, but this resentment is apparent through different discursive constructions.

Mrs Bernice Whitfield testified towards the end of the TRC proceedings. She is a white lady, probably a member of the English-speaking white South Africans. Her husband got killed in the APLA attack on the Highgate Hotel in East London in May 1993. Mrs Whitfield mainly talks about how her family was affected by the death of her husband. She especially stresses the financial difficulties and she keeps repeating that she was only able to survive through faith.
Throughout her testimony, Mrs Whitfield displays an extremely negative attitude. She complains about the lack of justice in the new South Africa and she is vehement about the salaries of government people – whom she identifies as renegades and criminals. She is negative about the overall South African society and in the same fashion she does not hesitate to strongly criticise the TRC.

MRS WHITFIELD: I just say to myself the renegades that were responsible for various attacks are being paid by the Government. At the moment they’re sitting in high positions like big heroes and we’ve got to face a financial battle. Why do we waste our time in listening to what everybody has to say and opening up our wounds here. Nobody feels anything for us. I’m speaking for all races not because I’m White and this one is Pink, Yellow and Green. I’m speaking for all of us. There’s a lot of people that are in the same position that I find myself in….All these renegades who’ve completed their murders and brutal violence are being looked after in high positions in the Government earning fat salaries and we the victims sit with a financial battle to make ends meet. The Truth Commission too I’m sure you get compensated for what you are doing.

In this testimony of Mrs Whitfield we find the same struggle as in the testimony of Mr van Eck. By appearing before the HRV Committee she inscribes herself in the TRC process and she is also identified as a TRC victim. On the other hand, though, the whole TRC concept seems to be a pointless and money-wasting initiative to her. This discourse is a reflection of critiques fairly common among conservative white South Africans. They were convinced that the TRC merely opened up old wounds and that it cost a lot of money – money the new government could not afford to spend (see Roodt, 2000).

Interestingly, Mrs Whitfield does not seem to identify with just any apartheid victim. When comparing herself to other victims she only mentions victims of operations carried out by the anti-apartheid movements. There is no co-identification with South Africans who fell victim to apartheid state atrocities. Although there is thus a certain level of cooperation with the TRC, this cooperation seems to be one-sided, merely aimed at advancing the needs of one particular group of apartheid victims.

Compared to the testimony of Mr van Eck, the expressed negativity - also with regard to the Commission - is much stronger in this case. Mrs Whitfield explicitly voices her aversion to the TRC, an aversion not only aimed at her present performance for the TRC, but also aimed at the possible achievements of the TRC towards the future. Even when the topic regarding requests from the Commission is raised, Mr Whitfield is unwilling to give positive comments.
MISS MAYA: Thank you. Would you like to place a request or a recommendation before us so that we can convey that to the State President?

MRS WHITFIELD: As I said before in East London nothing has been done and nothing will be done and I really don’t expect anything to be done because nothing will be done.

MISS MAYA: Is that all?

MRS WHITFIELD: That is it.

MISS MAYA: Mrs Whitfield would you like maybe to request an indulgence just for your children if not for yourself? Their education, their welfare and their well-being?

MRS WHITFIELD: I actually expected financial help but as I said it’s been four years and nothing has been done so that is why I say nothing will be done because there’s nobody that does anything for us.

This whole conversation takes place in an utterly tense and negative atmosphere. Mrs Whitfield does not expect anything from the Commission; she is not at all forthcoming and her reply to Miss Maya’s question “Is that all?” is extremely curt - “That is it”.

Finally, Mrs Whitfield’s testimony is also concluded in a very negative way:

MRS WHITFIELD: As far as I’m concerned I’m wasting my time. I’m here for Jesus. As I said to June Crichton when she phoned me I said I’m not interested in coming here because you don’t get anywhere here, you won’t get anywhere here but I’m here because God has told me to be me here and say these words to everybody.

Apparently, the TRC does not mean anything positive to Mrs Whitfield. She totally rejects the concept and only God is the driving force to testify before the HRV Committee. This reverting to faith through calling upon God/Jesus is a feature we quite often come across at the HRV testimonies. Usually however, faith is referred to in relation to the concepts of reconciliation and forgiveness. In some instances, victims state that they are not able to personally forgive the perpetrator. Nevertheless, they are prepared to reconcile with the perpetrators because it is seen as a Christian duty to forgive. In this way, faith might be referred to in order to escape personal responsibility, as we have seen already in chapter 4.2.1.

The same escape route is used here by Mrs Whitfield. Personally, she is not interested in coming to the TRC – obviously because she resents the whole concept which is defined as a “money-consuming witch hunt”. Since it is the will of God, though, to tell the world about her experiences, she is prepared to appear before the HRV Committee. The struggle that is apparent throughout Mrs Whitfield’s testimony – cooperation with the TRC versus aversion to the Commission – is thus transcended. The identity struggle
between the micro- and the macro-level is given a rationale: personally, Mrs Whitfield is opposed to the Commission, but her faith urges her to make a sacrifice and to testify before this much-resented institution.

Stephanie Kemp, the third white victim from my selection, displays a completely different attitude toward the TRC. She has been an anti-apartheid activist and she talks about her detention and the ill-treatment she suffered in prison. Mrs Kemp gives a chronological and very coherent account – which is partly read from a written statement. She starts by talking about her youth and right from the start she emphasises that she has had a traditional Afrikaans upbringing. During her study period at the University of Cape Town she became politically involved and from then on she started to reject her Afrikaner identity.

**MRS KEMP:** So, I had an Afrikaans upbringing with the Dutch Reformed Church dominating the town, with cousins in the Broederbond who for the 30 years after I became political severed all ties with my family.

(…)

**MRS KEMP:** By the early 1960s when I was at the University of Cape Town, studying physiotherapy I had come to the painful realization that the poverty, that Sharpeville and detention without trial were ways in which my own people were trying to claw their way into white privilege in our country. I never spoke Afrikaans again until my return from exile in 1990.

At this point in the testimony we can detect the first signs of Mrs Kemp’s identity struggle: on the one hand she still identifies as a white Afrikaner, but on the other hand she refuses to totally incorporate this identity, for instance by adopting the language. In the following part of her testimony, Mrs Kemp emphasises her Afrikaner identity a number of times.

**MRS KEMP:** But I was born an Afrikaner, and from childhood we were fed, force fed if I might say on the glory of our people in the Anglo Boer War.

(…)

**MRS KEMP:** Through the truth and reconciliation commission, and as an Afrikaner, I call on the Broederbond, the Dutch Reformed Church, EW de Klerk, and the National Party to do more than say sorry, it was a mistake, I call on them to confess and repent their seminal role in nurturing murder and mayhem in our country, based on an ideology of race superiority.
Gradually, this testifier also expresses how she is torn apart by this identity struggle, how embittered she is by the fact that the apartheid regime has forced her to abandon her identity.

**MRS KEMP:** For me the horror of the apartheid years is compounded by the loss to me through *its prostitution of my language and my culture*. The direction that Afrikaner nationalism took into obliterating all in its wake now, no matter how murderously, I lay at the feet of the Broederbond, the Dutch Reformed Church and the National Party.

(...)

**MRS KEMP:** I think I feel particularly bitter because once I came back into the country I found that it did matter to me that I wanted my culture back. I did feel - *I do feel very bitter and angry that these people took my language, they took my being, and they turned it into this machine*.

Mrs Kemp uses very loaded words when she talks about the “prostitution” of her language, and about the way her culture was “turned into a machine”. Clearly, Mrs Kemp’s identity struggle has been going on for many years – most likely, it started at the very moment she decided to stop talking Afrikaans. As she explains herself, it was especially after 1990, when she came back from exile, that this struggle was openly manifested to her. She then realised how strongly the Afrikaner culture and language were associated with the apartheid regime – and she understood how difficult it would be to reclaim this Afrikaner identity.

For Mr van Eck and Mrs Whitfield the identity struggle I discussed involves the juxtaposition between being a white South African who is opposed to the TRC on the one hand, and cooperating with the Commission on the other. This struggle is a result of the very TRC concept; it takes shape in the course of their involvement with the Commission. This is in contrast with Mrs Kemp, whose identity struggle has a different foundation. In her case, the struggle is a psychological issue she has been dealing with for thirty years. It is in front of the TRC that Stephanie Kemp tries to resolve this struggle. By openly emphasising her Afrikaner background, it looks as if she tries to reclaim her Afrikaner heritage. She explains why she was compelled to forsake her identity, possibly to gain understanding from the Afrikaner community. Mrs Kemp’s appearance before the TRC can thus be seen as an attempt to reconcile the two parts of her torn identity – hence, the TRC is not the result of the identity struggle, but a way of healing it. The fact that she testifies in English tells us that the anti-Afrikaner identity is still her main self-identification, an identification that is open to transformation as becomes clear in the course of her testimony.
To conclude, we have seen that each of these three a-typical victims expressed some kind of identity struggle while testifying before the HRV Committee. I would like to define this struggle as a type of layering on an identity level. With Mrs Whitfield and Mr van Eck one layer refers to the macro-level of identification – their cooperation with the TRC and their identification as a TRC victim. The other layer can be distinguished on a micro-level – their opposition to the TRC. This micro-level is indexicalised in an implicit manner by Mr van Eck and in a much more explicit manner by Mrs Whitfield.

In Mrs Kemp’s testimony, both of the layers are manifest on a micro-level (so on the level of the actual discourse). She explicitly voices the struggle between her Afrikaner and anti-Afrikaner identities and she clearly tries to find a way of bridging the gap between these two layers. The layering is more manifest in Mrs Kemp’s case; it has been bothering her for many years and she openly tries to find a solution for it. With the other two white testifiers - especially in Mr van Eck’s case -, the layering is more implied. The layering is the result of their appearance before the TRC and one of the two layers - the one on a micro-level - cannot be voiced too openly.

In fact, in all three of these cases we are confronted with the difference between typical and a-typical historical archives – whereby archive is understood in a Foucaultian sense. Traditionally, white South Africans used to speak from an apartheid archive, while non-white South Africans used to speak from an anti-apartheid archive. It is when white South Africans appeared before the TRC that these traditional roles were clashing with one another - sometimes they were even reversed. In such instances the historical archives were mixed up, which often resulted in some highly interesting identifications. At the level of the actual TRC moment, we could say that the clash between the typical and a-typical white archives is manifested most strikingly in the cases of Mr van Eck and Mrs Whitfield. It is these testifiers whose discursive identities are still rooted in the typical apartheid archive, which makes their identification before the TRC very confrontational. On this level the clash is not that intense in Mrs Kemp’s case, since even under apartheid she had already adopted the anti-apartheid archive. However, when considering Mrs Kemp, this clash might not be manifested so abruptly at the actual TRC site; looking at Mrs Kemp’s lifetime tells us, though, that the reversal of archives has a long history, starting when she was a student at the university. The gradual reversal of the archives has been a lifelong process in her case, which means that the difference between
these historical archives might have impacted her life much more thoroughly than was the case with the two other victims I discussed.

Each of these three testifiers thus offers an example of the way in which the TRC was a key site of identity construction. In different ways, it forced white South Africans to reconsider their identities. All of these testifying people had to try to find a compromise between conflicting identities. Both implicit and explicit identifying layers had to be merged together to construct an identity that was acceptable before the TRC. It was these constructed identities that were presented to the world; these constructed identities created the public image of the Truth Commission. In order to understand the long-lasting impact of the TRC on South Africa and beyond, it is crucial to deconstruct these identities, so to distinguish the different strands, the different motivations and the different ways in which they tended to be expressed discursively.

Finally, when considering these three victims we see an interesting variety of constructed identities, ranging differently on the scale of HRV acceptability. Keeping the theoretical concept of the archive in mind, we should try to indicate which identities were more likely to be permitted at the TRC site. The identity constructed by Mrs Kemp could be regarded as an ideal TRC identity. Stephanie Kemp is an illustration of a white Afrikaner who has been active in the liberation struggle and who would now like to reclaim her Afrikaner identity. She thus embodies national unity and reconciliation in the new South Africa. Mrs Kemp is also positive about the achievements of the new government and she openly cherishes the prospect of a united and reconciled country. We can define Mrs Kemp as an ideal witness, since she is the personification of some of the values inherent to the TRC ideology – the concept of the ideal witness will be elaborated on in a later chapter.

Next on the scale of acceptability is Johannes van Eck. Although he belongs to the population group most targeted by the TRC and although he is negative about the new government, his criticism of the Commission is implied. One can suppose that he came to the TRC by his own free will, and that he is thus quite happy to get the opportunity of telling the world about his experiences. Quite likely, the identity he presents at the TRC is still quite acceptable.
Finally, there is the negatively-oriented testimony of Mrs Whitfield. She is highly critical of the TRC, of the government and of South African society in general. She does not appear before the TRC because she supports the initiative, but because it is her Christian duty; in fact she ridicules the entire TRC concept. Therefore, the identity Mrs Whitfield presents during her testimony is probably the least accepted. It is unlikely that many people with similar attitudes were invited to present their stories before the TRC in public. The Commission could use a limited number of these voices to prove its impartial and inclusive character. In general, though, identities like the one presented by Mrs Whitfield were not welcome in the new South Africa.

When trying to deconstruct the archive of the HRV hearings, we will thus be able to propose that although each of the three expressed identities was tolerated, and although each of the three was important for a specific aspect of the TRC image, there seemed to be a preference – so a scale of acceptability. In this chapter I have only considered the identity struggles of three white testifiers. In later chapters we will see that different kinds of identity layerings were present in the testimonies of certain victims who were non-white as well.

4.4.2. Feature Ten: victim-perpetrator identity

The people who appeared before the Human Rights Violations Committee were identified first and foremost as victims of gross human rights violations that had taken place under apartheid. They had all suffered from maltreatment, detention, torture or abduction, or they had a loved one who had been killed or abused. All of them told horrifying stories, arousing compassion from both the audience and the commissioners.

However, a number of victims had also committed human rights violations themselves. Some of them had done so as a member of the liberation forces, which meant that the violation was politically motivated – in theory these people could come forward to the Amnesty Committee of the TRC to apply for amnesty. Some of the victims had also committed crimes that were not politically motivated, but that were the result of social strife or historical circumstances. This was an entirely different group of perpetrators, since they would not be able to get amnesty.
In my selection of thirty victims, a number of testifiers presented such a double identity. Quite understandably, they seldom referred to the perpetrator identity themselves. Instead, this identity was often introduced by the leading committee members, although they usually indicated that the victim identity was acknowledged as the dominant one. Sometimes, victims accepted this double identity and they were prepared to give more information about the committed violation. In other cases, though, victims tried to get round this particular identification - they either ignored the reference to the perpetrator identity or they tried to justify their criminal behaviour.

In these testimonies we thus notice an interesting shifting back and forth between these two identifications. This results in a fascinating combination of refusing, accepting, ignoring and stressing either of these two identities. This layering was usually co-constructed through interaction with the commissioners, the commissioners who were committed to prioritise the victim identity of the testifiers, but who were unprepared to dismiss the flip side of their personalities – and who sometimes even emphasised this flip side deliberately.

The first testifier who presented a double identity is Kenneth Manana. He was arrested and subsequently tortured by the South African Police. Mr Manana is one of the victims who personally identifies as a perpetrator in the course of his testimony. He talks about the committed robbery right from the start of his testimony, so in fact this crime forms the departure point of his narrative.

**MR MANANA:** At the present moment I am working. I am working at Queue. I am also saved, I am a Christian and I was so happy to get a subpoena to come before the Commission and explain as to what have happened to my friends and others. From the time we were detained after we robbed some premises at Savoy there were some people from Soweto and others were from Alexandra.

Although Mr Manana’s story is rather incoherent, we do understand that he talks about a robbery, which then resulted in his detention. In fact, Mr Manana’s mixed identity before the TRC is combined in one and the same phrase: “From the time we were detained after we robbed some premises at Savoy…” Mr Manana talks about the robbery, indeed, but this perpetrator identity is only referred to briefly. Immediately thereafter he continues with what happened to him in prison - he was severely tortured -, so it seems as if he mainly wants to emphasise his victim identity.
Mr Manana’s narrative is intense but short, and soon commissioner Manthata takes over to ask clarifying questions. Strikingly, already in the first question, commissioner Manthata only stresses the perpetrator identity of the testifier.

MR MANTHATA: Kenny please forgive me, I will try to find out as to your arrest. Was it to do with your robbery at Savoy?

MR MANANA: I would say it was connected with that matter.

MR MANTHATA: Because the others were killed there was no one who witnessed that your issue was political.

(...)

MR MANANA: In court they never enquired anything about the involvements of APLA.

(...)

MR MANTHATA: What I want to find out is whether you were sure that there wasn't anyone, we know that you were an APLA member, that all that you were doing you were involved in politics and did you only (indistinct) a story. I would say that up to the time when the case came to an end you were the only person who knew that you were an APLA member. Your involvement or your contact with police, it wasn't anything connected with politics. It was only the robbery issue which came into the focus.

MR MANANA: I would say that the police knew about the issues of guns. While they were investigating they also assured me - they were telling us that the particular organisations they were using these arms in their struggle. Police knew that but in court they used it - they called it as a criminal case.

Commissioner Manthata highlights the perpetrator identity of the victim, because he wants to find out whether this robbery was politically motivated. This was an important aspect, because a politically motivated crime was more or less justified in the TRC context. It is not obvious to find out what Mr Manana tries to say. In the end we understand that the robbery seems to be connected to his APLA activism, although the police called it a criminal case.

This entire interaction about the political or criminal nature of the robbery does not belong to regular HRV discourse. It is rather typical for amnesty discourse: at the Amnesty Committee perpetrators were interrogated about the political motivation of their crimes – a crucial element, since this was related to the possible granting of amnesty. It is likely that commissioner Manthata uses this amnesty discourse to support the victim: the gravity of the robbery was considerably diminished if it was connected to
anti-apartheid activities. But still, it is remarkable that a large part of the victim hearing is devoted to this perpetrator aspect of his testimony.

In the following part, Mr Manana is mainly presented as a victim through the interaction with the commissioners. They ask him about his legal defence when he appeared in court and about his release from prison in 1991. Towards the end of the testimony, though, Mr Manana’s perpetrator identity is emphasised again, this time by commissioner Mkhize:

**MS MKHIZE**: A small question. I don't remember well if you have clarified that before. Can you briefly explain to us that when you say you were an APLA member things like criminal acts were then allowed by APLA policies.

**MR MANANA**: I will say no because our policies were on the line of the struggle against the government at the time. At that time the only thing we could do was just to get to help, was to use criminal acts. We used it as a discretion.

**MS MKHIZE**: From the beginning you said you a person you have changed or repented. When you say that why do you think it is necessary to mention that?

**MR MANANA**: This was mentioned to show that in all that had happened I now realise that some of those things were mistakes and that those people who do something bad to me at the present moment that think I do have a heart to receive them and forgive them. Just to show before the Commission that I do have that heart to forgive.

**MS MKHIZE**: That repentant heart of yours, if there other things that you have done while you were an APLA member, something that was against the law, will you be prepared as a changed person to go before the amnesty committee to ask for forgiveness?

**MR MANANA**: I will say since I was charged for the criminal act that I have committed the case is over.

Again, this interaction seems to be an example of typical amnesty discourse - especially the references to repentance, asking for forgiveness and appearing before the Amnesty Committee. It is clear now that the robbery was politically motivated, so commissioner Mkhize urges Mr Manana to apply for amnesty at the Amnesty Committee. At this point however, the victim refuses to accept this perpetrator identity. He states that he has been charged for the robbery and that the case is closed.

Throughout this testimony Mr Manana is manifestly projected as a perpetrator – initially by himself, although only briefly, but later on more explicitly by different commissioners. When referred to by the commissioners Mr Manana refuses to adopt this identity. He accepts that a criminal act has been committed, but he was punished and he should now be considered as an apartheid victim in the first place. Only to a limited extent this victim
identity seems to be addressed by the commissioners, although Mr Manana has obviously suffered greatly at the hands of the security services.

Also the closing statement of Ms Mkhize largely presents Mr Manana as a perpetrator.

**MS MKHIZE**: We would like to thank you for having been able to come. *We also thank you for having started a new life. Also being ready to reconcile and forgive. As you have already said that you are a new man, you have repented. We pity you for having suffered under the hands of the police. We also believe that you work with us to add any information that we might need in your statement. Thank you very much.*

Again, the same discourse of starting a new life after having committed an offence and of repenting is reminiscent of amnesty discourse. One sentence explicitly refers to Mr Manana’s victim status: “We pity you for having suffered under the hands of the police” – and this is the only time in the entire interview that reference is made to the ill-treatment this person has undergone.

Metro Bambiso is a victim who was also detained and tortured by the police. In the victim findings of the TRC Report (2002, 7: 18) it is stated that Mr Bambiso was detained and tortured by the police in 1986. The Report also says that Mr Bambiso was arrested because of the attempted ‘necklacing’ of the girlfriends of Municipal Policemen - which indicates that Mr Bambiso can be identified as a perpetrator as well.

Mr Bambiso starts off by explaining what led to the necklacing, so he actually presents himself as a perpetrator right from the start. He does not seem to be ashamed of the fact that they cold-bloodedly decided to “burn” the informers. According to his discourse Comrades had the right to punish informers.

**MR BAMBISO**: As we were this group of Comrades we wanted to get rid of the people who were known as the stumbling blocks. In other words, people who were informers. There were three ladies who were staying in Masikane area in Bedford. They were Rooibot Chain, Selina Lange and Thembeka Sikasi. They were together with the police. They were having affairs with the police. *We sent certain Comrades to go and call these ladies, because a decision was taken that we will deal with them. At that time it was half past four during the day. They came to hear what they were called for. We wanted to know about their position in the struggle in our community. They did not give us an answer. They told us they will shoot us. They would get guns from their boyfriends and shoot us. We must leave them alone. Because they answered the way they did we decided to burn them. We tried to organise things that we were going to use in order to burn these people. The police were phoned by certain people informing this.* **ADV SANDI**: Were you arrested after this?
MR BAMBISO: I was arrested the same night. This happened in the afternoon.

After this explicit self-identification as a perpetrator, the perspective is shifted and Mr Bambiso is identified as a victim in the following part of the testimony. Commissioner Sandi asks about the way this victim was tortured and how he was physically affected by his detainment. Mr Bambiso is also asked about his requests, to which he answers that he would like the perpetrators to come forward to apologise to the community. All of these items - talking about torture details or about a vision for the future - are inherent aspects of the HRV discourse. In this middle part of the testimony, Mr Bambiso is thus explicitly framed as a victim.

It is only towards the end of the interview that the perspective is shifted again to Mr Bambiso’s perpetrator identity. From then onwards, the discourse used resembles typical amnesty discourse. It is chairperson Manthata who poses these final questions.

CHAIRPERSON MANTHATA: Mr Bambiso, you explained to us about your involvement in necklacing the three ladies in Bedford. You have told us what happened. You told us that you were involved in this incident. I have also noted that according to your statement, you were charged and you were sentenced because of this incident. I want you to look back, maybe if you can, I want you to tell the Commission how you feel today when you look back at your plans for burning these three ladies. How do you feel today?

MR BAMBISO: When looking back, Mr Chairperson, firstly, I would like the Commission, on my behalf, to ask forgiveness for the victims, although I was forced by the political situation to act the way I did. I want them to forgive me about the plan that I made although I was sentenced.

Since he openly asks for forgiveness from the victims, it looks as if Mr Bambiso is prepared to accept this perpetrator identity. Nevertheless, this acceptance is conditional: he is a perpetrator and he asks for forgiveness, BUT he stresses that he was forced to commit human rights violations as a result of the political situation. And further, he wants the victims to forgive him for the plans he made, BUT he stresses that we was already sentenced for this crime. These phrases indicate that Mr Bambiso still predominantly identifies as a victim. It is especially here, at the end of the testimony, that he is urged by the commissioners to address this perpetrator identity – apparently this is not an identity he is prepared to fully incorporate.

The previous two victims both referred to their perpetrator identity spontaneously. This is not the case with Nelson Jantjie. Mr Jantjie came to the TRC together with his mother
to testify about the killing of his sister Sophie – she was shot dead by a policeman in 1985. In the first part of this testimony, the mother talks about the killing of her daughter, which is rather emotional. The floor is then handed over to Mr Jantjie, who immediately projects the case to his personal situation. He angrily talks about his own detention and about his miserable current situation. He is convinced that he was wrongly punished and wrongly accused and he seems to be furious – especially towards the police. All the time he explicitly presents a victim identity. All of a sudden, commissioner Potgieter changes the perspective.

**MR POTGIETER:** I want to know what actually happened to you, you were charged. And you were found guilty, what were you found guilty of?

**MR JANTJIE:** They said I had killed [indistinct] the father of the man who had killed my sister, I was guilty of murder and attempted murder - 35 years in jail, I just got out because we got indemnity. I would still be in prison all because of lies.

**ADV POTGIETER:** But were you charged alone - were you the only person in that case?

**MR JANTJIE:** No sir it was three of us - I was accused no 1, there was accused no 2 and 3. There were a whole lot of others that were charged of public violence, the filth that the police said is that we attacked Tsemese's house, that is why they had to shoot - that is all lies. My sister was shot before the comrades took action. All we want is the truth, before the comrades took action my sister was already dead.

(…)

**ADV POTGIETER:** And it was because - for his killing that they sentenced you.

**MR JANTJIE:** Yes that's right. I was accused of having murdered him.

**ADV POTGIETER:** And you were the only person that was convicted and sentenced for that murder of Bhokwe Tsemese.

**MR JANTJIE:** No sir as I said there were three of us, the others got suspended sentences.

**ADV POTGIETER:** [indistinct] and you were released, you were sentenced when - when were you sentenced.

**MR JANTJIE:** A year - I stayed in detention for a year, then the following year in November or October I got sentenced.

**ADV POTGIETER:** So they arrested you in December of 1985 and you stayed in prison until you were sentenced - you never got bail.

**MR JANTJIE:** I did not get bail, they refused, our advocates tried to get bail for us. They even requested if I could go to my sister's funeral, they refused. They said that I am dangerous - they are the one’s who are dangerous not me. It is the police, the law - they are dangerous, I am not dangerous. But they are covering up their own filth.

**ADV POTGIETER:** But when were you released eventually in which year were you released?
MR JANTJIE: In 1991 sir I can’t remember exactly what month but it was in 1991.

It is important to quote this elaborate piece of discourse here, because it shows us how commissioner Potgieter is able to construct Mr Jantjie’s perpetrator identity, while largely dismissing his victim identity. The commissioner thus ‘ascribes’ this particular categorical identity to the victim, rather than that this identity is ‘achieved’ or ‘inhabited’ by the victim himself. The discourse on charging, being accused, sentencing, being detained, being released on bail, etc. is pact and parcel of perpetrator discourse, and not of victim discourse. Although commissioner Potgieter touches upon this perpetrator identity quite abruptly, we notice that Mr Jantjie accepts this imposed identity transformation. He seems to truthfully answer the commissioner’s questions and he is definitely not challenging this identification.

After this interaction commissioner Potgieter briefly inquires about Mr Jantjie’s present situation. When the victim explains about his unemployment and about his medical problems his victim identity is stressed again. However, this is rather limited compared to the time interval in which Mr Jantjie was identified as a perpetrator. The mother of Nelson is then addressed again. She was also personally detained and she gives some information about her personal experience of human rights violations.

In her closing statement commissioner Burton tries to find a compromise between the victim and the perpetrator-oriented indexicalities of Mr Jantjie’s identity. Mr Jantjie and his mother are first and foremost projected as victims when Ms Burton talks about the turmoil in the community, which resulted in the fatal incident with Sophie. Later on, though, she stresses that people have different memories and that people often give different versions of the same event. She thus insinuates that Mr Jantjie’s version of the incident is not necessarily the correct one. Maybe, he was not wrongly accused; maybe, he can indeed be seen as a perpetrator who killed the father of the policeman who shot his sister.

MS BURTON: (…) There are different memories - there are different versions of what happened and our attempt to find out exactly what happened is not in order to find revenge on anybody or to punish people for what in a way they were the victims of those circumstances of that time to happen. It’s in an attempt to say now we understand what happened and now we are reaching a point where we can try to put it behind us. That may mean that some people have to say I am sorry, which is a very hard thing to do, that people have to seek amnesty for what they did and try and bring these things out in the open, not to punish but to put it behind us and that’s what we are trying to do now.
Commissioner Burton even talks about the obligations for people to apologise and to seek amnesty. Maybe, this refers to Mr Janjie – which then means that he is again projected as mainly a perpetrator. Maybe, this is just a general statement, detached from the individual case of Mr Janjie.

Throughout this testimony we thus see a constant shifting back and forth between two separate identifying layers. Initially, Mr Janjie solely presents himself as a victim. When commissioner Potgieter changes the perspective, the victim follows him – most likely because he is convinced that the accusation and detention were wrong. Hence, he might also perceive the perpetrator identification as wrong and unthreatening. In her closing statement commissioner Burton compromises between these two identifications, although she especially emphasises the victim identity of these testifiers.

An interesting case of a constructed double identity can be found in the testimony of Bernadine Mwelase. He was an MK operative who was captured by members of the South African Police. He was severely tortured and was forced to become an askari. As an askari Mr Mwelase had to infiltrate in the liberation movement to try to eliminate activists.

In the main part of this testimony Mr Mwelase is identified as a victim. He is asked about the circumstances of his arrest and about the way he was ill-treated in detention. This is clearly the part in which a victim identity is projected onto the testifier. Gradually, the questions move in a different direction when the commissioner asks how he became an askari and what his job was as an askari. These expressions regarding Mr Mwelase’s askari identity can be seen as a transitional micro-narrative. In this micro-narrative the two identities have merged into one expression, the askari. By definition, an askari was both a victim and a perpetrator. Askaris had usually been severely tortured in order to force them to cooperate with the apartheid regime. As an apartheid operative they often had to carry out the dirty jobs, which meant that they often had to kill activists (sometimes their former colleagues).

After this intermediate micro-narrative the leading commissioner poses a final question. From then onwards Mr Mwelase is characterised as merely a perpetrator.

MR DLAMINI: I think we have heard, or perhaps we've seen this picture you've laid to this Commission, but my last question. As I am listening to your evidence you are a person who we may refer to as one that was tortured, and whose human rights were
MR MWELASE: No, I only have to ask for amnesty from the community or the people of South Africa, because even now I can’t be employed.

MR DLAMINI: No, that’s - here we are just looking at how your human rights were violated, but when you go beyond us now, as you also were an askari, and violating other people’s rights, now that falls under the Amnesty Committee. It may be wise for you to apply for amnesty, and be careful now because there is a D-day on the 10th of May this year. After the 10th of May they won’t be accepting any applications thereafter. Now, you want to be careful about that, especially if you want to take that decision as a former askari, because after that time your application won’t be accepted if you want to apply for amnesty.

MR MWELASE: Let me turn this thing around. I would like to see this traitor, as to how much was he paid and how many did he sell or spy on? I know that there was a traitor behind me, and how much was he paid for that and how many did he lead into this? And the last thing I would like to say this.... I want you to investigate also how they used me.

Commissioner Dlamini starts his final question in a very diplomatic way by stressing Mr Mwelase’s victim identity. The “but what I would like to ask” then indicates a shift in perspective: without any further hesitation Mr Dlamini asks straightforwardly whether Mr Mwelase would be prepared to apply for amnesty. In this phrase, the testifier is categorised as a perpetrator, since this question solely belongs to the perpetrator-oriented discourse of the Amnesty Committee. Mr Mwelase totally refuses this identification. He is prepared to apologise to the community, but he does not want to formally apply for amnesty. Commissioner Dlamini continues, though: he emphasises again that the testifier has violated other people’s rights, so that he should ask for amnesty. It even seems as if Mr Mwelase’s acceptance of a perpetrator identity is taken for granted, since Mr Dlamini goes on to explain the conditions of the amnesty application. Mr Mwelase’s reacts fiercely because he openly rejects this perpetrator identity. He even wants to turn Mr Dlamini’s question around – not he is the perpetrator, but the people who betrayed him.

Finally, the discourse shifts away from this perpetrator perspective again. The floor is handed over to commissioner Lax, who asks some more details about Mr Mwelase’s life as an askari. The perspective thus moves from the perpetrator identity to the multiple askari identity. In the final statement the chairlady pictures Mr Mwelase as a victim in the first place, but she does come back to Mr Dlamini’s suggestion to apply for amnesty at the Amnesty Committee.
CHAIRPERSON: Mr Mwelase, before I will say anything I would like to emphasise on this where Mr Dlamini has said that as we listen to your story it is imperative that you go to the Amnesty Committee, where you will ask for forgiveness. You have already made mention of the fact that you don’t know how to go about to contact the Amnesty Committee, but the lady seated right next to you can enlist help as to how to go about applying for amnesty before the D-date, which is the 10th of May 1997. Am I clear, am I crystal clear? What I will say to you is that as we have heard your name and seen your name we could tell that you have been tortured a lot, and also you were coerced to be one of the perpetrators, and this is the time when we want to know all the truth about you…. The last thing I would like to say, it looks like you may need to meet some people from this very Commission who will advise you also psychologically. The very same woman seated next to you is one of the counsellors also who may lead you to other counsellors, who will give themselves time to sit with you and analyse your situation and the trauma you have suffered. Because as I am looking at you I think you have been highly affected also psychologically. Thank you.

This final statement is thus a compromise between the two – actually three – identities that have been projected onto Mr Mwelase in the course of this testimony. It was indeed one of the functions of the closing statement to summarise the preceding testimony. The different identifying layers had to be brought together in an effort to present a final identity that was acceptable to the testifier as well as to the ideological stance of the TRC.

My final example comes from the testimony of Mr Mahlangu. Mr Mahlangu was set alight and almost necklaced by members of the ANC in 1986. Mr Mahlangu is a member of Imbokhoto, a vigilante organisation led by the political and economic elite of the homeland KwaNdebele (TRC Report, 1998, 2/5: 478). In the 1980s there was a lot of tension between ANC members and members of Imbokhoto.

This testimony is lengthy, because Mr Mahlangu gives a lot of background information on the political situation in KwaNdebele and on Imbokhoto. After some time commissioner Ally urges him to move to the actual incident and the testifier then gives a detailed description of the way in which he was attacked and injured. In this first part he is clearly presented as a victim. From then onwards commissioner Ally concentrates on Imbokhoto. By posing leading questions regarding the aim and the functions of the organisation Mr Ally insinuates that Imbokhoto was harmful to the people of KwaNdebele. Gradually, Imbokhoto is presented as the instigator of many of the conflicts and as the cause of many of the human rights violations that took place in KwaNdebele. Commissioner Ally even insinuates that there was a connection between Imbokhoto and the police force.
DR ALLY: Why was a motion passed in the KwaNdebele Legislative Assembly in August 1986 that called for Imbokhoto to be disbanded? What led to that feeling that people actually said that this organisation should no longer exist and although there was no official decision taken, no one really spoke against it. What happened then that such a call should be made?

MR MAHLANGU: The Parliament made such a recommendation, but Imbokhoto never stopped existing. It is still existing even today. Everything can be done, but Imbokhoto is still existing. The Parliament did not even have powers to burn Imbokhoto. I am still a member of Imbokhoto even today.

(…)

DR ALLY: How would you respond to those people who say after 1985 Imbokhoto became an instrument of those who wanted independence? That it stopped being a cultural movement and it stopped protecting people, that its sole function was to intimidate and to harass those people who were opposed to independence? How would you respond to that?

MR MAHLANGU: People who were against independence were saying Imbokhoto is at the forefront of taking power. They said, no, we do not want Imbokhoto because we do not want independence.

(…)

DR ALLY: To your knowledge was there ever a special relationship between the police and Imbokhoto because some people claim that the police often protected Imbokhoto? How would you respond to that charge?

MR MAHLANGU: Imbokhoto once worked with the police. It was co-operating with the police at the time when the people were telling the police that their area is not safe especially at night and they raided the area.

It seems as if Mr Ally is trying to implicate Imbokhoto, and to picture it as a criminal organisation. Since Mr Mahlangu strongly identifies as a member of Imbokhoto, it looks as if he personally is projected as a perpetrator rather than as a victim. Mr Mahlangu remains faithful to his organisation, though. He defends Imbokhoto all the way through and he explains and justifies its supposedly criminal behaviour. According to this testifier it was solely out of envy and a craving for power that certain people accused Imbokhoto, and indeed there has been a relationship between the police and Imbothoto, but only to support the police in its protection of civilians. Through exonerating his organisation Mr Mahlangu thus tries to reject this imposed perpetrator identity. Instead, he keeps repeating that Imbokhoto members were regularly attacked – maybe by members of the ANC. According to him Imbokhoto was a victim - of the liberation movements - and not the other way round.

DR ALLY: To your knowledge, was Imbokhoto ever involved in any unlawful or criminal activities?
MR MAHLANGU: According to my knowledge I have never heard anything, I have never heard any criminal case that was done by Imbokhoto.

(…)

MR MAHLANGU: I will not specifically say how many people have been affected, but many people were affected really. Some of them were burnt and I normally say *I am the only person who survived the petrol during those years. I know many people who were burnt to death*.

Also the next commissioners, Ms Seroke and Mr Manthata, continue to inquire about Imbokhoto. All the time the organisation is presented as the cause of violence in KwaNdebele. When the issue of reconciliation is raised, it therefore sounds as if the members of Imbokhoto, as perpetrators, are supposed to reconcile with their victims (represented by King Mayisha).

MR MANTHATA: But what would you say today with the call made by King Mayisha that he desires reconciliation and peace in the whole region of Moutse, KwaNdebele?

MR MAHLANGU: We share the same sentiments as the King even though our hearts are sore because we are broke as now. There is nothing that we can do. That is a most disturbing first factor. *If he can compensate us, maybe, or help us in any way, we can accept that and go back.*

Interestingly, Mr Mahlangu interprets this question differently. He identifies the Imbokhoto members as victims – they are broke and they expect compensation from the wrongdoers. As Mr Mahlangu puts it: Imbokhoto is willing to reconcile, but only when their adversaries are prepared to help them with material benefits. In contrast with the insinuations of various commissioners, Mr Mahlangu thus succeeds in stressing the victim identity of the Imbokhoto members.

Throughout the testimony, Mr Mahlangu’s personal incident is hardly ever addressed. The testimony mainly consists of the commissioners attacking Imbokhoto and the victim defending the organisation. The identity conflict here lies in the difference between Mr Mahlangu as an individual and as a member of the vigilante group. As an individual person his victim identity seems to be accepted by the commissioners. As a member of Imbokhoto, though, it looks as if he is mainly seen as a perpetrator. Since Mr Mahlangu strongly identifies with the organisation it appears as if he is mostly seen as a perpetrator in his appearance before the HRV Committee.

In these five examples the layering on the level of the victim’s identity takes various forms. In each of the five cases a double (or even triple) identity is openly manifested in
the course of the testimony. On a macro-level, all of these testifiers were categorised as ‘victims of gross human rights violations committed under apartheid’ – this will be their permanent label in the archive of South Africa’s apartheid history. When analysing the actual discourse, we notice that different identities were constructed, sometimes by the testifiers themselves, and sometimes by the commissioners. Sometimes testifiers accepted to be labelled as perpetrators, and they even talked about their committed crimes spontaneously. This could be motivated by a desire to admit past crimes in order to apologise to the victims and to be re-accepted in the community. Sometimes, testifiers tried to reject this perpetrator identity, for instance by justifying their behaviour and by rejecting the proposal to apply for amnesty.

The constructed identity layering present in the testimonies had to be acceptable to different actors in the TRC process: the victims, the commissioners and the outer public. The perpetrator identity should not be overemphasised - this would be unfavourable to the image of the Human Rights Violations Committee and it would be unfair towards the testifiers who had often suffered greatly at the hands of the apartheid state. Nor should the perpetrator identity be completely ignored, since this would be unfair towards the victims of these testifiers.

In trying to find a compromise between these two conflicting identities, the commissioners had a huge responsibility. For the future coexistence of South Africans it was crucial to identify past victims and perpetrators. Stressing that some victims had also been perpetrators could be advantageous for reconciliation on a national level – national unity and reconciliation might be stimulated when people realised that some of them had this double identity. On a personal level, highlighting the perpetrator-identity of some of the victims could also lead to embitterment and frustration. Quite likely, the commissioners were well aware of this delicate balance they had to find. As a producer of historical knowledge, the TRC had to construct identities with an eye to a peaceful future of South Africa. Simplifying the apartheid past by dividing people in either victims or perpetrators, would probably not advance the aim of a unified South Africa. It was thus very useful to have a number of testifiers with mixed identities. In addition, this element also demonstrated the inclusive nature of the TRC: it proved that even victims with a history as a perpetrator were welcome at the HRV Committee. All this explains why in some of the testimonies the perpetrator identity was manifestly stressed.
To conclude, this particular identity layering was an inherent feature of the HRV discourse. It was a constructed kind of layering that had to meet specific personal and societal acceptability-criteria. The distinction between victims and perpetrators of apartheid was decisive in post-apartheid South Africa – for the rest of their lives victims would be labelled as heroes and as highly respected citizens in the new South Africa, while perpetrators could be stigmatised and encounter difficulties to get re-accepted in their communities. Deconstructing these identities as they were presented at the TRC is thus indispensable to come to grips with present-day South African society.

4.4.3. Feature Eleven: Pro-con ANC identity

A number of victims who appeared before the HRV Committee strongly identified with one particular political party. Many times it was the ANC, but there were also supporters of the IFP, the PAC, APLA or MK. For some of the victims this projected political identity was their dominant identity while testifying before the HRVC. Sometimes however, testifiers shifted between different political identifications. Not so much did they move from one particular political affiliation to another; but they sometimes constructed different identifying indexalities vis à vis one and the same party – meaning that in the course of their testimonies they passed through a spectrum ranging from strongly supporting a political party to totally despising this same party. I will illustrate this identity layering by means of attitudes towards the ANC. I have chosen the ANC because a majority of testifiers in my selection identified with the ANC and because it seemed to be challenging for the victims to resist the ANC in the context of the TRC proceedings.

The first case comes from the testimony of Charity Kondile. Mrs Kondile talked about her son Sizwe, an MK-operative who was killed by the apartheid security services in 1981. Throughout her testimony Mrs Kondile seems to display an ambiguous attitude towards the ANC. On a macro-level she supports the ANC, its policy and its liberation struggle. In some instances, this support of the ANC can also be detected on a micro-level, so on the level of the actual discourse. Usually however, when looking at this concrete micro-level, Mrs Kondile seems to be highly critical towards the ANC.

More details about the testifiers’ political affiliations will be given in Feature Twelve (4.4.4.).
We have seen in chapter 4.2.3. how commissioner Ntsebeza tried his best to rectify Mrs Kondile’s criticism vis à vis the ANC. In the following extracts we will notice that this testifier also spontaneously shifted between different identifications with the ANC. We observe, first of all, that Mrs Kondile is proud of her son’s activism and about the fact that he was prepared to give his life for the liberation. Especially the extralinguistic manner (only visible on the videotape) in which she pronounces the following words is evidence of her pride.

MR NTSEBEZA: What did he tell you about the ANC, if anything when you found him here?

MRS KONDILE: Well Sizwe reassured me that he had joined the struggle and there was no way of turning back. When I spoke to him about coming home he told me that there was no ways he could come back home before he had achieved his mission in the struggle.

Mrs Kondile then continues her story. She elaborates a lot on the fact that Sizwe was abducted from Lesotho by the security forces, while some of his ANC comrades had the impression that Sizwe had turned a traitor. It is at this stage of her testimony that she seems to be highly critical about the ANC and some ANC officials.

MRS KONDILE: Well I must explain to this Commission that even on that day, when I greeted one of Sizwe's friends in the street, to my disappointment, this girl shouted at me and said that Sizwe had stolen their car. I immediately realised that there was some trouble. If I went to one friend where I was staying, a certain Dolly Mabusela, and immediately I came to Dolly's house, Dolly phoned some people and Dolly told me that these people were saying, some ANC officials were saying that I should get out of Maseru immediately.

(…)

MRS KONDILE: As I say, while I was in Mandisa's house, we waited for the ANC, these ANC people to come. They said they would come and visit me, but the whole weekend they said I must not go to...(indistinct), they would come to me. But at the end, on Sunday evening, the Clinea brothers came and said, "The ANC people are not coming to see you, they are saying you must go to the refugee offices and if you want Sizwe's belongings, we don't want a woman, a man must come alone." and I think they meant his father. This is the message I got, I never met the ANC people.

(…)

MRS KONDILE: Well I must say that whilst I was in Maseru, I went to the refugee offices on that Monday, and the people there told me that they did not want to say anything to me until I had met with his colleagues…

(…)

MRS KONDILE: I don't know, when I asked him (Sizwe's father, sic) he said, he was never there when Sizwe was kidnapped, he feels he, I don't know why he's not here, but he said he's got nothing to witness. He is a depressed man about all this matter.
Mrs Kondile seems to be very disappointed about the attitude of the ANC. She describes her search for Sizwe and how she constantly bumped into disbelief and distrust from the side of the ANC people. Especially the demonstrative pronoun “these” and the indefinite determiner “some” convey a negative impression towards the terms “ANC people” and “ANC officials”. In the second extract, Mrs Kondile’s facial expression shows utterly disgust when pronouncing the words “these ANC people”, a facial expression that is even more revealing than the actual words. The ANC members are pictured as dishonest people who did not live up to their promises. They did not even show compassion and understanding towards a mother who is desperately looking for her lost son. Mrs Kondile also indicates that her husband is very depressed about “all this matter”, probably meaning the attitude of the ANC.

However, interchanging with the implied criticism towards the ANC, Mrs Kondile also indicates that the reprehensible attitudes of the ANC people were actually caused by the apartheid security services. Several times she insinuates that it was the South African police who had led the ANC to distrust Sizwe.

**MR NTSEBEZA:** Was it your impression that the view was that he had voluntarily left because he was working for the South African Police?

**MRS KONDILE:** That was the impression that had been sown in their minds by the South African Police.

**MR NTSEBEZA:** Is that what was communicated to you by word or deed?

**MRS KONDILE:** Yes.

**MR NTSEBEZA:** How did this affect you as a mother who had lost her son due to his disappearance?

**MRS KONDILE:** (…) these people would not sympathise with me, they would still think that I was telling lies, they said I knew I was in the Transkei.

**MR NTSEBEZA:** Did they say that?

**MRS KONDILE:** Some of them said that.

In this fragment Mrs Kondile seems to indicate that she does not want to blame the entire ANC. She is more nuanced than in the previous phrases: she sees the suspicion towards Sizwe as the result of the endeavours of the South African Police and she emphasises that not all ANC people (“some of them”) were convinced Siswe had turned
a traitor. We thus see that at this stage Mrs Kondile is not straightforwardly critical about the ANC. She is frustrated with the ANC, but she tries to temper her criticism.

Also in the following extract, the ANC is approached critically, since Mrs Kondile expects the ANC to at least acknowledge Sizwe’s sacrifice. However, she adds immediately - and stresses it by means of the introduction “Of course I must testify to the Commission” - that ANC leader Chris Hani did recognise Sizwe as a fallen hero – again an indication that she does not want to generalise with regard to the movement.

MRS KONDILE: And incidently, that is one other reason why we don't accept really, because we feel that somebody from the ANC offices should have come, at least to say that Comrade Sizwe fell and they accept the way. Of course I must testify to the Commission that at some rally in Port Elizabeth, the late Mr Chris Hani, when he was been reading out names of the heros of the Eastern Province who have fallen, he has always read out Sizwe's.

Later on she even stresses that the Kondile family has a history of resistance against apartheid - it is thus hard for her to hear Sizwe being accused of treason. This tells us that on a more fundamental level, Mrs Kondile is a strong supporter of the liberation movement.

MRS KONDILE: And I'd further add that it's a request from my mother in law that I should have expressed to the Commission that the Kondile family would be the last people to turn traitors, because even the state president himself, President Mandela, and the late Mr Oliver Tambo, were once sheltered under her roof in Port Elizabeth. So I want to say that Sizwe grew up under such conditions, listening to these stories from his grandmother, so he has been inspired. They have expressed that they have been in the struggle for quite a long time to find themselves at last ...(indistinct).

Throughout the testimony Mrs Kondile also identifies people by the term “Comrade” – even her own son is sometimes called “Comrade Sizwe”. ‘Comrade’ was (and is) the typical term by which members of the liberation movement address each other. By using this terminology in her testimony, Mrs Kondile identifies with the liberation movement and its policy. Apparently, the identification with the ANC is Mrs Kondile’s overall attitude. This attitude is challenged while testifying before the TRC, although it remains dominant. Indeed, although critical once in a while, this testifier also manages to qualify her criticism towards the liberation movement at certain points in her testimony. Her negative attitude thus refers to an identification she does not fully incorporate – it is merely a situational identification, which turns up at this particular moment of testifying before the TRC.
An interesting case is the testimony of Gregory Beck. Mr Beck is a police officer and while on patrol in Soweto in 1988 he was shot by members of the UDF. Mr Beck does not have any political affiliation to the ANC, but in the course of his testimony we notice that his discourse veers between criticising the ANC and supporting it. He thus displays various identifications vis à vis the liberation movement, although the critical stance is usually more implied than the supportive one.

In the first part of his testimony Mr Beck strongly identifies as a victim of the ANC. He presents himself as an ordinary policeman who was deliberately targeted by the liberation movement. Another identification he stresses is his police identity. It is mainly as part of this particular category that he was victimised by the ANC. In this first part, Mr Beck’s police identity and his identity as an ANC victim thus coincide.

MR BECK: I didn't see a thing, I just heard the shots and I saw flames from the firearms but I couldn't see anybody. But as you mentioned there that it was well-known that the liberation movements had an arms struggle against the State and we, as the police, were the first targets of that armed struggle. In that year a lot of policemen were killed.

After some questions have been posed by commissioner Ally – questions in which the police force seems to be accused of cooperating with the apartheid state – Mr Beck tries to justify his behaviour as a policeman. He still distances from the ANC and he identifies as a police officer who was not aware of covert operations under the authority of the apartheid regime. In the same turn, though, his perspective changes: he continues by claiming that he can now understand the viewpoint of the liberation movement. He even seems to be grateful to the liberation movements to have liberated all South Africans and to have created this new South Africa. All of a sudden he is very explicit in his praising of the liberation movement. Especially the phrase “this new South Africa of ours” might indicate that he now identifies with the achievements of the ANC.

DR ALLY: Mr Beck I don't want you to take the question that I am going to ask as any indication of any insensitivity to what you have experienced. I am sure that everybody here round the table is moved by what actually happened to you and sympathises. But I would like to know what your opinions are on the - it is well-known that during the period that you are speaking about the police and the army and all other such structures were seen as an extension of the apartheid state which was oppressing people, and therefore as legitimate targets, how do you feel about that position and in the context of what actually happened to you?

MR BECK: Okay. Before 1990 I can say that we as ordinary policeman didn't know much about these covert operations. We didn't know anything about it. It was mostly the specialist policemen, the Security Police, Murder and Robbery and all those kind of guys who
knew about these type of operations, and as we are now in the transparent and new South Africa more of these incidents are now revealed. Now it becomes more clear to me what was really going on and the balance between the State at that time and the liberation movements, and I can see the viewpoint of the liberation movement as well, which they hold, or which they held to bring about what we are experiencing in this new South Africa of ours, and that cost us all to be liberated, so therefore I don’t bear any grudges against anybody for what happened, although I was a victim of it, but I understand now. Before I didn’t, no. And if these things were not revealed maybe I would have held a different opinion.

Later on, Mr Beck even identifies with President Mandela, the most famous personality in the entire ANC. This identification with Nelson Mandela at the HRV hearings is something we have already noticed earlier. Oftentimes people mentioned that they would be reluctant to forgive, if it were not for the role model of Nelson Mandela. It definitely seems as if this one person exercised a pervasive influence on the construction of reconciliation discourse in South Africa – I will come back to this issue later on.

MR BECK: The reason why my life changed is that I've now learnt from all the stories I've learned from the example that our State President has brought us for forgiving after he went through all these atrocities as well, and he can forgive, and I became more tolerant now and more understanding, which before I wasn’t. I can understand now from both sides, and people’s problems daily in my job as well.

This discursive shift in identification – from ‘the ANC is the enemy’ to ‘the ANC is our party’ – in the course of Mr Beck’s testimony seems to be part and parcel of his personal transformation process. As can be understood from the above fragments, Mr Beck proudly and manifestly expresses that he has changed since apartheid has come to an end. He can now accept the visions of the liberation movement, he can forgive the perpetrators and he feels part of a united new South Africa. His commitment to the new dispensation is clearly revealed when he expresses his opinions about the new South African police force.

Strikingly, it seems as if in this part of his testimony, so after the identification shift, Mr Beck does no longer associate with the police force in the same way as he did before. The police force is no longer seen as one entity, of which each policeman is an inherent component. A difference is made between policemen who want to abide by the new South Africa and the ones who refuse to submit to the new government. The police force is no longer seen as one coherent whole, since Mr Beck differentiates between good and bad elements. He is harsh with regard to the non-cooperative policemen, an attitude that suits his new identification profile.
MR BECK: Well I know that the Commissioner of Police is trying his utmost to instill into every policeman the new idea of the new South Africa, to be community orientated, and to build up a good and firm and better image towards every South African, and I feel that a policeman in today's time, after hearing all these stories of the various atrocities, is still not prepared to abide with the new South Africa, and with the new transparency that we have, and democracy, then he must be kicked out of the police service. He is of no use to the police service as such. Then everybody else's hard work to bring about a democracy will be futile, if we still have strong elements like that around us in the police.

Mr Beck seems to have incorporated the South African transformation to democracy. He probably sees himself as a personification of this transitional process. Most likely, that is also the way he is framed by the TRC. The Commission in itself was the symbol of South Africa’s transition to democracy. To illustrate this symbolic indexicality, it was interesting if a number of testifiers were showing a personal transformation process in the course of their testimonies. It was mainly significant if perpetrators - so the people who appeared before the Amnesty Committee - indicated a fundamental change in their personalities. It was also meaningful to the TRC to have victims testifying to such a transition in their lives, especially if it were somehow ‘a-typical’ victims, such as Mr Beck. This testifier is so explicit about his personal transformation, that - as said before - I would like to define him as an ‘ideal witness’ (see chapter 4.5.).

In contrast with the testimony of Mrs Kondile, there is thus no shifting back and forth between different identifications with the ANC throughout Mr Beck’s testimony. Instead, there is a clear turning point, a turning point that might have been stimulated by the insinuations in commissioner Ally’s question. Understandably, his identification with the transformation process and with the achievements of the liberation movement is much more explicit than his condemnation of the anti-apartheid movement.

Teddy Williams is another witness who testifies to a shift in identification with the ANC. Mr Williams was detained and tortured in an ANC camp in Angola. Similar to Mrs Kondile’s case, Mr Williams displays a different identity on a macro- and a micro-level. This testifier begins by talking about his growing up in the former Transkei and about his involvement with the liberation movement, which started at a very early age. He became a member of the PAC, but he soon changed to the ANC. This is how he motivates his change from the PAC to the ANC.

MR WILLIAMS: When Mr Mqwalu came and he was introduced to me I freely talked to him and told him that it is not that I am against the PAC, but because I am already - I am already used, or rather I have contacts with the ANC, I would like to go to the ANC.
because I already know some policies of the ANC because I knew about the Freedom Charter and some of the books of Mandela - like "His walk to Freedom" I had it at home.

These phrases indicate that Mr Williams strongly supported the ideology of the ANC. He did not want to join the ANC out of adventurous or any other superficial motivations. Instead, he had some knowledge of the ideological foundations of the movement, so his support of the ANC was of a more fundamental nature. In this first part he thus closely identifies with the values of the liberation movement.

Mr Williams was then taken to an ANC camp in Angola for military training. From then onwards we notice a shift: Mr Williams starts to differentiate between different people within the liberation movement. He identifies with the men who had high moral visions about the future of South Africa. This group is positioned against another group of freedom fighters who merely boosted their morale through abusing girls.

MR WILLIAMS: (...) so you know there was this type of situation where these young girls were abused or Officers would help themselves. I don't know maybe it was a question of trying to boost their moral or what, you see some of us we had our morale boosted through the visions that we had about the New South Africa. So these guys they used to call these girls part of their - mostly they were administrators, to listen to their orders, it is good of course when you are a subordinate to take orders from above, it is good to respect authority even, because tomorrow you will be authority yourself, but then what happened is that these senior Comrades, some of them they appointed these section Commanders in order to use them, they used to call these girls to the camps - actually to the Administration as if they needed them for something serious and in that way they do what they had wished to do to them.

Mr William’s identification with the ANC is no longer unconditional. He continues by relating how he was appointed as instructor in those military camps. At the same time, though, he and his mates started to challenge the abuses taking place. From then onwards he conveys a negative image of the ANC officials leading the camps.

MR WILLIAMS: We were innocent, we were among wolves, it is a pity that I should say this. Most of the leadership you see, or rather the leaders that used to address us in the camps, were men who didn't address to our problems. Those who didn't come to the camps, the man that we needed to come to the camps so that we could speak to - they didn't come to the camps, they didn't come to the camps. When we wanted to speak to ...(indistinct) and explain some of these things to him, we were not given the chance...

Not only did the officials abuse girls, they were not prepared to listen to the concerns of the soldiers. Mr Williams thus paints a bleak picture of some ANC officials. Gradually, his attack on the ANC gets more manifest and he starts to explicitly distance from the liberation movement.
MR WILLIAMS: I was severally maltreated by the African National Congress. I want to say by the African National Congress because the people who did these things were the forefront leaders.

At this point, Mr Williams straightforwardly attacks the ANC. He might realise how unusual it is to attack the ANC at this TRC site and that is probably why he emphasises “I want to say the African National Congress” – also note that he uses the full name of the liberation movement instead of the commonly used abbreviation, probably to make a stronger impression with his words. In the rest of the testimony the ANC as a movement is strongly attacked, while Mr Williams disassociates himself more and more from the ANC. He keeps emphasising that he and his friends were committed freedom fighters, who seemed to stand on their own with their idealistic values. They wanted to liberate South Africa instead of witnessing abuse in a faraway military camp.

MR WILLIAMS: *We want to go home and fight. We don't want to fight UNITA. We don't want this corruption that is happening here - people abusing other people's wives,*

(…)

MR WILLIAMS: (...) Some Comrades were taken to fight UNITA, they refused. When they refused Joe Modise called them half-baked soldiers, cowards and so on and yet the Comrades explained that "Listen, it is not that we are scared to fight, their bosses want to fight the Boers not UNITA. If we fight UNITA we are going to die here in Angola. *We want to go inside South Africa and die in South Africa fighting.*"

Finally, after a number of interruptions by the commissioners, Mr Williams relates the ways in which he personally was maltreated in the camps. He then gets rather emotional when asking for personal protection. He stresses again that although strongly victimised by the liberation movement, he was able to survive. The ANC is thus no longer the movement he looks up to as a moral guideline, but it is rather pictured as an enemy – apparently an enemy Mr Williams is afraid of until today. A final way in which the ANC is pictured negatively in this testimony is when Mr Williams refers to the ANC concentration camps.

MR WILLIAMS: Yes sir. As mutineers, we were rounded up - excuse me, *I would the Commission to try and protect me also* - because you see I am a determined person. When I stand for a principle, I stand for it, I don't think anybody or anyone - that's why I was able to survive up to this point. *And that's why the 16th25 couldn't break me - including the National African Congress itself.*

(…)

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25 It is not clear what Mr Williams refers to here, maybe a battalion or the number of a training camp.
MR WILLIAMS: As I said as a mutineer, we were rounded up and we were put in a concentration camp we were 21, and the ANC had a concentration camp.

Mr Williams seems to repeat the reference to the concentration camp purposely; “concentration camp” is a heavenly loaded term and by associating it with the liberation movement, it puts the ANC in a bad light. Especially in South Africa, ‘concentration camp’ tends to be associated in the first place with the Anglo-Boer War (1899-1902) (Davenport & Saunders, 2000: 223-232). It is sometimes argued that concentration camps were actually invented by the British during their war against the Afrikaners. Many Afrikaner women and children died in these camps, turning this term into a symbol of Afrikaner victimhood at the hands of the British. Maybe, among black South Africans concentration camps were a typical feature of the ‘white’ war between the British and the Afrikaners – the British did create camps for Blacks as well, but in these camps the death toll was not as high as in the white camps, nor did they receive the same kind of publicity as the white concentration camps (Davenport & Saunders, 2000: 223-232). This could be the underlying motivation for Mr Williams to explicitly stress that also the ANC had concentration camps, and that, in a certain sense, the liberation movement can thus be considered as cruel as the white warmongers from the 19th century.

When the issue of the requests is raised, Mr Williams accuses the ANC of the fact that it is unprepared to face the truth. The ANC is projected as a perpetrator who should “cleanse itself” and address the abuses that took place under its authority.

MR WILLIAMS: What I would like to request the Commission to do for the sake of the people of South Africa, especially for the sake of those fathers and mothers who had their children killed in exile without any reason - that the African National Congress if it’s prepared to face the truth, to cleanse itself; it should come up at least with all the names who died in exile and along each name an explanation be attached or be given that this one died of malaria at such and such an hour. This one died at the hands of UNITA, at such and such an hour. This one died because he was resisting the ANC security or whatever, or this one died because the Security killed him - for this reason or that reason. Or this one committed suicide.

This testifier again opposes the ANC to his own moral values: for the sake of the well-being of South Africa the ANC has to reveal what has happened in exile. As presented by Mr Williams it looks as if the movement is no longer concerned about the citizens of South Africa – and especially those citizens who participated in the struggle. According to the testifier the ANC has abandoned its principles now that it has risen to power. Mr
Williams therefore presents his own moral position as superior to the ones held by the movement.

Throughout this testimony we thus see how Mr Williams gradually disassociates from the liberation movement. This gradual disassociation coincides with his personal history. Mr Williams started off as an idealistic supporter of the ANC but these high opinions were destroyed while he was trained in a military camp. After he was abused he felt left alone with his moral principles; he ended up being disappointed and embittered towards the ANC. At the end of the testimony the liberation movement is pictured as an enemy, an enemy identification that culminates in loaded terms such as ‘concentration camps’ and ‘personal protection’.

In none of these three examples there is a univocal identification with the ANC. Charity Kondile and Teddy Williams have a tradition of supporting the liberation movement. On a meta-level Mrs Kondile still supports the ANC, but on the level of her concrete discourse we can detect various layers of association and disassociation. Mr Williams used to be a staunch supported of the ANC. In the course of his life he was often disappointed by the movement, which results in the gradual discursive shift from identifying with the movement to opposing and accusing the ANC. The opposite evolution can be noticed in the testimony of Mr Beck. He explicitly attests to a personal transformation from opposing the ANC to incorporating its values and achievements.

These three testifiers illustrate how different identifications towards the ANC could be expressed at this moment of testifying before the HRVC. A mixed identity was often constructed, consisting of layers that were to a certain extent approved of by the TRC. As we saw earlier, some of these identifying layers were explicitly stimulated by the leading commissioners, while others were rather subdued. There seemed to be a preference regarding the expression of identifications, a preference connected to the ideological stance of the TRC. This preference sometimes led to manifest constructionism at the hands of the commissioners. In these three examples, though, we see that the testifiers also tended to interchange between identifications spontaneously, which means that they were involved in the creative self-construction of an identity they saw as appropriate at this present moment of testifying before the Commission.
4.4.4. Feature Twelve: ‘ordinary victims’

The victims who appeared at the public hearings of the HRV Committee had passed through a sophisticated selection procedure. Initially, victims came forward to give their written statement to the TRC statement takers, or they could go to one of the TRC offices to submit their stories of gross human rights violations. In this way, more than 21,000 statements were submitted to the TRC. According to Alex Boraine (2000c: 114) this group of victims consisted of a very wide cross-section of South Africans. Those who came to the TRC “came voluntarily and they came from every part of the country and from every part of the community. Black and White, women and men, old and young. [...] They were not a partisan group specially selected by the Commission”.

About ten percent of these witnesses (1819 to be precise) were then selected to appear in public hearings (Kgalema & van der Merwe, 2003: 2). Deciding which stories should come forward at the public hearings took place at team meetings – so-called ‘selection meetings’ -, where TRC staff (among which commissioners and briefers) met behind closed doors (Buur, 2000a: 158). Major decisions were made here on what the Commission wished to present to the public – who was going to perform his or her individual tragedy on the national stage? When asked, almost all of the victims who had given a statement also wanted to tell their stories to the nation. This was however not possible, taking into account the resources of the TRC (Kjeldgard & Nexo, 1999: 83).

According to the TRC Report, the selection for public appearance took place by certain well-defined criteria (TRC Report, 1998, 5/1: 4-5):

- the hearing should reflect accounts from all sides of the political conflicts of the past;
- the entire thirty-four-year mandate period should be covered;
- women as well as men should be heard, and the experiences of the youth should also be considered;
- finally, since not all the people of the area could be heard, there should be an attempt at least to provide an overall picture of the experience of the region so that all people could identify in some way with what was demonstrated.
Further, the TRC Report (1998, 1/6: 145) claims that in selecting which persons should be afforded a public hearing, the Commission mainly took into consideration the representativeness of the victim. Both in relation to the nature of abuse in the community or area and in relation to the various groups that had experienced abuse, the TRC tried to select representative victims. In addition, also representativeness with regard to gender, race, age, geographical location and political orientation was taken into account. In short, the hearings had to be representative of what a certain community had gone through, in the course of the ‘60s, ‘70s, ‘80s and early ‘90s, and this in line with the requirement of the TRC to be even-handed (Kjeldgard & Nexo, 1999: 83; Tutu, 1999b: 87). Finally, the commissioners sought to select cases that provided ‘some insight’ into the nature of the conflict and they tried to “give as balanced a view of the conflict as possible” (Picker, 2003: 3). In addition, it appeared that also psychological motives were taken into consideration, since testifiers should be able to resist the pressure such a public hearing brought about. Finally, in order to appear in public the victim’s incident should make a good story on radio and TV. As claimed by Buur (2000a: 160), stories that involved a considerable amount of violence and sexual abuse tended to be preferred.

The selection procedure thus seemed to take place according to certain well-defined criteria. Nevertheless, numerous critiques have been voiced regarding the way these human rights violations victims were traced down by the statement takers initially, and then selected for public appearance. Anthea Jefferey (1999: 41), for instance, claims that there was no self-selection of victims’ statements, but rather pre-selection by the TRC itself. She argues that these statements were not spontaneously volunteered to the Commission – they were “sought out by statement takers who had been briefed by the Research Department as to what incidents to cover – and to whom to track down and interview”.

When it comes to selecting victims for public appearance, the TRC proclaimed not only that the selected testifiers were representative, but also that it had tried to give a voice to ordinary South Africans – ‘ordinary’\textsuperscript{26} being understood as normal, common people, people who were low-profile on economical, political or religious levels, who could be less

\textsuperscript{26} I will use the term ‘ordinary’ throughout this chapter, although I am aware that it is a term that should be applied with much reservation. I use ‘ordinary’ in a well-described and limited sense, realising that, in the words of Mr Tutu (1999b: 82) “…there are no ordinary people. Each one of us, …, is a very special person – a VSP – far more important and far more universal than your normal VIP.”.

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educated and who could belong to lower social classes (see for example Tutu, 1999b: 82). Archbishop Tutu categorised these people as “those who have never received any attention from the authorities or the media” (Krog, 1998a: 22). In addition to being ‘ordinary’, the TRC often described the testifying South Africans as ‘voiceless’. This is clearly expressed in the following fragment from the TRC Report (1998, 1/5: 111):

“By providing the environment in which victims could tell their own stories in their own languages, the Commission not only helped to uncover existing facts about past abuses, but also assisted in the creation of a ‘narrative truth’. In so doing, it also sought to contribute to the process of reconciliation by ensuring that the truth about the past included the validation of the individual subjective experiences of people who had previously been silenced or voiceless.”

However, quite a lot of critics have raised questions on the way victims were selected to testify in public. Jefferey (2001: 44), for instance, questions the representativeness of the testifying victims. She suggests that the Commission may have been selective in the incidents it covered – “demonstrating a particular interest in bringing certain events to public attention and less concern about probing other incidents that seemed equally significant”. Quoting psychologist Trudy de Ridder, Daley (1997: 10) even argues that in several cases, commissioners put enormous pressure on victims to testify “because they wanted noteworthy events illustrated by people who had been there”. According to Posel (2002: 157) the TRC was overwhelmed with the over 21,000 submitted statements and it desperately sought to transform the whole process into a more manageable undertaking. As a result, the TRC hearings “showcased a sample, crafted on the basis of a careful political balancing act, reflecting the diversity of victims (…), a regional and historical spread of cases, and a commitment to even-handedness (…)”. The hearings merely presented ‘window-cases’, although, as Posel argues, some of the choices made were “more ad hoc, reactive and contested than others”.

It is especially the assertion that the TRC lent a voice to South Africa’s ‘ordinary’ or ‘voiceless’ civilians that received a lot of criticism. Mahmood Mamdani (2000: 59), for instance, claims that the TRC only established a diminished truth because it only reflected the experience of a tiny minority: “on the one hand, perpetrators, being state-agents; and, on the other, victims, being political activists”. Brent Harris (2000: 25) stresses that the category of people whose memories were represented at the HRV hearings tended to be described as ‘voiceless’ – for instance in publications by Odendaal (1995), Krog (1998) or Simpson (1995). In reality, he claims, “these witnesses were not
voiceless or subaltern, but were, instead, often local icons in the conflicts of the past”. He continues that the HRV hearings tended to privilege black male victims, and many of them had been prominent political activists in the struggle against apartheid. Although these victims had not been present in the official state discourse, they had usually not been voiceless in their own communities (Brent Harris, 2000: 101). Harris is convinced that the main aim of the TRC was to promote nation building in South Africa. It was also with this objective in mind that public testifiers were selected. It therefore appears, he argues, that the real ‘ordinary’ victims of gross human rights violations “were doomed to remain ‘voiceless’ possibly because their experiences were too ordinary to have a potential to foster nation building”.

Also Carin Williams (1999: 11) is very critical about the TRC’s claim to give voice to the voiceless. What happened in reality, though, according to this author, was that the TRC selected those subjects that could capture and hold the national interest, those that were newsworthy. In other words “those that were most eloquent and articulate to speak for themselves as well as for the rest of South Africa – the nation”. Those who were heard at the hearings, Williams claims, were not ordinary people and neither were they voiceless. These victims were usually prominent figures in their own communities, so what happened at the TRC hearings was that “stories of known, prominent figures in the struggle were portrayed as the stories of the voiceless public”. In the same line as Harris, Williams (1999: 14) concludes that “the Commission decided what was important for the national identity and the nation and not the witnesses”.

An interesting remark comes from Buur (2000, as quoted in Harper, 2000: 55), who notes that the TRC “decided to a large extent what could be written and presented in the media…They chose between 22,000 statements which stories should be heard…and although the TRC writes that most of the victims was poor and uneducated…the stories in the Final Report…(are about) well educated, relatively rich black/Coloured/Indian/white victims in the ANC elite”. Of course, the victims mentioned in the TRC Report were not solely based on the public testifiers, but Buur’s critique clearly goes hand in hand with the remarks listed above.

On a somewhat different level there are also authors who claim that the concept of voicelessness under apartheid did not always correspond to reality. Ross (2003b: 3) for
instance, highlights that the TRC was indeed publicised in terms of giving voice to the voiceless. This model assumed that what preceded the Commission’s work was voicelessness and silence about the apartheid past. In fact, she argues, much was already known about apartheid, told in diverse genres – in stories, songs, political rhetoric, magisterial orders, court cases, newspapers, debates, at funerals and rallies, etc. Not really was a voice thus given to the voiceless. Rather, a new structure for narrating experiences of violence to a broad public was offered by the HRV hearings.

The question addressed in this chapter will be to what extent my thirty testifiers were indeed voiceless/ordinary/subaltern victims. I will mainly focus on the political aspect of this label, illustrating how testifiers presented themselves as - prominent - members of a political party, or as faithful followers of a liberation movement. At the end of this chapter I will also pay attention to the social profile of some of the testifiers, illustrating how some of them seemed to belong to a higher social class, while it looked as if others were less educated and low profile on a socio-economic level.

To conclude this introduction I should clarify the term *communicative competence*, a term that will be used a number of times in this chapter – and that has been used already, for instance in chapter 4.3.3. In a general sense, communicative competence will be understood as “the knowledge of discourse processing conventions and related communicative norms that participants must control as a precondition to being able to enlist and sustain conversational cooperation” (Gumperz, 1984: 280). In fact, Dell Hymes has been credited with creating the concept of communicative competence. Underlying this concept was the recognition that competent speakers of a language have knowledge of more than just *grammaticality*, namely what is a well-formed sentence in their language and what is not (Myers-Scotton, 1993: 79). With this concept, Hymes offered an alternative to Chomsky’s narrow definition of the ‘competent’ speaker/listener in terms of grammaticality judgements only.

Hymes’s definition of communicative competence consists of four elements (Jaworski & Coupland, 1999: 25-26; Myers-Scotton, 1993: 79):

- whether and to what degree something is formally possible (grammatical)
- whether and to what degree something is feasible (psycholinguistic limitations)
- whether and to what degree something is appropriate (social appropriateness)
-whether and to what degree something is done, actually performed.

In what follows we will observe that certain HRV testifiers seemed to possess a fair degree of communicative competence, while others seemed to lack this competence to a large extent. In these cases, communicative competence will be seen as consisting of the four above-mentioned elements, although we will notice that in this HRV context ‘appropriateness’ and ‘feasibility’ played a particularly important role.

**Political ‘ordinariness’**

It is not all that obvious to get information about the political affiliation of the HRV testifiers. The seventh volume of the TRC Report (2002) gives a summary of all victim findings. It alphabetically lists all of the victims who came forward to the TRC, not only the public testifiers, but all people who gave victim statements – or victims mentioned in other HRV testimonies. For each name the particular gross human rights violation is mentioned (date, location, participants) and sometimes also a political affiliation is given. This is the only time the political membership of victims is referred to in official TRC records. Sometimes, a political affiliation could be inferred from the actual testimony. Some of the testifiers implicitly referred to their involvement in political activities, others were very explicit in their political identification, as will be illustrated later.

On the basis of the findings in the 2002 Report and my reading of the testimonies, the following summary can be given (see also chapter 3.2.6.).

<table>
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<tr>
<th>TESTIFIER</th>
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<tr>
<td>Bernadine Mwelase</td>
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<tr>
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<td>None</td>
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<td>Josephine Msweli</td>
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<td>Kenneth Manana</td>
<td>APLA</td>
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Clearly, the majority of these testifiers - almost two-thirds - seemed to be politically affiliated. Since not all of the political affiliations were mentioned in the TRC Report and since not all victims identified as supporters of a political party in the course of their testimonies, the figure of politically active victims could even be higher.

Some of these testifiers very prominently displayed their political identities in the course of their testimonies. For some of them it thus seemed to be an important identifying layer, a layer quite appropriate for their position as a HRV testifier. By means of fragments from the testimonies I will illustrate how a number of these victims strongly identified with a political party.

Kenneth Manana is a young man who was detained and tortured by the police forces. Right from the start he identifies as an APLA member – APLA being the military wing of the PAC.

MR MANTHATA: Mr Manana, please relax, you and Kenneth so that you should be able to tell us what you are going to ask us about. Can you tell us in short what Kenny is doing, your history.

MR MANANA: I am Kenneth Manana. In 1986 I was involved in the struggle of the PAC. I will say that we were under the APLA organisation. We were sort of reacting as to what was

27 Mrs Kemp was also a quite prominent member of the SACP.
happening to the community and also the children. We were involved in operation exactly attacking the government forces.

Since this identification takes place in the orientation\textsuperscript{28} of the narrative (see Labov, 1972 and Bock et al, 2000), this testifier seems to regard his membership of APLA as a crucial identifying feature (see also De Fina, 2003: 146-147 for a discussion on the importance of the orientation in a narrative with regard to the identity of the speaker). Immediately, Mr Manana also uses the inclusive personal pronoun “we”, meaning that he identifies as member of the group in the first place. It looks as if he does not only testify individually, but also in the name of his APLA comrades. Right from the start he also tries to justify the actions committed by himself and his APLA brothers. Mr Manana is aware of the fact that he has committed human rights violations – he thus knows that the commissioners might identify him as a perpetrator (which happens, indeed, as we have seen in 4.4.2.). Therefore, he immediately takes a defensive position, which could indicate that he still approves of the actions committed as an APLA operative.

Towards the end of this testimony, it seems as if commissioner Mkhize tries to challenge Mr Manana’s loyalty to APLA.

\textbf{MS MKHIZE:} A small question. I don't remember well if you have clarified that before. Can you briefly explain to us that when you say you were an APLA member things like criminal acts were then allowed by APLA policies.

\textbf{MR MANANA:} I will say no because our policies were on the line of the struggle against the government at the time. At that time the only thing we could do was just to get to help, was to use criminal acts. We used it as a discretion.

Mr Manana remains faithful to his organisation. He uses a kind of discourse that was regularly used by South African liberation movements - also the ANC - to justify their violent behaviour under apartheid. Everything revolved around ‘the struggle against the government’: criminal acts and violence were the activists’ only weapons against the apartheid regime and were thus justified. In addition, according to Mr Manana, these criminal acts were not used randomly, but with discretion and commonsense.

Throughout, Mr Manana identifies as a faithful member of APLA. It thus seems as if, under apartheid, he was quite involved in the anti-apartheid struggle. This could mean,

\textsuperscript{28} Following Labov’s (1972) analysis of narratives, these HRV personal narratives can be divided in separate elements: the \textit{abstract}, the \textit{orientation}, the \textit{complicating action}, the \textit{evaluation}, the \textit{resolution}
according to some of the critics mentioned earlier, that he cannot be considered as an ordinary victim in a political sense.

Josephine Msweli is a victim who strongly identified as a member of the ANC. Two of her sons were killed by members of the police and she herself was severely maltreated. In the orientation of the narrative Mrs Msweli is asked to give some information about her family. It is commissioner Mgojo who makes the first reference to political affiliation and Mrs Msweli identifies the whole family as members of the ANC.

**MR MGOJO:** Now, I have a full picture of your family, Mrs Msweli. In your family do you belong to any political organisation?

**MRS MSWELI:** Yes, we are ANC members.

Later on, she explains that her affiliation to the ANC is recent. After intimidations by the local induna\(^\text{29}\) she changed her membership from Inkatha to ANC. This lady probably has a history of political activism; for instance, she was not an ordinary member of Inkatha, but the treasurer.

**MR MGOJO:** You say Simon was a member of the ANC?

**MRS MSWELI:** That is correct. *At the time I wasn't a member of the ANC. I was a member of Inkatha. I only started being a member of the ANC in 1992. I was a member of Inkatha for eight years and I was the treasurer there.* I was the treasurer and at some time they threatened me. The induna pointed a gun on my forehead.

It is especially towards the end of her testimony that Mrs Msweli, in a highly emotional way, appeals to her ANC membership. It is now chairperson Lyster who poses the question.

**MR LYSER:** Just a last question, Mrs Msweli. Did the police who used to come to your house, the police from the stability unit, did they have - what sort of relationship did they have with the induna Mthiyani?

**MRS MSWELI:** The induna used to say to them we were ANC members and the ANC are enemies of the police or the police are enemies of the ANC. And he would say that he did not want members of the ANC in his area. He used to go to the police - the induna used to go to the police and report to them as to what was happening in that place. And I knew that the induna was my enemy. ….I think a lot because I'm maintaining these children and they are being killed by people of the law. It would be Inkatha as well as the police. They

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\(^\text{29}\) *Induna* is the Zulu name for a state official appointed by the king, or by a local chief ([http://africanhistory.about.com/library/glossary/bldef-inDuna.htm](http://africanhistory.about.com/library/glossary/bldef-inDuna.htm)). Induna's were often affiliated with Inkatha.

and the *coda*. In accordance with Bock et al (2000) two components can be added to Labov’s framework: the consequential complicating action and the desired resolution.
are troubling us so. They have violated my rights. They have tormented me. They've stripped off whatever rights I thought I had. What is wrong with being an ANC member? I tell them that I am a staunch ANC member because it does not discriminate. It wants to make people equal. I love ANC.

In this fragment, Mrs Msweli positions herself and the ANC against the police, the induna and Inkatha. She now belongs to the ANC side, the other group being her enemy. She is very negative towards Inkatha and then expresses her support for the ANC. The reasons she mentions for supporting the ANC are part and parcel of the ANC's ideological discourse: “I am a staunch ANC member because it does not discriminate. It wants to make people equal.”. In contrast with Inkatha the ANC regards all South Africans as equal, which is an ideological position that deserves her support. This ideological stance does not only fit the ANC ideology, but also the ‘rainbow nation’ image of the new South Africa. It is thus probably an expression highly valued before the TRC. Since the words “I love ANC” seem sincere and straight from her heart, Mrs Msweli’s support for the ANC is very emotional and highly dramatised.

Also Laloo Chiba identifies as a loyal ANC/MK supporter. Mr Chiba was tortured by the police and detained for 18 years. This testifier seems to be higher educated - indicated by the use of an elaborated code (Bernstein, 1971) with complex sentence structures, more abstract vocabulary, and so forth - than the previous one and his identification with the ANC/MK takes place on a different level. In the case of Mrs Msweli, support for the ANC is expressed in an emotional way. Only ones she refers to the ideological foundations of the liberation movement – when she talks about the ANC being non-discriminatory.

This is different in Mr Chiba’s case. Right from the start he gives a lot of historical background on the ANC/MK. He defends the operations of these movements by reverting to their policies, their ideological foundations, the historical context and their relation to the apartheid regime. In some instances his language is very formal and it seems to resemble the discourse used in political rallies or manifestos.

MR CHIBA: As a result of the banning the African National Congress was confronted with very critical decisions. Those decisions were the most important decisions of the African National Congress, in its entire history, the banning meant that the African National Congress had to submit or to fight. The African National Congress took the historical decision to continue fighting for the liberation of our people. The second decision it had to take flowed from the message of struggle. Ever since its formation in 1912, the African National Congress has conducted a peaceful and non-violent struggle. (...) I wish to stress that these two historic decisions on the part of
the African National Congress were decisions that have led our country to where it is today.

Mr Chiba is clearly trying to put the armed struggle of the ANC in perspective, as to defend the operations of especially MK, the military wing of the ANC. This testifier manifestly links the struggle of the ANC to present-day freedom and democracy in South Africa, stressing that in the liberation struggle the end justified the means. Mr Chiba always refers to the movement by means of its full name, possibly a sign of respect and admiration. Also note the use of the inclusive terms “our people” and “our country”, expressions in line with the ANC ideology to fight for the liberation of all South Africans. It seems as if all the way through Mr Chiba wants to demonstrate how proud he is to have partaken in the liberation struggle.

A little later on, Mr Chiba strongly identifies as a member of the MK group – even the “initial group of cadres” –, for instance by talking about “our commander-in-chief”. Throughout his testimony he refers to other group members by means of “comrade”, a term inherently connected to the liberation movement.

Mr Chiba: December. Oh, I said April by mistake. My apologies. It was on the 16th of December 1961 that Umkhonto weSizwe was launched and Comrade Nelson Mandela was our commander-in-chief. I was amongst the initial group of cadres, MK cadres, who were of course involved in the subsequent campaign of sabotage.

The term “cadre” is a military term, which identifies him as a member of MK – Mr Chiba testifies in English, so there is not interference by the interpreter. The reference to Nelson Mandela is part of this self-identification with the liberation movement, Mandela being one of the most famous anti-apartheid fighters. Especially in post-apartheid South Africa, aligning with Mandela could add to one’s prestige. A number of anti-apartheid activists thus referred to ‘Comrade Mandela’ when testifying before the TRC.

Mr Chiba continues by giving some information about the structure of MK, its operations and its objectives. Throughout, this military organisation is strongly defended and typical MK terms are used and clarified. In addition, MK is presented as a disciplined, a professional and a well-organised movement.

Mr Chiba: Now I think it is important to say something about our units. Each sabotage unit consisted of four members, with a unit leader, and four such units constituted a platoon. I think it was by mid-1960 that I was made a platoon commander,
heading for such sabotage units…. I also want to state that in carrying out our activities we were under very, very strict instructions.

Mr Chiba goes on by explaining about his detention and torture. All the time he talks about the ANC/MK as his main support, his main guide and his main authority (“my organisation”); his loyalty to the liberation movement seems absolute.

MR CHIBA: I had to take a decision on the spot. I decided that I would agree to that condition, but upon release I would refer the matter to my organisation for guidance. When I was released I referred the matter to my organisation and my organisation instructed me to lay charges against the Police, which I did, through one of my comrades, a relative who was an attorney.

When chairperson Lewin questions him about the ANC violence against ‘soft targets’ (civilians), Mr Chiba strongly defends his organisation – as could be expected from a faithful follower.

MR CHIBA: Well, if you are, I think you are referring to the subsequent loss of life, civilian life, as a result of acts of bombs or whatever the case may be. Yes, I think it is important to state one thing. It was not the policy of the African National Congress to deliberately select soft targets and so that it led to the loss of civilian life. It was not the policy. However, one cannot ignore the fact that in a vast organisation like the African National Congress, you find sometimes elements who are actually undisciplined. (…) I myself am not happy with that and those people, the undisciplined elements have to be dealt with, they need to be dealt with. But it is not the policy and it was not the policy of the African National Congress. Sometimes accidents do take place but I want to stress it was certainly not the policy of the African National Congress.

Mr Chiba finishes his testimony in a very noble way. He again identifies as an activist who fought for the liberation of the country and who accepts the status of hero.

However, he does stress that not only the freedom fighters should be labeled heroes. The real heroes are “our people” who were responsible for the successful outcome of the struggle.

MR CHIBA: I also want the Commission to correct one or two misperceptions. We who were arrested and detained, we who were tortured and imprisoned, are often viewed by our people as heroes and heroines. I think this is understandable, but the real heroes and heroines are our people, are those who remained behind to keep the home fires burning. The real heroes and heroines of our people are those upon whose shoulders fell the heavy responsibility of ensuring that the struggle continued, and that they had brought the struggle to a successful conclusion. I think you must give true recognition to that fact. I am sure that the Commission can correct that perception. That is all that I have to say.

In this final fragment Mr Chiba does not only self-identify as a hero in the anti-apartheid struggle. Through praising the foot soldiers of the liberation movement he also seemed to identify as a hero at the present TRC site. Aligning with civilians who had been active
in the field and who had fought against apartheid in their everyday lives was probably a highly praiseworthy position at the TRC hearings. It showed that in post-apartheid South Africa there existed a level of solidarity between the ANC/MK leaders and the ‘common’ activists, a discourse that fitted in the ideology of community building and national unity that encompassed the entire TRC process.

The same level of ideological identification with the liberation movement can be found in the testimony of Teddy Williams. He testified about his maltreatment in the ANC camps. I will not deal extensively with this testifier, since his layered identity vis à vis the liberation movements has been discussed in an earlier chapter. It suffices to say that, especially in the beginning of his testimony, Mr Williams strongly identifies with the PAC and the ANC. He mainly presents himself as an ideological follower of the ANC. In addition, his identification with the liberation movements is evident from the use of the term ‘comrade’ and from aligning with famous activists like Chris Hani and Nelson Mandela.

MR WILLIAMS: They had wanted to make me a Security member of the PAC. I refused and Vusi Make told me that the ANC is just around the corner. The people who you are looking for are just up there, you see. When Mr Mqwalu came and he was introduced to me I freely talked to him and told him that it is not that I am against the PAC, but because I am already - I am already used, or rather I have contacts with the ANC, I would like to go to the ANC because I already know some policies of the ANC because I knew about the Freedom Charter and some of the books of Mandela - like "His walk to Freedom" I had it at home.

Mr Williams’ affiliation to the ANC seems to be situated on a deeper level than merely an emotional attachment or the search for adventure – as could have been the case with other testifiers (see later). Although further in his testimony Mr Williams will take a distance from the ANC, he definitely starts off as a committed freedom fighter. He seems to have a history of anti-apartheid activism and that is mainly what we are trying to illustrate in this chapter.

Also the case of Sizwe Kondile, whose mother testified before the HRV Committee, has been discussed in chapter 4.4.3. Even though Mrs Kondile seems to present mixed emotions towards the liberation movement, she basically identifies her son as a faithful ANC activist. Later on, the entire family is presented as active in the struggle. One fragment will make this point clear; more illustrations can be found in the previous chapter.
MR NTSEBEZA: What did he tell you about the ANC, if anything when you found him there?

MRS KONDILE: Well Sizwe reassured me that he had joined the struggle and there was no way of turning back. When I spoke to him about coming home he told me that there was no way he could come back home before he had achieved his mission in the struggle.

Very explicitly, also Muhammed Ferhelst identified as an MK member. Mr Ferhelst was detained a number of times and severely tortured in prison. In the beginning of his testimony, Mr Ferhelst explains how he and his friends decided to protect themselves against the police by forming the Bonteheuwel Military Wing (BMW), a subdivision of MK.

MR FERHELST: Like we didn’t know what to do, in 1985 we like basically had nowhere to go, nobody to turn to in fact. At night we don’t - we didn’t have places to sleep because we afraid, sometimes we went without food for days, three - four days. And the climax, the struggle started to climax. We formed a group, a group of us came together and we started forming an organization to protect ourselves from the 'cops' because for some of us it was like they were shooting on sight, whenever they saw you in Bonteheuwel, they started shooting and we thought well what can we do to protect us against this people. Then we formed BMW, Bonteheuwel Military Wing. From there it just went on - on a day to day basis like we met with MK cadres who trained us, we went out of the area, came back into the areas and then you recruit other people to help with this defense unit structure we built.

Mr Ferhelst presents himself and his friends as highly active in the struggle. They formed a creative group of youngsters, since they set up their own militant group. All the time, Mr Ferhelst uses the pronouns “we”, “us” and “our”, a clear indication of the brotherhood that existed between the BMW members.

The testifier then continues with a gruesome story about his experiences in prison, paying a lot of attention to the fate of some of his comrades – he consistently uses this term when referring to other activists. Mr Ferhelst seems to be traumatised by the fact that the apartheid police threatened to kill his comrade Ashley Kriel in order to get him to talk. Considering the bond between these MK comrades such a threat appeared to be effective, which stresses the strong relationship between them and which indicates how emotionally attached these comrades were to each other and to the movement.

It is especially at the end of his testimony, when Mr Ferhelst is asked about his requests and about his present situation, that his brotherhood-sentiments are emphasised.

MR POTGIETER: And at this stage how do you feel now?
MR FERHELST: Firstly I would like to ask the Captain personally what motivated him to torture me, beat me, he couldn't get information out of me, what - what really drove him to assault me like that. And secondly what I would like to say is that our people outside, I was not alone, we were a military wing, there was a whole group of us. If I look at them, I recruited quite a few of them, and I taught them how to defend themselves and now, now that we have won the struggle, nobody is looking after them. They've become gangsters, and that really hurts the fact of the interrogations so much but the fact that nobody is actually taken care of my colleagues and my comrades, that really hurts me. I recruited a lot of them, I am responsible actually for their - for their welfare, I am responsible for the fact that they sacrificed their lives for the struggle. And I think that it will be good if I can speak on their behalf and that somebody could care for them.

In this fragment, Mr Ferhelst presents himself not only as a representative of his brothers, but also as the one responsible for them. He explicitly states that it was his colleagues’ activism that led to victory in the struggle and he insinuates that these heroes should receive something in return. He thus contrasts their sacrifices in the past with their current situation. It is possible that implicitly Mr Ferhelst blames the government of the new South Africa for not paying tribute to its liberation fighters. Throughout his testimony Mr Ferhelst seemed to feel connected to his former colleagues, but it is especially when expressing a vision for the future that this brotherhood is stressed.

Strikingly, it looks as if this brotherhood-identification is appreciated by the TRC commissioners. This is clear from chairperson Boraine’s closing statement.

MR BORAINE: I want to thank you both for coming, and Mr Ferhelst I want to thank you for speaking up on behalf of your comrades. You didn't talk about yourself, you talked about them. But really and truly it’s about all of you. And I think that the terrible cost of what took place for so long is what we are paying for now. Not only then, but now. I am not sure what the Commission can do, but the very fact that your voice will be heard, I hope will stir those in charge and in authority.

Expressing a strong commitment to the well-being of community members was highly valued before the HRV Committee, as we have seen in chapter 4.2.2. Discursively combining this community spirit with a reference to personal activism was a position that even more suited the socio-political stance of the Commission. What was appreciated a great deal, probably, was that Mr Ferhelst identified as a comrades among his brothers, and this not only under apartheid, but even up till today, thus linking past and present by projecting a clear vision for the future.

Also Bernadine Mwelase presented himself as an ANC/MK member. Mr Mwelase was arrested in Botswana, detained and tortured. His tone is different from the previously
mentioned testifiers. In the beginning of Mr Mwelase’s testimony, it seems as if his membership of the ANC came about accidentally. Mr Mwelase does not seem overdedicated to the liberation movement and he never mentions anything about the ideological background of the ANC or its policy. It looks as if he merely joined the ANC to look for adventure and to boost his prestige.

**MR MWELESE:** I wasn’t politically minded. I just went to Botswana to see if I could have any green pastures. I tried to be a citizen and I was refused to be a Botswana citizen.

(…)

**MR MWELESE:** After that they said perhaps I should join ANC at Lobatse. There were prisoners in Lobatse who were telling me that I should join the ANC. You know, it’s good to be an ANC member, I may even get abroad. And PAC is starving. I cannot afford to be affiliated with such organisations. Who wants to be affiliated with such organisations that are starving?

Gradually, though, he identifies stronger as an MK activist. He seems to be proud of his operations abroad, of his military training and of his fighting against the government. Sometimes this pride is so manifest that it almost leans to arrogance.

**MR Dlamini:** Where did the police arrest you?

**MR MWELESE:** The police got hold of me right here, and I already had weapons, guns, rifles, as an MK member. Right here around Stillwater, that’s where they found me.

**MR Dlamini:** Now, does that mean or suggest that you left Botswana to Lusaka, from there you went to Angola?

**Mr MWELESE:** From Angola I went to Germany, and I via-ed Congo. Oh, I went to Nigeria as well. I am so well travelled. I went to Italy as well - East Germany, in Berlin, right inside there.

**MR Dlamini:** Now, tell us about your training as an MK. Where did you receive your training?

**Mr MWELESE:** I received my training in Angola. That was the basic training. Maybe I should mention that. That was in 1983, and we had Eastern Front that erupted. Chris Hani took me to Germany, or arranged for me to go to Germany.

**MR Dlamini:** When you were coming back to South Africa what was your intention, or rather your aim?

**MR MWELESE:** My aim was to fight the Government of the day. I was on a mission of onslaught. You know, when I got here in Natal people were just in slumber, they didn't know things.

In all of these fragments, certain expressions seem to identify Mr Mwelase as a proud MK member. In the first fragment we should note the phrase “as an MK member”, an
interjection that does not have any communicative value, except to emphasise Mr Mwelase’s identification as an MK operative. “I am so well-traveled” signifies that this testifier was satisfied with his adventurous life as an anti-apartheid activist. He is proud about it and does not hesitate to say so. By mentioning Chris Hani in the next sentence he identifies with this famous activist and thus boosts his image as an MK operative. Mr Mwelase heroically presents his aim in the struggle as a fight against the Government of the day. This expression seems rather boastful, especially since he does not speak about ‘our aim’ - as many activists do, especially Mr Ferhelst -, but about “my aim”. Throughout, the impression is given that as an activist Mr Mwelase feels superior to other people. This impression is intensified in the final fragment, where this testifier suggests that he was to arouse the freedom fight in Natal, where people “were just in slumber”.

Although Mr Mwelase thus clearly shows that he was quite involved in the struggle against apartheid, and although he seems to strongly identify with the MK/ANC - especially further on in his testimony -, his tone is different from most of the other testifying activists. By identifying as an activist people usually identified as a member of an activist group. They thus stressed a collective rather than an individual identity. Mr Mwelase, on the other hand, does present himself as an activist, but rather as an individual. The liberation movement seems to serve him to promote his prestige, instead of him serving the liberation movement.

Vusumuzi Ntuli is another testifier who strongly identified as an ANC member. Mr Ntuli was attacked by members of the IFP and stabbed with a knife. Already in the orientation of the narrative he explicitly presents himself as a member of the ANC. He seems to be very proud, since he mentions that he was not just a member, but a member of the executive committee. Just like in some of the previous examples, also Mr Ntuli uses the inclusive “we” and the term “comrade” as part of his ANC identification.

**MR DLAMINI:** Thanks for giving us this picture. Now we would like you to give us a picture about what really happened on the 8th of November 1993. I will disturb you as you go on so that I clarify some matters. Thank you.

**MR NTULI:** I would like to start by saying I am a member of ANC. I was a member of executive committee for ANC Youth League. I was an organiser. What happened is that after I left – I had received some threats from Inkatha that they will kill me. I knew why they wanted to kill me. That was because Inkatha and ANC never saw one eye. Police, ZP, were always for Inkatha, they didn't like ANC. In 1993 we were harassed all of us ANC members and
In this fragment, and also in other parts of his testimony, Mr Ntuli portrays Inkatha as the enemy: they attacked him in collaboration with the KwaZulu Police. His identification with the ANC thus seems to go together with a condemnation of the IFP.

However, some victims also identified with the Inkatha Freedom Party while testifying before the HRV Committee. An example comes from Thembisile Nkabinde. In contrast with the previous testifier, Mrs Nkabinde was attacked by members of the ANC – they burnt her house. Although the reference to her political affiliation is brief, I would like to mention this testifier because it is one of the rare examples where a TRC victim identified as an IFP supporter.

MR Dlamini: At home are you IFP?

Mrs Nkabinde: Yes, me and my children we are Inkatha, but I can't tell about my brother.

MR Dlamini: Is it true that you were never involved in any quarrel with ANC people?

Mrs Nkabinde: No, I wasn't, except that I was a witness in a case.

This political identification is not as strong as the ones mentioned earlier, mainly since it is introduced by the leading commissioner. Later on Mrs Nkabinde comes back to her IFP affiliation unsolicited. The “our” refers to her IFP group membership and the phrase “my brothers aren’t like that” conveys a certain feeling of superiority vis à vis the people who were no IFP activists. By voicing her current day fear for the ANC, she indicates that her identification with the IFP continues until today, and so does the animosity with the ANC. It thus is a long-lasting identification, which holds out in spite of intimidations and danger.

Mrs Nkabinde finishes by stressing that her IFP membership was the direct cause of the ANC attack. Although she clearly paid a heavy price for this political affiliation, she still seems to be loyal to the IFP.
MR DLAMINI: This house - I mean your house, is it now okay? Did you fix the house, renovate?

MRS NKABINDE: It was only my part of the house which was burnt, not the whole house, because they knew I was the one who was Inkatha. I only painted this darkness from the smoke and nothing else.

The HRV committee members appreciate Mr Nkabinde’s sincere identification as an IFP member a great deal. Not a lot of IFP members came forward to the TRC, since Inkatha officially boycotted the Commission. The IFP top and maybe also a number of IFP members regarded the TRC as an ANC instrument. It thus took a lot of courage to self-identify as an IFP member before the TRC, especially when testifying about an attack by members of the ANC. Testifiers who presented themselves as IFP supporters were also crucial for the image of the Commission. Through testifiers like Mrs Nkabinde, the TRC promoted its status as an unbiased and inclusive institution – very important, since a lot of critics saw the TRC as favourable to the ANC in the first place.

In his closing statement Mr Dlamini elaborates on the distinction - or actually non-distinction - between ANC and IFP victims. Mrs Nkabinde’s testimony is clearly valued a lot, stressing the TRC principle that all victims and all perpetrators are equal before the Commission.

MR DLAMINI: Again I will also like to say from all these places where we’ve been in most cases ANC people are the ones who are coming forward to give evidence, and that thing makes it difficult to find evidence, and I’ll also like to thank you for your courage as an IFP member to come forward and give evidence so that we can see that it wasn’t just IFP fighting alone, they were fighting with someone. It’s not just IFP, it was IFP/ANC. No one came out innocent. ANC people thought they were the ones who were just being killed and no one else, and women and children died. This picture that you just gave us, I am sure that even the ANC will realise that they were not the ones who just lost children and wives, but also Inkatha people. In the name of the Commission then I will like to say this kind of pain we would like to see it end.

Also Mzothuli Maphumulo identified as a member of the IFP, although not as explicitly as Mrs Nkabinde. Mr Maphumulo had three of his children killed by members of the ANC. Mr Maphumulo does not spontaneously state any affiliation to the IFP; he only does so in response to Mr Dlamini’s question.

MR DLAMINI: You also said that your neighbour, Nora, said you were IFP member and this is what led to this attack. Are you an IFP?

MR MAPHUMULO: Yes, I am because I am a Zulu. They told me that I wasn’t supposed to go to work, and I told them that I came to Johannesburg to work.
MR DLAMINI: Let's just clarify one thing, Mr Maphumulo. To be a Zulu doesn't mean you are an Inkatha. You can be Zulu and not be Inkatha. You can be PAC, ANC, AZAPO, or even NP. What I want to know is that are you an IFP member?

MR MAPHUMULO: I am because I am not affiliated in any party. I am an IFP member.

There seems to be some confusion, since Mr Maphumulo associates membership of the IFP with belonging to the Zulu ethnic group. It looks as if he identifies as a Zulu in the first place, whereupon commissioner Dlamini has to explain that ethnic membership does not necessarily coincide with political membership. The question is repeated and after another ambiguous answer, Mr Maphumulo seems to be affirmative about his IFP membership.

Interestingly, although Mr Maphumulo is a member of the Inkatha Freedom Party, he also seems to get along with members of the ANC. According to his words, he helped the ANC, he sorted out their problems and he even states explicitly that he does not want to drag the ANC’s name through the mud – although his opinion of President Mandela is definitely higher than his opinion of the ANC youth in general. It thus seems as if this testifier acted as a mediator between the two warring parties, an identification that is clearly appreciated by the leading commissioner.

MR DLAMINI: Is there anything which took place between the ANC and the IFP where you were staying? Maybe you got involved in those attacks.

MR MAPHUMULO: No, I was helping the ANC instead, because I would be taken by members of the ANC and they would say I should go and talk to the youth of the ANC, maybe they would understand me because I was an elderly person. And at times I would tell them that I should not be treated as if I was a member of IFP as well as the ANC. I was a member of the IFP, but I would go and sort their problems out for them.

MR DLAMINI: (...) But what I can stress is that a fight between the neighbours ends up being a political issue and some lives are lost in the process. I think it was a good idea for you to be able to quell the violence between ANC as well as the IFP.

MR MAPHUMULO: I thank you very much because it is true. I will not try to drag the ANC’s name through the mud, because the President is not involved, he is not doing what the youth of the ANC is doing. He is preaching peace.

In his closing statement chairperson Lax openly praises the mediating identity Mr Maphumulo presented in the course of his testimony. He expresses the hope that, just like in the past, Mr Maphumulo will continue to bring people from different political factions together, also in the future.
MR LAX: (...) You said that after the death of your children you were assisted by members of the IFP and the ANC, and that neighbours from both these parties attended your children’s funeral. And it is ironic but encouraging that in that time of grief that people were able to come together.
We know that this incident will leave you sad, it will leave you with sadness that won’t leave you, but we hope that you are able to progress, and to use your age and your stature and your maturity to continue working to bring both sides together, because, as you know, political violence of this nature brings nothing to people except misery and grief (...).

Although Mr Maphumulo thus explicitly identified as a member of a certain political party, he actually presented an identity that suited the ideological stance of the TRC even better: he was a proud member of the IFP, but stood open for people with other political affiliations.

Some testifiers clearly identified as activists by expressing affiliations not only to a political party, but also to certain civil organisations. Such an example is Mrs Lizzy Phike who was arrested and while in detention her son was killed by the police. According to her testimony, Mrs Phike was not only active in the liberation movement (the UFD), but she also belonged to women organisations and civic associations.

MRS PHIKE: When we were in town, they put me in the police station, I was interrogated by Mr Le Roux. He asked me about the organizations that I was involved in. I told them where I was working, he asked me about the other organizations. I told him that I’m in the women’s organizations, I’m in the civic association.

Mrs Phike identifies as an important member of different organisations, since they took efforts to get her released from prison. She belonged to the organising committee of some associations and she even went on a mission to Lusaka for the FAWU (the Food and Allied Workers Union).

MRS PHIKE: They - all their organizations tried - made some efforts so that I could be released. On the 1st I was released because the funeral was to be on the 2nd.

(...) MRS PHIKE: On the 1st of May we were organizing a May Day Rally. We were restricted just after we finished our arrangements.

(...) MRS PHIKE: I was not tortured, I was interrogated on that particular night. Just before I went to sleep I told him that I go officially to Lusaka for other things that are - are connected to the FAWU. When my lawyer arrived I told them that I’m arrested for a criminal offense because I quarreled with a policeman.
Especially towards the end of her testimony Mrs Phike strongly identifies as an activist – note the use of “we” and “our freedom” in the following extract. She explicitly says that she was fighting for freedom and she even refers to the freedom charter, indicating that she knows about the ideological foundations of the liberation struggle. She also gives her vision for the future by pointing out that the current South African leaders should govern according to the these ideological foundations.

**MRS PHIKE:** My wish is that the people just before they - [indistinct] the people who are going to be our leaders, they must first talk to the people who were oppressing us as we were fighting for our freedom.

(...)

**MRS PHIKE:** I’m talking about the AZAPO people who never came to apologize who are also enjoying the results of our freedom. We just want them to come and apologize so that we could be at peace.

(...)

**MRS PHIKE:** There’s a lot that I wish because what I was fighting for freedom so that we can follow the freedom charter that the leaders who are going to lead who are going to lead to community are going to work according to our needs after liberation.

Some testifiers did not so much identify as members of a political party themselves. Rather did they present the victims they came to testify about as political activists. This is the case with Phebel Robinson. She talked about her husband who was tortured and beaten to death in prison. Following a question by commissioner Wildschut she elaborates on her husband as being a community leader.

**MS WILDSCHUT:** [indistinct] you think that your husband would be the target of a political murder as gruesome as his murder?

**MS ROBINSON:** My husband wasn’t scared, he was not afraid of anyone and he fought for human rights. He was a man for his community. He supported the poor, and the people that were battling. So many times I said to him: “You’ve got no time for your own house and your own family, we’ve got just as many problems but you are never here when I need you.” And he said: “But my wife you know where I am going to and you know my cause is a contribution to the struggle.”

So once again I say that he was not afraid of anybody and he stood for what he believed in and for his community. There are many people here that can bear testimony to that - to the fact that he stood for his community.

**MS WILDSCHUT:** He is seen as a community leader and seen as somebody who spoke out against injustices in the Paarl community, he became a target and he became [indistinct] to those who didn’t want people to speak our. Is that so?

**MS ROBINSON:** Yes, look he was in the UDF, he was in the ANC, he was involved in the workers organizations, in the T & G workers organization and since he had linked up with the UDF there was a time where he was away - where he had to flee. It was - I cannot remember exactly
whether it was in August or September in 1986. It was 1986 then when everyone has to flee for their lives basically. And he had to - he could only come back after Christmas the following year but I cannot remember the exact years but he was gone. And I could not even receive a telephone call for him, he had to phone different people in order to contact me and I had to work in a very sly manner to get to Cape Town to go and give him support on Sundays and to see him.

Ms Robinson seems to be really proud of the fact that her husband was committed to his community (see also chapter 4.2.2.). She even calls upon people in the audience to bear testimony to the community spirit of her husband. She then lists all the organisations he was involved in to emphasise that he was active in the liberation struggle on different levels. Finally, she stresses the effects of his activism on the personal lives of her and her family. Also this lady paid a heavy price for her husband’s dedication to the struggle, which even seems to strengthen her pride.

Finally, there is Stephanie Kemp, one of the three white testifiers from my selection, who explicitly presented a political affiliation. She was detained and maltreated by the police. Mrs Kemp’s political identification is not as elaborate as in some of the previously mentioned testimonies. Still, I would like to refer to Mrs Kemp at this point, because her case is a case apart. Only a minority of Whites took part in the struggle against apartheid and only a minority was detained and had to go to and live in exile. Mrs Kemp can thus rightly be defined as an a-typical witness, which makes her testimony very interesting.

In the beginning of her testimony Mrs Kemp relates how she was recruited into the South African Communist Party (SACP) as a student and how she stayed a committed member until today. When posing questions towards the end of the testimony, commissioner Mkhize goes into this and she requests some more information about this SACP membership.

Ms Mkhize: Can you just tell us a little bit about your involvement with the South African Communist Party, especially those practices which you think might have led to your detention?
MRS KEMP: My detention was directly related to the sabotage, in fact it wasn't until after my release 18 months later that more members of the communist party in Cape Town were arrested and my name was found. (...) I remained a member, an active member in exile as well throughout those years until I think my most recent count was in 1991. And I must salute the party for having taught me about courage and about how to be a human being in this society.

Mrs Kemp clearly displays a level of pride regarding her membership of the SACP. She stresses that she was not just a member, but an “active member”, even in exile. On a more existential level she expresses her gratitude to the SACP for teaching her “how to be a human being in this society”. Her self-identification with the Communist Party is thus very intense, not only on a longitudinal level, but also on an ideological level.

When raising the issue of ‘ordinary victim’ in a political sense, Mrs Kemp does not seem to qualify as belonging to this category. Not only was she active in the struggle against apartheid, she was also married to the famous fighter for human rights Albie Sachs. Mr Sachs lost his arm in a car bombing instigated by the South African state security and they both lived in exile in England for a long time.

Before trying to draw some conclusions with regard to this question of political ‘ordinariness’ let me first look at whether or not HRV victims could be regarded as ‘ordinary’ in a social sense, beginning with the same testifier, Stephanie Kemp.

Social ‘ordinariness’
Based on her personal life history and on the social network she was part of, we can conclude that Mrs Kemp was not only a political activist, she also belonged to a higher social class – as most white South Africans did under apartheid. This social profile can be inferred from her discourse as well. Mrs Kemp speaks a kind of English that belongs to a higher style register (elaborated code). The logic of her thoughts is consistent, her language is fluent without many hesitations or false starts, her sentences are coherent, with a lot of subordination and with abstract vocabulary. Coherence and a large amount of logic are characteristics typical for the discourse of higher educated people, as stated by Gumperz, Kaltman & Catherine (1984: 17). Also Wodak (1985: 181-192), based on her research of discourse in courtrooms, claims that people from a higher middle class tend to relate coherent and consistent narratives, usually containing plausible facts. These findings can be applied to the HRV discourse, since the format of these HRV hearings was similar to the format of court cases.
The following extracts illustrate Mrs Kemp’s elaborated code, citing some of the most intricate sentence structures and abstract wordings.

**MRS KEMP:** (...) By the early 1960s when I was at the University of Cape Town, studying physiotherapy I had come to the painful realization that the poverty, that Sharpeville and detention without trial were ways in which my own people were trying to claw their way into white privilege in our country.(…)

(...)

**MRS KEMP:** (...) For me the horror of the apartheid years is compounded by the loss to me through its prostitution of my language and my culture. The direction that Afrikaner nationalism took into obliterating all in its wake now, no matter how murderously, I lay at the feet of the Broederbond, the Dutch Reformed Church and the National Party. These bodies systematically fanned the flames and nurtured an increasingly Godless and brutalized culture. Through the truth and reconciliation commission, and as an Afrikaner, I call on the Broederbond, the Dutch Reformed Church, EW de Klerk, and the National Party to do more than say sorry, it was a mistake, I call on them to confess and repent their seminal role in nurturing murder and mayhem in our country, based on an ideology of race superiority.

(...)

**MRS KEMP:** (...) There is no question to me that systemically the Broederbond, the Dutch Reformed Church, and the National Party, prepared the way, nurtured the culture that led to the suffering that we have heard from the truth commission - within the truth commission.

Mrs Kemp’s discourse seems to be prototypical for a lady with a specific social background. Considering both her social and her political profile, Mrs Kemp is probably one of the least ordinary victims in my entire selection.

The same holds for Laloo Chiba, the MK activist mentioned earlier. Mr Chiba belongs to the Indian population group, a group which under apartheid contained (and still contains) relatively more middle-class people than any other non-white South African population group (see also http://www.pretorianews.co.za/index.php?fSectionId=670&fArticleId=2257751). Mr Chiba too speaks a fluent kind of elaborated English. His narrative is chronological and his sentences are well structured. Especially striking is that he gives a lot of meta-pragmatic indications about how he is going to tell his story. Expressions on this meta-pragmatic level are more abstract as they stand apart from the actual narrative. They can thus be seen as characteristic for elaborated code – I only give a fraction of Mr Chiba’s meta-pragmatic expressions.
MR CHIBA: I really don't know where to start and I have only got half-an-hour. So I suppose the amount of time that is allocated to me will only be about 15 minutes, 20 minutes or so. But I will try to recap as much as possible.

First of all I would like to say that I became politically involved after the arrest of Comrade Kathradu and 155 leaders of the Congress alliance.

(...) 

MR CHIBA: Now in March 1960 - I am just going to go through a little bit of background so we put the whole thing in the proper context.

(...) 

MR CHIBA: Now I think it is important to say something about our units.

(...) 

MR CHIBA: From there I think I will go on to what had actually happened. On the 17th of April 1963, five of us were arrested.

(...) 

MR CHIBA: At this point in time I think it is necessary for me to say that I was rather pleased with myself at the fact that I had not divulged any information whatsoever.

(...) 

MR CHIBA: I think time is passing, I think I will move rather quickly now.

(...) 

MR CHIBA: One other thing I omitted to mention to you was that while they were turning the dynamo and the electric shocks were passing through my body very violently, they actually also poured water on the wires.

In addition, Mr Chiba seems to possess a lot of communicative competence: not only are his sentences grammatically correct, he also understands what is feasible and appropriate while testifying before the HRV Committee. For instance, he knows what is expected of him and he also seems to be aware of the level of knowledge of the audience. Expressions or terms that might be unfamiliar to the audience are thus explained. One example is Mr Chiba’s elaboration on “the great escape”, possibly a well-known incident in ANC history, which might need some clarification for people less familiar with the liberation movement.

MR CHIBA: Now after I was released, immediately after I was released, a few days later, the great escape had taken place, in which Arthur Goldreich, Harold Wolpe, Abdullah Jassat and Mosi Moola had escaped from Marshall Square. As a result of that escape, I was once again asked to go underground and I was underground for a period of about three months.
It looks as if Mr Chiba’s discourse is more or less typically middle-class, which could imply that he does not seem to qualify as an ‘ordinary victim’ either.

One testifier who clearly belonged to a higher social class was Charity Kondile. This lady testified about her son Sizwe who was kidnapped while on an ANC mission in Lesotho and who was subsequently killed by the apartheid security forces. Her discourse is a kind of very sophisticated English, clearly belonging to a higher style register. Her narrative is well-structured, the sentences are complex and the vocabulary is subtle. Just like Mr Chiba, also this testifier tends to use a lot of meta-pragmatic expressions.

*MRS KONDILE*: *Well I must explain to this Commission that* even on that day, when I greeted one of Sizwe's friends in the street, to my disappointment, this girl shouted at me and said that Sizwe had stolen their car.

(...)

*MRS KONDILE*: *But what I'm trying to say is that* even before I read in the New Nation, there had been the Harm Commission sitting, where Sizwe's case was presented by Mr Skweya the advocate,

(...)

*MRS KONDILE*: *He is the sibling who was born after my second born child. I have mentioned earlier that* during the Fort Hare uprising, Sizwe was together with Mtetele at Fort Hare, they both suffered harassment from the South African Police. *I also mentioned that* they went back home and left school and wrote letters to the effect that they would not be returning to Fort Hare.

At a certain point in her testimony, Mrs Kondile even quotes Shakespeare, indicating that she is highly educated.

*MRS KONDILE*: *As I say I was very disappointed to learn that people who had been so friendly to my son about six months ago, should have turned against him so soon, and according to Mark Anthony, when he says, "Oh judgement that art fled to brutish and men that have lost their reason", that's a quotation I thought, that's it seems today when I'm so anguished, looking for him, these people would not sympathise with me, they would still think that I was telling lies, they said I knew I was in the Transkei.*

Also certain morphological constructions, the use of passive voice and some high-style vocabulary might refer to a - rather formal - elaborated code.

*MRS KONDILE*: *One of his closest friends whom he went to circumcision school with, is the gentleman on my left, Mr Gusumze Bikole, I also know Mr Pagamile Qnea and Tosi Majola.*

(...)
MRS KONDILE: They wrote back to say that they had since released him in August 1981 according to their records in front of you there, the lawyers asked further if Sizwe had been visited by any magistrate or doctor whilst he was in detention.

(…) 

MRS KONDILE: That was the impression that had been sown in their minds by the South African Police.

(…) 

MRS KONDILE: I feel it was grossly inhuman, I feel if they could have killed him and gave us the body or left it in the veld there, I feel that this was tantamount to cannibalism, or even Satanism.

All the way through, Mrs Kondile seems self-assured and assertive. There are basically no hesitations or miss-formulations, so everything points to a highly sophisticated and well-considered discourse.

A final example comes from Mr Paul Williams. Mr Williams got severely wounded as a result of the APLA attack on the St-James church in Cape Town. Mr Williams belongs to the Coloured population group in South Africa. Also his English discourse is elaborated: his narrative is coherent, the sentences are well-structured, they are voiced without any hesitation or inconsistency and sometimes he uses terms belonging to a higher style register.

MR WILLIAMS: I entered the church and became part of the Congregation and participated up to the point where two young persons had rendered a duet. Now they were close to finishing this song when suddenly the doors where the perpetrators entered - when suddenly these doors just flung open.

(…) 

MR WILLIAMS: (…) for the first I actually see - saw a hand grenade hurling towards a live audience. And while this hand grenade was still airborne the other gentlemen - there were I saw about three - three people and there was possibly a fourth person.

(…) 

MR WILLIAMS: Nevertheless I was on the floor and in severe pain. Help did come to me immediately in the form of my fellow brethren.

Mr Williams also quotes the bible, and he addresses commissioner Ntsebeza with his formal title “advocate”, both of which might indicate that he is well-educated and that he tries to adapt his discourse to these rather formal TRC circumstances.
MR WILLIAMS: The Bible also teaches me that I must if I want people to show compassion towards me, I must be able and willing to show compassion and then I think for me the cherry on the top is what Jesus said on the cross when he said:

*Father forgive them for they know not what they doing.*

And I must have a loving spirit, I must have a forgiving spirit and I think that greatly helped me and assisted me in coping with my situation.

(...)

MR WILLIAMS: Like I said advocate, it is beyond my control that him being granted Amnesty, but should he go free and walk on the streets, my duty as committed Christian should be I think to reach out to him. And that is what I would like to do.

Finally, we also note that the testifiers who use elaborated language and who seem to belong to a higher social class also tend to orient their language towards the ‘institutional identity’ of the TRC. When discussing institutional dialogue, Drew & Sorjoren (1997: 92-105) point out that through their discourse speakers belong to or participate in an institution. Sometimes they also use discourse to determine their function in the institution, or to fulfill a certain role in the institution. According to Drew & Sorjoren, such an orientation towards the institutional identity is shown in linguistic features like pronouns, grammar, turn taking or the lexicon. At the HRV hearings, the commissioners regularly referred to the structure or the objectives of the Commission. This mainly happened at turn taking, as is evident from utterances such as “Thank you Mr Chairperson”, “I will now hand over to commissioner Sandi” or “I will supplement some of the questions that have been raised by our leading commissioner Yasmin Sooka”. It could also be observed in the opening or closing statements of the testimonies, when the commissioners referred to the importance of appearing before ‘this Commission’, when they talked about the fact that the Commission was to formulate recommendations regarding reparations to the government, or when testifiers were welcomed on behalf of the Commission.

However, also higher educated victims tended to address the institutional identity of the TRC. One example comes from the testimony of Mr Chiba:

MR CHIBA: Okay. I think there is one or two things that I need to say. I deeply appreciate the fact that I have been given this opportunity. I have pointed that out before. But for myself, personally, I really do not want the Commission to do anything for me. I got politically involved in the knowledge that the battle was going to be a tough one, it is going to be a hard, long struggle with many sacrifices along the way.[…]But having said that, I think I must stress that the Commission has a very important function to do, to ensure that the perpetrators who carried out so many acts of torture, who are guilty of murdering,
killing our people, are actually brought to justice. I think that it is the responsibility of the Truth Commission to ensure that they are brought to justice. […] I think the Commission has an important role to play in this respect. I also want the Commission to correct one or two misperceptions.

Also Mr van Eck is very outspoken when referring to some institutional features of the TRC. Throughout his testimony he addresses the chairperson by explicitly using this form of address and he also talks about the Commission in the third person, as if it is an abstract discourse participant.

MR VAN ECK: Mr Chairman I'll meet your requirements, although I've said in the introduction why I've done in this way.

(…)

MR VAN ECK: Mr Chairperson, as a result of these happenings, it was logical that my business suffered. The trauma I experienced led to me sitting around a lot for many days with the result that my business went under.

(…)

MR VAN ECK: Mr Chairman, I think it was very clear in my submission, all I'm asking, my only request is that it should be consequent, I said, leave those people as they are, leave them where they are, but then we should look at who we are hunting for in vain. In other words, the Commission stands for equality and justice. That's all I'm asking for, for justice and nothing more.

And finally there is Mrs Kondile, who also seems to be very much aware of her position as participant in an institutional process.

MR NTSEBEZA: You are asking that he should testify about your son's political activities as he knows them so that they can be put in proper perspective.

MRS KONDILE: Yes if the Commission so allows, thank you.

(…)

MRS KONDILE: Well I must explain to this Commission that even on that day, when I greeted one of Sizwe's friends in the street, to my disappointment, this girl shouted at me and said that Sizwe had stolen their car.

(…)

MRS KONDILE: so that these perpetrators could be charged and punished If I have a request to make to the Commission, I would ask the Commission to assist us to bring the perpetrators of this brutal murder before the court for what they did and the manner in which my son was murdered. And I further ask the Commission to see what it can do to pacify the Kondile family for the loss of a beloved son, deprivation and the loss of a father and provider to Bantu.
It is indeed true that also less educated testifiers sometimes oriented their discourse towards the institutional identity of the TRC. This happened to a much smaller extent, though. It thus seems as if this institutional dialogue formed an inherent aspect of the meta-dimension of the discourse of testifiers belonging to a higher social class.

When we go over this list of people it seems indeed as if a number of these thirty testifiers could not be considered as ‘ordinary’ in a social sense. However, when reading the HRV testimonies it becomes clear that to the same extent some of the testifiers also seemed less educated – and maybe belonged to the lower social classes, thus turning them into ‘ordinary’ victims in the way the TRC understood this term. I will give a few extracts from testifiers who appeared to be less communicative. Their discourse was more hesitant and they did not always fully understand the questions posed by the commissioners. All of these victims belong to the African population group and they all testified in one of the African languages. Since I am working with the translated transcriptions, I am unable to pronounce upon the grammar, morphology or vocabulary of their discourse – in fact, I do not know whether in the original language they used elaborated or restricted codes, as distinguished by Bernstein (1971). Moreover, certain misformulated sentences or hesitations in the transcriptions could also be due to the language of the interpreters. Based on the videotapes of the hearings, though, I could often see whether testifiers were fluent or not, or whether they showed any paralinguistic signs of misunderstanding.

I will first give some fragments from the testimony of Manzala Dingumblaba, who talked about her father who was detained and tortured. It looks as if Ms Dingumblaba is not very communicative. In contrast with Mr Chiba, Mrs Kondile or Mr Williams, this lady does not relate her complete narrative unsolicited. Her answers are very short and she needs to be prompted by the leading commissioner all the time. Ms Dingumblaba does not expand on the actual incident, she does not motivate her request and she gives very few specific spatial or temporal indications. Also, she does not always seem to comprehend what the commissioner is asking – Rev Xundu is very much aware of her uncertainty, since he explicitly asks whether the testifier understands him well.

**REV XUNDU:** Will you tell us briefly. Was this under the Nonqulana incident?

**MS DINGUMHLABA:** Yes the boers came in the middle of the night, five men. They detained him.
REV XUNDU: How long was he in detention?

MS DINGUMHLABA: One year and nine months.

(…)

REV XUNDU: What is your request to the Commission?

MS DINGUMHLABA: Because I do not have a home, if the Commission could give me a home please.

REV XUNDU: These are the things that you have written in your statement. Do you have anything to add?

MS DINGUMHLABA: No I do not have another request.

(…)

CHAIRMAN: I just want to ask you a question. Were there any endeavours to report the Government, because your people came back from detention in ill-health. I do not know whether you understand me well?

MS DINGUMHLABA: I do not understand.

CHAIRMAN: Members of your family were detained by the police. On their release they were ill in many ways until such time that they died. Did you try in any way to report the Government, the structures?

MS DINGUMHLABA: No, we never tried to report the Government.

Also Gladys Papu’s discourse seems to be restricted. Mrs Papu talked about her husband who was killed by a rival political group. Her sentences are short and she does not give a lot of background information. In the course of her testimony Mrs Papu sometimes mentions names without explaining them, which might indicate that she does not have a lot of communicative competence. She does not know what is expected of her and she seems unaware of the knowledge of the audience.

ADV SANDI: Was there anyone arrested concerning this?

MRS PAPU: Yes, five people were arrested. Gumeli was also arrested, but he was acquitted. When he arrived at the police station he told the police everything that was happening.

ADV SANDI: Who was Gumeli?

MRS PAPU: It was Gumeli Fana. He told the police everything that was happening. He told that Mr Fezile paid them together with Landezwa to go and kill my husband.

ADV SANDI: When you are talking about Mr Fezile are you talking about Fezile Ndongo?

MRS PAPU: Yes.
Both “Gumeli” and “Mr Fezile” are names that need some clarification, for the commissioners as well as for the wider audience. Mrs Papu does not seem to be aware of this communicative fact, so commissioner Potgieter has to ask for this clarification explicitly. Sometimes, this testifier did not seem to understand the questions, since she answered them incorrectly. This is the reason for Mr Sandi’s repetition of certain questions.

ADV SANDI: The people you mentioned, Gumeli Papu, was he arrested.

MRS PAPU: It was Lichlie Papu and Gumeli Fana.

ADV SANDI: Were they arrested?

MRS PAPU: Yes, they were arrested, but they were released. They gave a statement to the police saying that Landezwa and the other man paid them to do this.

Also, Mrs Papu might not be very familiar with the schooling system in South Africa. She only partly replies to commissioner Sandi’s following question while not giving any information about the grade her children are in. Quite possibly, it was more difficult for a certain class of people to trace their children’s schooling trajectories, which could result in ignoring questions that referred to school issues.

ADV SANDI: How old are they and in which standards are they at school?

MRS PAPU: My first born was born in 1968, the other one 1972, the other one 1981.

ADV SANDI: Is that all, mam, before I hand over to the Chairperson?

MRS PAPU: Yes, that is all.

Then there is Lilian Kadi, whose father and uncle were necklaced by members of the ANC. Also this lady seems to be limited when replying to the questions of the commissioners. She does not give concrete answers and she does not always seem to understand what the commissioner means.

MR ALLY: And your father was also a businessman, not so?

MRS KADI: Yes, he was a businessman.

MR ALLY: What businesses did he have?

MRS KADI: He had two shops.

(…)
MR ALLY: And your father, did he ever speak about what was happening? Did he ever speak to you about what was happening?

MRS KADI: No, he was not communicating with us about that, in that regard.

MR ALLY: And your mother at the time, where was she?

MRS KADI: Do you mean the time when they were burnt?

MR ALLY: That you’re speaking about, where was your mother?

MRS KADI: No, he was not communicating with us in that regard Sir.

Note that Mrs Kadi seems to present a humble position by using the formal form of address “Sir” at the end of this fragment. It looks as if she accepts the authority of the TRC commissioners, and as if she does not want to stand out as an assertive and talkative victim. This form of address could tell us something about the perceived hierarchical relation between the commissioners and the testifiers. The commissioners did stress that they were no judges and, as much as possible, they tried to establish an equal relation with the victims. Some testifiers did not seem to incorporate this equality and they might have adopted a modest profile while facing the HRV Committee.

A final illustration of a testifier using restricted code comes from Wandile Mbathu. Mr Mbathu was shot by members of the Ciskei Defense Force. His replies are extremely short: every single date, every single fact has to be asked for explicitly by the commissioner – the majority of questions seem to be answered by yes or no.

MR SANDI: In your statement Mr Mbathu, you say you were taken from the location of the shootings and you were thrown in with corpses.

MR MBATHU: Yes I was.

MR SANDI: Did these people think that you had also died?

MR MBATHU: Yes they did.

(…)

MR SANDI: Where did you hear this from?

MR MBATHU: Someone told me.

MR SANDI: Did he see you when you were being put in the van?

MR MBATHU: Yes he was there.

MR SANDI: Did you go to attorneys to put a claim?
MR MBATHU: Yes I did go.

MR SANDI: Which attorneys are these?

MR MBATHU: Smith.

MR SANDI: What happened?

MR MBATHU: He said that I would receive my money sometime, I went last Tuesday as well.

MR SANDI: Do you mean last week?

MR MBATHU: Yes last week.

MR SANDI: Did he say how much you are going to receive?

MR MBATHU: No he did not.

(...) 

MR SANDI: Did you say that you have got a bullet in your head? What do the doctors say, why don't they remove it?

MR MBATHU: I was operated on. They probably removed it.

MR SANDI: Is this bullet still in your head because your statement says you have a bullet in your head?

MR MBATHU: I do not know.

MR SANDI Is this all you would like to say?

MR MBATHU: Yes.

It looks as if commissioner Sandi tries in vain to get Mr Mbathu to actually tell his story. This testifier, though, is not very cooperative and strikingly, he even does not seem too sure about his own physical health – note the “probably” and the “I don’t know” in the final phrases. When watching the video it looks as if Mr Mbathu is confused, especially at the end of the testimony; the questions or the TRC setting seem to be too overwhelming.

Obviously, we cannot draw absolute conclusions from these final three testifiers. Their non-communicative discourse might be an indication of them being less educated or belonging to a lower social class. However, being not very talkative could also be a personal characteristic of them. It was also possible that they were nervous, impressed by the circumstances or traumatised by the past experience. Wodak (1985: 181-192), again in her discussion of courtroom discourse, indicates that people from lower social classes tend to be not very successful in their discursive performance. They are unaware of the
kind of discourse that is expected and they often merely confirm the suggestions and opinions of the judge. In the quasi-courtroom setting of the HRV hearings, we notice that certain testifiers were indeed not able to make use of the communicative opportunities they were offered. In their testimonies incoherence, misunderstandings and discontinuities took place regularly. Comparing these features with Wodak’s research, could be another incentive to classify this particular group of testifiers as belonging to a lower social class.

Not only their restricted discourse prompts me to categorise these victims as belonging to a lower social class, though. Important as well are other, supra-linguistic, features. All of the victims whom I labeled as belonging to the higher middle class testified in English, which tells a lot about their social background. These last three victims testified in an African language, so they belong to a population group that was definitely less advantaged in apartheid South Africa. Charity Kondile seems to be a rare example of an African lady who is well-educated and who probably belongs to a higher social class.

**Conclusion**

In general, when we go over the testifiers listed in this chapter, it looks indeed as if a large part of the HRV testifiers could be identified as non-ordinary on a political level. Many had been politically active and quite a number of them manifestly expressed this political identity in the course of their testimonies. This political profile could be understandable. As Carin Williams (1999: 12) emphasises, it was normal that especially anti-apartheid activists came forward to the TRC, as they were mostly targeted by the apartheid security services. The security forces had a strategy of identifying, isolating, victimising and eliminating political activists, so it was obvious that predominantly these leaders came forward to the Human Rights Violations Committee.

When it comes to their social identification, it is true that a number of the victims could be qualified as educated and as possibly belonging to a higher social class. As is clear from the illustrations above, though, the TRC also opened up a discursive space to quite a few testifiers who were less communicative, possibly less educated and maybe belonging to lower social classes. One could assume that under apartheid people from different social classes participated in the anti-apartheid struggle. The liberation movements were operating in the cities as well as in the villages, they had set up
community cells and they were well organised on different levels of society (see for instance Barrell, 1990: 39-42). A representative HRV victim could thus come from any segment of South African society. According to my selection and to the illustrations listed above, it looks indeed as if on a social level both ordinary - less-educated - and non-ordinary - higher educated - victims came forward to the HRV Committee.

As a temporary conclusion we could assert that when it comes to their political profile, it seems as if especially political activists found their way to the TRC. On a social level, though, a fair part of the South African social stratification seemed to be represented, meaning that both ordinary and non-ordinary victims were given a change to testify. To qualify this conclusion somewhat - and to also temper the critique of some one like Mamadani (2000) - I would like to argue that being a political activist did not always exclude the label ‘ordinary’. It is possible that a lot of these testifying activists had indeed been ordinary young men, who had joined the ANC/MK partly out of idealism and partly out of a craving for adventure. In any case, it seems as if the majority of testifying activists were no prominent political or religious figures; they just stood at the grassroots level of activism against the government.

Finally, I would also like to deal briefly with the term ‘voiceless’. Since many of the testifiers seemed to be political activists, a number of critics claim that the label ‘voiceless’ cannot be applied to them. In fact, all of these victims, either political activists or not, had been silenced under apartheid. Their voices might have been heard on the local community level, but very few of them had their voices heard on a regional or national level. Especially, they were not heard by their country’s establishment or ruling class – which means that in a certain sense they were definitely voiceless.

To conclude, in this chapter I have tried to clarify how the label ‘ordinary’ could be applied to the HRV testifiers from my selection. The ordinariness of victims has been considered on a political and a social level. The main conclusion seems to be that, in line with some TRC critics, most of these testifiers could be regarded as political activists. Although a lot of them were indeed actively involved in the liberation struggle, I have argued that this identification does not exclude them from being ordinary South Africans. Moreover, not only were many of these political activists ordinary civilians, most of them had also been voiceless under apartheid.
On a social level, the critique on the TRC’s preference for educated and communicative testifiers does not seem to hold. People from various social classes were allowed to tell their stories in public. There might have been a slight inclination towards educated testifiers, since being able to express one’s thoughts more or less coherently was merely a practical prerequisite in order to testify in public. Clearly, the TRC did select testifiers according to certain criteria, so understandably only a certain kind of voices and a certain kind of narratives were presented before the HRV Committee. As also Maier (2000: 274) stresses, it is always a dangerous exercise “to ‘synthetize’ a narrative from diverse sources (...); reduction of many voices to one coherent story line means valuing some testimonies more than others, or privileging the significance of some stories more than others.”.

I would thus like to assert that when it comes to social or political identification, it looked as if the TRC did succeed in selecting both ordinary and non-ordinary victims. The impression is given, therefore, that the HRV hearings were layered when it comes to the political and socio-economic identification of its testifiers, which adds to the idea that the TRC wanted to present an inclusive character in the first place. Note that in this chapter layering is understood on a different – more meta-discursive – level than in the other features listed under the heading of ‘identity layering’. In the next chapter we will see that the social and political profiles as described here - being ordinary or not, or precisely because they were both ordinary and non-ordinary -, turned many of these victims into ‘ideal testifiers’; at the same time, it turned the HRV hearings into a valuable post-1994 construction.

4.5. The ideal testifier

4.5.1. Introduction

As an introduction to this chapter I should clarify how I conceptualise both of the earlier mentioned terms, ‘ideal testifier’ and ‘typical testifier’. A typical testifier is a testifier who, on the basis of his or her particular profile belonged to one of the majority groups appearing before the HRVC. According to the TRC database (TRC Report, 1998, 1/6:

30 ‘Victims who told their stories before the TRC’ refers to people who gave a written statement to the TRC – as explained in the introduction there are no statistics or figures available on public HRV testifiers.
the majority of victims who told their stories to the TRC were African (89.9%). The other population groups were represented as follows: Coloured: 1.7%, Asian: 0.2%, White: 1.1%\textsuperscript{31}. Most of the non-white victims who came to the TRC had suffered from human rights violations committed by the apartheid security forces – although also the Inkatha Freedom Party was found to be responsible for a large number of killings and cases of severe ill-treatment (see TRC Report, 1998, 3/1: 8-10). Most of the white victims had been victimised by the liberation movements. With regard to gender there was not too much difference: 55.3% of the victims who came to the TRC were female, while 44.7% of them were male. Regarding the type of violation reported, the majority of victims talked about non-fatal gross human rights violations to men, followed by non-fatal gross human rights violations to women and fatal human rights violations to men.

The HRV Committee listened to people from all age groups, the majority consisting of those aged thirty-seven and above.

In short, a testifier who belonged to one of these majority groups - for instance by being a middle-aged African lady, talking about her husband who was killed in prison - has been labelled a ‘typical testifier’. It is thus a category I have established on the basis of pre-hearing victim characteristics; it took shape depending on the overall composition of the group of HRV testifiers.

The ‘ideal testifier’ is a loosely descriptive concept I constructed on the basis of my discursive analysis of the HRV hearings. I noticed that in the course of the HRV proceedings certain victims seemed to express themselves in a way that was more preferred by the HRV commissioners than the ways in which other victims expressed themselves. More specifically, it seemed as if certain testifiers presented themselves as apartheid victims in a discursive manner highly valued by the HRV Committee. It looked as if these people complied with the image of a HRV testifier the TRC wanted to project into the future. On the basis of their ideological stance, their self-identification and their historical positioning, these testifiers expressed themselves in a way that suited the concept of the TRC. The ideal testifier thus corresponds to - or rather approaches - the imagined construction of a perfect HRV testifier – perfect from the point of view of the HRV Committee.

\textsuperscript{31} Apparently, the population group was unknown for a number of victims (see footnote 27 in the TRC
In the course of my discursive analysis I have tried to find out which of my selected victims could be described as ‘ideal testifiers’. It is then on the basis of the discourse of these ideal testifiers that we can try to deconstruct the archive of the reconciliation discourse that was created at HRV hearings. Through their discourse we can attempt to get a coherent understanding of why certain utterances were preferred and valued and why some of them were disapproved of before the HRV Committee. In the preceding chapters I have already tried to give some insight into why certain utterances seemed to be turned down by the commissioners, while others were welcomed. In this chapter I will now combine these insights by referring to a number of ideal testifiers. It is these joint motivations behind the commissioners’ preferred utterances that will tell us something about the rules of formation of this HRV discourse.

In this chapter I will discuss six so-called ideal testifiers and this on the basis of the twelve features that have been distinguished before. I will merely summarise in which respect the discourse of these testifiers could be classified as ideal. These testifiers will be our case studies to analyse the archive of the HRV reconciliation discourse.

In the twelve preceding features three types of discursive layering have been discussed: five kinds of ideological layering, three kinds of historical layering and four kinds of identity layering. In all twelve of them we have noticed that specific historical, identity and ideological positions tended to be preferred at the HRV setting. Certain utterances, on the other hand, seemed to be disapproved of, or they were straightforwardly rejected. This hierarchy of tolerated expressions usually came to the surface during the interaction between testifiers and commissioners. Only in Feature Eight I have referred to a third speech participant, namely the audience. Let me first give a brief overview of how this hierarchy took shape in each of the twelve analysed features.

Feature One talked about a type of ideological layering – the introduction of the term reconciliation/forgiveness in the testimonies of the HRV victims. A large number of illustrations showed us how the commissioners tended to encourage testifiers to speak out in favour of reconciliation, how they specifically wanted to hear the terms ‘reconciliation’ or ‘forgiveness’ from the mouth of the testifier and how they disapproved of utterances expressing hatred or vengeance. An atmosphere of reconciliation - a

reconciliation-oriented frame - was deliberately created, making it sometimes very hard for victims to actually express their personal sentiments.

Feature Two also involved ideological layering, namely emphasising what I have called ‘community spirit’. Testifiers were urged to show concern for their fellow South Africans – preferably for fellow South Africans belonging to a different population group. The impression was also given that symbolic or communal requests regarding the well-being of community members were sometimes more embraced than personal and material requests. Expressing solidarity with the community and the nation, with fellow victims and with perpetrators was highly valued. In both Feature One and Feature Two the HRV commissioners employed various discursive techniques to inquire about or to remind people of their commitment to reconciliation and peaceful coexistence. Plenty of references were made to the need for reconciliation and national unity with an eye to the future of South Africa.

Feature Three talked about the way in which the HRVC presented itself as either a neutral or a biased institution, a feature also classified as a kind of ideological layering. We have seen that there was quite a lot of variation from one testimony to another, or even within one and the same testimony. Apparently, commissioners took different positions vis-à-vis the relation between the Commission and the political factions in South Africa. On a meta-level the TRC proudly identified itself as an unbiased institution: people from different political backgrounds were invited to come forward, everyone was treated with the same level of respect, compassion and gratitude. Also in its Report the TRC made sure to condemn all human rights violations, no matter which side of the political spectrum they had been committed by. Quite often, indeed, the TRC commissioners expressed themselves in an unbiased and neutral fashion. Sometimes, we have seen that they even explicitly criticised the ANC, the party others sometimes blamed the TRC to be an instrument of.

When looking at the way in which the Commission had been presenting itself right from the start of its existence, we can suppose that this neutral discourse was preferred when handling the relation with political groups in the country. Nevertheless, it looked as if sometimes the commissioners did support the ANC more than any other party. Sometimes, the violence of the ANC was justified, while other parties tended to be
regarded with more suspicion. Although these biased utterances did not suit the image of the TRC, it looked as if the commissioners could not always hide their support for the liberation movements. However, we can definitely not straightforwardly identify the TRC as a biased or an unbiased institution without making the necessary qualifications.

Throughout Chapter Three I have emphasised the importance of co-construction when the HRV hearings were taking shape. Institutional, personal and situational factors played a role constantly - the concrete commissioner leading the testifier, the socio-political background of the victims, the interaction with the audience -, all of which resulting in one hearing seeming more ‘pro-ANC’ than another. In such cases we should be careful for overinterpretation, though, and not draw one-sided conclusions about the partiality of the TRC in general. In short, we might say that efforts were made by the HRV commissioners to comply with their image of neutrality, although sometimes they might be lured into defending the liberation movement. There was a constant shifting between different ideological layers: the preferred one being the stance of neutrality, while also the biased position sometimes seemed to surface as a result of a wide variety of linguistic and extra-linguistic factors.

Feature Four, dealing with the level of respect that was paid to the testifiers has also been classified as a kind of ideological layering. On the basis of a number of examples we could conclude that attributing respect to the testifiers was one of the key values of the TRC proceedings. Overall, victims were praised and supported, their suffering was acknowledged and the commissioners showed understanding and compassion while listening to their stories. Attributing respect to the testifiers happened in different ways, mainly in the opening and closing statements of the testimonies, but also through valuing their experiences, their requests and their communicative competences. Paying respect to the testifiers was unconditional, it was an absolute necessity before the HRV Committee and it can probably be seen as one of the most preferred discursive positions taken by the commissioners.

The last feature dealt with under the heading of ideological layering had to do with the emphasis on emotional discourse - Feature Five. Testifiers seemed to be encouraged to describe gruesome details of the way they were tortured. They were also repeatedly asked about their physical and mental condition since the time the particular gross human rights violation took place. It appeared as if talking about very emotionally loaded topics,
such as experiencing torture, watching a beloved one being assassinated or suffering from medical problems as a result of the related incident, was more or less appreciated. If these kinds of topics were not forthcoming, the commissioners sometimes explicitly asked about them, maybe forcing testifiers to manifestly relive traumatic experiences. Colourless narratives, without any physical or sensational elements did not seem to appeal to the Human Rights Violations Committee.

Features Six, Seven and Eight talked about historical layering. In Feature Six I have distinguished the so-called ‘apartheid-talk’, referring to discursive elements from the apartheid era that were recontextualised in narratives before the HRV Committee. Belonging to the phenomenon of apartheid-talk were the use of Afrikaans or Afrikaner words while testifying in another language than Afrikaans and the use of generalising apartheid categories such as ‘they, the Whites’ versus ‘we, the Coloureds’, ‘they, the police’ versus ‘we, the activists’. Quite remarkably, this apartheid-talk did not seem to be disapproved of overtly by the commissioners. It might have indicated how deeply traumatised these victims were as a result of their experiences under apartheid. It could also show how parts of their beings were still firmly rooted in the past. The use of apartheid-talk thus illustrated how crucial the TRC was in the efforts of the country to deal with the apartheid past. This feature could be positive for the image of the Commission, so the HRV commissioners did not seem to be unfavourably disposed towards these utterances.

Testifiers did not only shift back and forth between the past, the present and the future by using apartheid-talk. In the course of their testimonies they also connected, for instance, a traumatic past with a miserable present, or a hopeful present with a bright future. Illustrating which discursive techniques were used to establish this historical layering was the subject of Feature Seven. Through direct speech and present tense testifiers tried to relive the past and link it to their present or future situations. Testifiers also complained about the fact that their lives remained as unsafe, as painful and as miserable as under apartheid. The TRC commissioners did not seem to reject such utterances since they could be highly relevant in post-apartheid South Africa. They could be seen as an indispensable element of the HRV reconciliation discourse because they stressed what South Africa still had to achieve in order to realise this reconciled and unified nation.
Feature Eight analysed the interaction between the testifiers and the TRC audience, an item belonging to the present TRC moment, but with strong repercussions to the future – especially for the testifiers themselves. We have seen how certain victims took advantage of the discursive space provided, while others seemed to be incapable of handling this public forum. The conclusion was that the commissioners seemed to tolerate this interaction to a certain extent: the public hearings were a core element of the cathartic function of the TRC, so the audience had to be prominently present. However, certain types of interaction with the audience tended to be more preferred than others. In addition, this audience interaction was never allowed to gain the upper hand. The commissioners always had to stay in control and it was their interaction with the testifiers that was to dominate the HRV proceedings.

Finally, I have also distinguished three types of identity layering, meaning that testifiers shifted back and forth between different identifying indexicalities in the course of their testimonies. Three testifiers seemed to struggle with their Afrikaner/white identity, which was the topic of Feature Nine. By appearing before the HRV Committee, people categorised themselves as TRC victims, thus participating in an institution aimed at rectifying an era of white oppression and non-white suffering. It looked as if this meta-categorisation was contradictory to the manifest identification as white/Afrikaner South Africans by some of the testifiers. This contradiction turned their identifications as Afrikaners into a highly valued commodity before the TRC. It was crucial for the inclusive-oriented image of the TRC to have white victims relating about their sufferings at the hands of the liberation movements. Also the fact that certain testifiers could not come to terms with their Afrikaner identity before the TRC - such as Mrs Kemp - was an acceptable stance before the Commission. It showed to what an extent the apartheid past still burdened people from different levels of South African society – not only black, but also relatively well-off white people.

Before the HRV Committee, testifiers predominantly identified as apartheid victims. Sometimes, though, also their perpetrator identities came to the surface in the course of their testimonies – an identity layering that was the topic of Feature Ten. This multifaceted identification seemed to be appreciated by the TRC: illustrating that the majority of South Africans possessed a victim as well as a perpetrator identity was one of the aims of the Commission. We thus saw that this mixed identity was sometimes
projected by the testifiers themselves; sometimes, it was an identity referred to by the commissioners, whereupon it was either rejected or accepted by the testifier.

Within the course of one and the same testimony certain testifiers also shifted back and forth between supporting and opposing the African National Congress. It looked as if this Feature (number Eleven) was also appreciated by the TRC. Allowing testifiers to be critical about the ANC seemed to suit the Commission’s image of impartiality. It also showed how complex identifications could be in post-apartheid South Africa. Testifiers sometimes felt wronged by one group, while still supporting this group on an ideological level. Multivoiced identifications like these showed the world what kinds of challenges the new South Africa was facing. It was thus an identity layering that was not only favourable to the image of the Commission, but that was also highly relevant in present-day South Africa.

In Feature Twelve, as a final aspect of identity layering, I have paid a lot of attention to the concept of the ‘ordinary victim’. Through explicit self-identifications, as well as through their socio-economic or political background we have been able to suggest that both ordinary and non-ordinary victims were given a voice at the HRV hearings. On a political level a lot of victims seemed to be non-ordinary, meaning that they had been or were active in political movements or civic associations. A number of victims, as well, seemed to have a low profile regarding their political activism, or they did not reveal any political affiliation. With regard to their socio-economic background, some testifiers seemed well-educated and belonging to a higher social class. Others were very limited in their communicative competences, which could be an indication of them belonging to a lower social class. Both of these profiles - ordinary and non-ordinary victims - were necessary before the TRC. Not only did the Commission need ordinary, low educated men and women to stress their ability to lend a voice to each and every apartheid victim. Also, they needed testifiers who were able to relate their narratives in a coherent and well-structured way, people who could give some information about the political context under apartheid, and who could reply to the questions of the commissioners extendedly. A useful mix of ordinary as well as non-ordinary victims thus seemed to be selected to appear before the HRV Committee.
Towards the end of this introduction I should stress that while discussing these twelve features I have paid a lot of attention to the constructionism from the side of the commissioners. Nevertheless, I have also tried to indicate that the level of discursive participation from the side of the testifiers was definitely substantial. Victims did not always follow the commissioners when it comes to the framing of the HRV reconciliation discourse. They actively participated by giving their own interpretations and adding their own layerings to the interpretations and layers as suggested by the commissioners. The construction of HRV discourse was dus definitely an interactional enterprise: it was guided by the HRV committee members, but constructively supplemented by the testifying victims.

In all twelve of these features we have come across testifiers who complied with the preferred discursive position to a smaller or larger extent. Some of them, for instance, were highly valued when it comes to the way they identified as both victim and perpetrator, but less so with regard to their ideological profile. Some of them did follow the emotional stance that was preferred before the TRC, while at the same time devoting too much attention to the interaction with the audience – which was usually less appreciated by the commissioners. Some of them were committed to reconciliation and forgiveness, while being extremely negative about the future of South Africa and about the achievements of the new government.

By juxtaposing these twelve features I would now like to distinguish six ‘ideal testifiers’. These six testifiers seemed to comply largely with the preferred victim profile as constructed by the TRC. Their utterances often corresponded to the preferred way of expressing oneself before the HRV Committee. They often seemed to express an ideal mixture of self-identifications, political, social and ideological positions and references to the past, the present and the future, most of them highly valued before the TRC.

4.5.2. Gregory Beck

Mr Beck testified in Johannesburg, on the 29th of April 1996. He was a policeman and while on patrol in Soweto he had been shot by members of the UDF. His socio-political background definitely complied with the profile of an ‘a-typical testifier’. Mr Beck belonged to the Coloured community, a population group that had been disadvantaged
under apartheid, but that also feels disadvantaged under the new dispensation (see Frost, 1998: 106-107). It is a mixed group, consisting of people with various identifications vis à vis the other population groups in the country. The Coloured community cannot be straightforwardly categorised: members of this group practice various religions, they speak different languages, they belong to different social classes and also physically there can be a lot of variety. In itself, this group could actually function as a symbol for the multiracial, multilingual and multireligious nation of South Africa that the TRC wanted to promote. In addition, it is a group that should be paid great attention to by the new government, especially because of their identity struggle both under apartheid and in post-apartheid South Africa. In all these respects, it is quite likely that testifiers belonging to the Coloured community were highly valued before the TRC.

Mr Beck testified in English, which was probably his mother tongue. This was a language of wider communication, so definitely welcomed before the TRC. Very interesting is Mr Beck’s professional background. He is a police officer, so belonging to a group generally identified as apartheid perpetrators. While on duty he was attacked by members of the liberation movement. This professional background even stressed his being an a-typical victim: he was not a black victim who had suffered at the hand of white security forces, but a Coloured policeman who was victimised by members of the liberation movement. These kinds of a-typical victims probably took a special position at the HRV hearings: they deviated from the stereotypical TRC image of black victims testifying about atrocities committed by Whites, thus stressing the inclusive nature of the Commission.

Apart from Mr Beck’s socio-political and racial background, which seemed to be quite valued at the HRV Committee, he also discursively positioned as an ideal testifier throughout his testimony. We have seen in Feature Two that Mr Beck was very committed to national unity in South Africa. He totally identified as a citizen of the new South Africa, referring proudly to “our President”, “our people” or “this new South Africa of ours”. When asked about his relationship to other people, he claimed to be forgiving, especially after the example of Nelson Mandela. He emphasised twice that he did not bear any grudges and he seemed to be very reconciliation-oriented. In terms of a reparation policy with regard to policemen, he stated that a transformation of the new police force is a necessity. In Mr Beck’s words: “every police man should be community oriented and policemen who are still not prepared to abide with the new South Africa
must be kicked out of the police service”. He did not say anything about material compensations or personal reimbursements for what he had suffered.

Feature Eleven told us that Mr Beck displayed a fairly mixed identity towards the liberation movement. At first he seemed rather critical of the liberation movement, identifying them as the cause of the death of many policemen. Later on, he claimed to understand the motives of the liberation movement, he even identified with Nelson Mandela and he seemed to be grateful for the sacrifices made in order to arrive at this liberated country. This shift in identification towards the ANC might have been valued before the TRC. It showed that testifiers were allowed to voice criticism about the ANC at the HRV hearings. It also indicated that people could change their attitudes for the better, from an intolerant police officer to an understanding citizen of a united South Africa. This discursive shift from con to pro ANC displayed in the course of his testimony was actually a concrete illustration of the individual transformation Mr Beck had gone through in the period following apartheid.

Indeed, Mr Beck clearly testified to a change in mentality and in his attitudes towards the liberation movements. In earlier days he had been a committed policeman, devoting his life to the hunt for liberation activists. Now, after the transformation, and especially through hearing stories at the TRC, he had become more tolerant. He had come to realise the perspectives of the liberation movement and he had understood that living peacefully together was of utmost importance in the new South Africa.

MR BECK: (...) and as we are now in the transparent and new South Africa more of these incidents are now revealed. Now it becomes more clear to me what was really going on and the balance between the State at that time and the liberation movements, and I can see the viewpoint of the liberation movement as well, which they hold, or which they held to bring about what we are experiencing in this new South Africa of ours, and that cost us all to be liberated, so therefore I don't bear any grudges against anybody for what happened, although I was a victim of it, but I understand now. Before I didn't, no. And if these things were not revealed maybe I would have held a different opinion.

(...)  

MR BECK: Yes more than likely. If all these things didn't come to the fore of what happened, then maybe I would still bear a grudge. The reason why my life changed is that I've now learnt from all the stories I've learned from and the example that our State President has brought us for forgiving after he went through all these atrocities as well, and he can forgive, and I became more tolerant now and more understanding, which before I wasn't. I can understand now from both sides, and people's problems daily in my job as well.
Mr Beck is very explicit about his personal transformation and, even more importantly, he links this transformation not only to the example of Mr Mandela, but also to the revelation of atrocities before the TRC – it is through the truth that was revealed at the TRC that he can forgive and that he can understand from both sides now. Mr Beck could thus be regarded as a symbol of the transition the TRC stood for, a transition to democracy, to freedom of speech, to open-mindedness. He has incorporated this transition process as suggested by the TRC and he has applied it to his own consciousness.

As we have seen in Feature Four, a lot of respect is attributed to Mr Beck in Mr Tutu’s closing statement. Especially his commitment to reconciliation and national unity were applauded, in addition to the fact that he seemed to be a personification of the transformation process the TRC stood for. Being an a-typical victim who nevertheless supported the ideological values the TRC represented and who identified in a manner highly appreciated before the TRC turned Mr Beck into an ideal testifier.

4.5.3. Paul Williams

Just like Mr Beck, also Mr Williams could be defined as an a-typical victim. His socio-political and ethnic background positioned him as a favoured testifier before the HRV Committee, and this in different respects. Mr Williams testified in Heideveld, on the 25th of April 1996. He got injured as a result of an APLA attack on the St-James Church in Cape Town. This gentleman was thus also a victim of the liberation movements - a very innocent victim since he had merely been attending a church service at the time of the attack. Mr Williams also belonged to the Coloured community, he seemed to be highly educated and he testified in English.

This testifier related a well-structured narrative about pain and anguish. He did not give too many details, but still there was enough contextual information to put the experience into perspective. The questions of the commissioners were correctly interpreted and answered and Mr Williams seemed to be absolutely capable of handling this stressful public appearance. As said before, the TRC needed at least a couple of these articulate narrators in order to be accepted as a credible and professional institution.
As highlighted in Feature Eight, Mr Williams seemed to consciously draw the audience into his narrative by using the expression “you know”. In this way he created an atmosphere of empathy and understanding, hence taking fully advantage of the public space provided. Not only did he thus achieve sympathy for his experiences, he also got the audience to accept his religious beliefs. It appeared as if this subtle kind of interaction with the audience was valued by the commissioners - it stressed how important it was for the victims to really testify in public -, while at the same time the interaction was contained, thus not challenging the dominant speech position of the commissioners.

Feature One told us that Mr Williams, when asked about the amnesty process of the TRC, admitted to be forgiving. As a committed Christian he wanted to reach out to the attackers, an attitude that seemed to be highly appreciated by the leading commissioner.

**MR NTSEBEZA:** And finally I would like to ask a question I’ve asked to lot of people who have been at the receiving end. If Maqoma for instance who is serving a period of imprisonment for this attack - were to apply for Amnesty and in the view of the Amnesty Committee it could be found after all the various tests have been applied to his case that he deserves to be granted Amnesty and he were to walk the streets as a free person as a consequence of that process. What would your reaction be?

**MR WILLIAMS:** Like I said advocate, it is beyond my control that him being granted Amnesty, but should he go free and walk on the streets, my duty as committed Christian should be I think to reach out to him. And that is what I would like to do.

**MR NTSEBEZA:** You are very rare person, Mr Williams.

After Mr Williams related his story, he was asked what he hoped the TRC to achieve. This was the usual question to inquire about what testifiers expected from the TRC – often resulting in requests of financial or material compensations. Mr Williams, though, was very modest in his requests. He only wanted the perpetrators to come forward to the TRC and to explain why they had still been attacking innocent people after apartheid had almost been abolished (in 1993). These kinds of requests were probably highly appreciated by the TRC: demanding symbolic reparations instead of material requests indicated a concern for national unity and reconciliation. By requesting that the perpetrators should appear before the Commission, the TRC process of restorative justice was accepted, and Mr Williams showed that repentance and the revelation of truth – values that contributed to nationwide peace and understanding – were more important to him than financial benefits. All this turned Mr Williams into an ideal testifier, not only
on a meta-socio-political level, but also in his actual discourse before the HRV Committee.

4.5.4. Metro Bambiso

In contrast with Mr Beck and Mr Williams, Mr Bambiso could be defined as a more typical HRV testifier. Metro Bambiso testified in Grahamstown, on the 7th of April 1997, about his detention and torture by the police. As Feature Ten told us, Mr Bambiso was not only treated as a victim by the HRV commissioners; he was also explicitly identified as a perpetrator. At the beginning of his testimony he spontaneously related how he and his comrades decided to necklace an informer. Mr Bambiso was thus very honest about his perpetrator identity. This self-identification even formed the starting point of his narrative, since it was as a result of this necklacing that he was arrested and tortured.

Throughout this testimony we noticed then that while interacting with the commissioners Mr Bambiso’s victim and perpetrator identity were emphasised alternately. In this way this testifier symbolised the dual identity of many South Africans, a dual identity that was one of the premises of the TRC. This self-identification as a perpetrator was probably appreciated by the commissioners. They even focussed on this identity explicitly by regularly referring to it in the course of the testimony.

Mr Bambiso’s self still seemed firmly anchored in the apartheid past, according to his use of typical apartheid terms such as “the Boers”, and to the way he still categorised South Africans by means of racial subdivisions. He also pronounced police terminology in English, maybe evoking the confrontational language of apartheid security forces at the present TRC moment. Quite likely, this was a kind of historical layering approved of by the commissioners, since it stressed the pervasive presence of the apartheid past in the present lives of South Africans. In Feature Five we saw that Mr Bambiso was explicitly asked to talk about his torture experiences, even though he claimed that such emotional revisiting of the past would be too painful. Commissioner Sandi insisted and Mr Bambiso was prompted to give torture details – such vivid or even sensational discourse seemed to comply with the ideological stance of the TRC.

Features One and Two told us that Mr Bambiso was also an ideal testifier when it came to his commitment to national reconciliation and to solidarity with the community. Mr Bambiso stated that he was prepared to reconcile with his perpetrators - he wanted to
accept their apologies and he was not revengeful. In addition, he also seemed to be prepared to reconcile with his victims – he explicitly asked the necklacing victims to forgive him. In one and the same person we thus have a testifier who represented the group of reconciliation-oriented victims as well as the group of reconciliation-oriented perpetrators. Also Mr Bambiso referred to President Mandela as a role model to follow when it comes to peace and reconciliation in South Africa. He seemed to highly respect the President and he agreed with the necessity to establish a united nation.

MR BAMBISO: My request to the Commission is that I would like the Commission to bring the perpetrators to the community in Bedford to apologise to them. The reason for this is that I want to respect the President of this country, because he said that we have to be united in this country. *I do not want to revenge on what happened to me. What the President has already said, I agree with reconciliation.*

(…)

MR BAMBISO: Firstly, the reason why I referred to reconciliation is that I know that if victims or people who were oppressed by the white people, *if we want to revenge our country will not develop.* It will not be the country that we would like South Africa to be, because if I can take a gun and go to town to revenge what happened to me, *there will not be reconciliation, because our President is preaching peace in our country. I am supporting peace in this country.* That is the reason why I stated these. I do not whether the Commission understands me clearly.

Mr Bambiso’s community awareness was also quite prominent. He wanted the perpetrators to come forward to the community and to apologise to the community. In addition, he emphasised that his community was united and he seemed to be concerned about the well-being of fellow community members.

Clearly, also Mr Bambiso can be considered as an ideal testifier, not so much on the basis of his socio-economic profile, but rather based on the way he constructed his discourse - especially in interaction with the commissioners.

4.5.5. Phebel Robinson

On quite a different level also Phebel Robinson could be labelled as an ideal testifier. Ms Robinson testified in Winelands, on the 15th of October 1996; her husband was detained and tortured and he died in prison. Ms Robinson belonged to the Coloured community, but unlike Mr Beck and Mr Williams, she testified in Afrikaans. Traditionally, Afrikaans is indeed the mother tongue of the Coloured population. This language has always been an inherent feature of the Coloured identity, although abroad it is often solely associated with white suppression. Until today most of the Coloured people speak Afrikaans; about
half of the Afrikaans-speaking people in the world are Coloureds (http://www.mixedfolks.com/africa.htm). As we have seen, some Coloureds also have English as their mother tongue. Indeed, in the latter years of apartheid many of them consciously fostered English as a protest against apartheid.

The fact that Ms Robinson, being a non-white apartheid victim, testified in Afrikaans before the HRV Committee was a linguistic decision probably highly appreciated. The fact is that, short after the transition to democracy and also at the time of the TRC, the attitude towards Afrikaans was ambiguous: some Coloured people were proud of their language, others rejected it as a symbol of the apartheid regime. The use of Afrikaans before the HRV Committee stressed that this language should not solely be associated with the apartheid oppressors. It emphasised that each and every language was equal before the TRC, and in extension also equal in the new South Africa. It also indicated that in post-apartheid South Africa people should not be ashamed to use Afrikaans in public. It rather encouraged Afrikaans speakers to proudly identify with their language.

As we have seen in Feature Two, Mrs Robinson very explicitly reminded the audience of the community awareness of her late husband. She was definitely proud of his concern for the community and she projected this community spirit to her own situation as a ‘mother of the community’.

MS ROBINSON: My husband wasn’t scared, he was not afraid of anyone and he fought for human rights. He was a man for his community. He supported the poor, and the people that were battling. (...) So once again I say that he was not afraid of anybody and he stood for what he believed in and for his community. There are many people here that can bear testimony to that - to the fact that he stood for his community.

(...)  

MS ROBINSON: But I do not have any children of my own. As somebody said to me in other words I am raising the communities children and I said yes, that is what my husband left me to do.

Utterances like these appeared to be valued by the Commission – they were never dismissed by the commissioners and they were often welcomed by means of expressions of appreciation and esteem. Such utterances enhanced the atmosphere of community awareness that seemed to be created at the hearings and they even linked the community concern of an activist under apartheid to his wife’s present-day solidarity with members from the community.
Ms Robinson did not only identify her husband as a staunch fighter for the community’s human rights, but also as a political activist. She stressed that her husband was a member of the UDF and the ANC and that he was also involved in workers’ organisations. In a political sense Mr Robinson was thus not an ordinary victim. He represented those apartheid victims who might not have taken part in the armed fight against apartheid, but who had been active at a local community level to mobilise against apartheid oppression.

Finally, we have also noticed - in Feature Eight - that Ms Robinson explicitly took advantage of the public space provided. She tried to boost the image of her husband by manifestly directing her discourse to the audience. This interaction with the public was not really contained by the commissioners. They seemed to appreciate the way Ms Robinson’s identification of her husband was opened up to the audience. Also, this reaction of the audience was a reaction of respect and recognition, which added to the TRC’s crucial issue of attributing respect to testifying victims. It was especially in the interaction with the audience that Ms Robinson presented herself as an ideal testifier.

4.5.6. Mzothuli Maphumulo

Mr Mzothuli Maphumulo was a victim who identified as an ideal testifier especially in relation to his political affiliation. Mr Maphumulo testified in Newcastle, on the 12th of September 1996; three of his children were killed by members of the ANC. As we have seen in Feature Twelve, Mr Maphumulo identified as an IFP member, although he also seemed to be open-minded towards members of the ANC. In fact, he presented himself as a mediator between these warring parties. This attitude seemed to be valued before the TRC because in this way Mr Maphumulo was the personification of tolerance and reconciliation between different political factions in South Africa. His testimony proved that understanding between the IFP and the ANC was possible, even for people who had suffered terrible gross human rights violations committed by one of these two groups.

MR MAPHUMULO: No, I was helping the ANC instead, because I would be taken by members of the ANC and they would say I should go and talk to the youth of the ANC, maybe they would understand me because I was an elderly person. And at times I would tell them that I should not be treated as if I was a member of IFP as well as the ANC. I was a member of the IFP, but I would go and sort their problems out for them.

By using a lot of direct speech when quoting from the past, Mr Maphumulo explicitly linked the past and the present, as illustrated in Feature Six. In addition, he stressed that
his present living conditions did not change a lot since the abolishment of apartheid, thus indicating that in his personal situation the present and the past were still intertwined. It was this combination of identity layering (identifying as a mediator) and historical layering (stressing the relation between the past and the present) that was picked up by commissioner Lax in his closing statement.

MR LAX: You said that after the death of your children you were assisted by members of the IFP and the ANC, and that neighbours from both these parties attended your children's funeral. And it is ironic but encouraging that in that time of grief that people were able to come together.

We know that this incident will leave you sad, it will leave you with sadness that won't leave you, but we hope that you are able to progress, and to use your age and your stature and your maturity to continue working to bring both sides together, because, as you know, political violence of this nature brings nothing to people except misery and grief, and we hope that if anything is learnt from this that it is that people should - despite their differences they should live and work together. So again thank you very much for coming in and sharing your story with us. Thank you.

Clearly, a lot of respect was paid to Mr Maphumulo, not only because he was an elderly and highly esteemed person in the community, but also because of this mediating function he fulfilled. The extreme level of tolerance expressed by this testifier had to be highlighted because it could function as the outstanding example of political reconciliation in South Africa. Mr Lax then hoped that Mr Maphumulo would be able to extend the past into the future with respect to this mediating function. Mr Maphumulo was encouraged to continue this mediating role, especially because political violence remained an enormous problem in South Africa after the fall of apartheid. Mr Maphumulo could thus be defined as an ideal testifier because he was the perfect example of the virtue of political tolerance.

4.5.7. Stephanie Kemp

My last example of an ideal testifier is Mrs Stephanie Kemp. Mrs Kemp testified in Durban, on the 25th of October 1996. She had been detained and tortured in prison. When considering her socio-political background, Mrs Kemp should definitely be identified as an a-typical HRV testifier. This lady had had a white Afrikaner upbringing, which means that she belonged to the higher social classes. She became an active member of the South African Communist Party and after her detention she went into exile to London. An Afrikaner activist who had been victimised by the apartheid security forces was quite an unusual HRV victim.
On the ideological basis of equality before the TRC and equality in the new South Africa, testifiers like these were welcomed by the HRV Committee. Stephanie Kemp had an Afrikaner background, but her whole life had been devoted to reacting against the apartheid regime – a perfect example of how ethnic background and sense of justice did not always go together. Mrs Kemp testified in English; although the use of this communication language was certainly not disapproved of by the commissioners, testifying in Afrikaans would have turned her into an even more ideal witness. The coexistence of the Afrikaner culture and anti-apartheid activism would then have been manifested in one person.

The refusal to testify in Afrikaans ran parallel to Mrs Kemp’s personal struggle with her Afrikaner identity. As mentioned in Feature Nine, this struggle had been going on since Mr Kemp’s time as a student in Cape Town and it had probably intensified during the years she was active in the struggle against apartheid. Manifestly expressing her aversion to the Afrikaner culture was probably accepted before the TRC – especially since it was not really a rejection of the Afrikaner culture as such, but of the Afrikaner culture as the foundation for apartheid. Once again this aversion demonstrated that under apartheid there had existed white Afrikaners who were opposed to the regime and who had been committed to the struggle. Examples like Mrs Kemp could put the distinction Black/White into perspective and having her testifying in public might promote future reconciliation in South Africa.

**MRS KEMP:** By the early 1960s when I was at the University of Cape Town, studying physiotherapy I had come to the painful realization that the poverty, that Sharpeville and detention without trial were ways in which my own people were trying to claw their way into white privilege in our country. I never spoke Afrikaans again until my return from exile in 1990.

(…)

**MRS KEMP:** But I was born an Afrikaner, and from childhood we were fed, force fed if I might say on the glory of our people in the Anglo Boer War. (…) For me the horror of the apartheid years is compounded by the loss to me through its prostitution of my language and my culture. The direction that Afrikaner nationalism took into obliterating all in its wake now, no matter how murderously, I lay at the feet of the Broederbond, the Dutch Reformed Church and the National Party.

Mrs Kemp also manifestly linked past and present time frames, as mentioned in Feature Seven. Through expressing gratitude towards a prison warden for her kindness while being detained, through vividly re-experiencing the death of a fellow comrade, and through honouring the SACP for the support while living in difficult circumstances, Mrs
Kemp brought the past to the present TRC moment. This stressed the traumatic impact the apartheid past still had on her present life. Bringing this historical link to the surface was an inherent and wholeheartedly welcomed aspect of the HRV hearings.

Finally, in Feature Two we have seen that also Mrs Kemp seemed to be committed to fighting for a united and reconciled South Africa. By means of phrases like “our country” and “our president” she seemed to identify with the new South Africa. This awareness of national solidarity was explicitly asked for by commissioner Mkhize – the HRV Committee realised how crucial it was to have a white Afrikaner emphasising how much she felt at home in post-apartheid South Africa. White South Africans had to be reassured about their future in a multiracial South Africa – testimonies like the one by Stephanie Kemp could be a first move towards putting some people’s minds at rest.

4.5.8. Discussion

When considering these six ideal testifiers, three of them were a-typical, while three of them can be seen as more or less typical testifiers. Gregory Beck and Paul Williams were both victims of the liberation movement; especially Mr Beck was a-typical in his function as a member of the police force. As an Afrikaner anti-apartheid activist also Stephanie Kemp was an exceptional HRV victim – an exception that was embodied in the struggle with her own identity. Ms Robinson was a non-white victim of the apartheid security forces, just like Mzothuli Maphumulo and Metro Bambiso. All three of them have been defined as typical HRV testifiers. As said in the beginning of this chapter, the distinction between typical and a-typical took shape prior to the actual hearings. The distinction between ideal and non-ideal testifiers was rather established through the testifiers’ discourse at the hearings.

With regard to either typical or a-typical testifiers, the HRV Committee had probably made sure that a representative selection of both typical and a-typical victims appeared at the public hearings (see Chapter 4.4.4. for more details about the selection of HRV testifiers and about the controversy regarding its representativeness). Quite likely, the

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32 I deliberately use the qualifier ‘probably’, since there do not exist any statistics or databases of the victims who were allowed to tell their stories in public – as mentioned already a couple of times before. I can thus only suppose that the group who gave most statements to the HRV Committee was also largest represented at the public hearings.
vast majority of testifiers were African, most of them were middle-aged and a slight
majority was female. In addition, also the a-typical victims had to be present – very old or
rather young people, or people belonging to one of the three other population groups.
Understandably, since the proportion of non-African victims was extremely small, the
three non-African population groups could be overrepresented at the public hearings.
Also Indian, Coloured and especially white victims had to be given a prominent voice,
since it was these testifiers who contradicted the stereotype of the TRC as being solely
pro-African and pro-ANC.

Fascinating are the testifiers who are both a-typical and classified as ideal. By definition,
a-typical testifiers did not belong to any of the majority groups who came to testify about
gross human rights violations under apartheid. As has been mentioned a number of times
when analysing the preceding twelve features, it looked as if such a-typical victims - like
Mrs Bernice Whitfield, Mr Paul Williams or Mrs Stephanie Kemp - were usually heartily
welcomed by the HRV commissioners. In fact, as has become clear in this chapter as
well, a-typical testifiers seemed to be cherished a lot at the HRV hearings. These victims
were praised for their courage to come forward and they tended to be highly respected.
This was quite understandable, since these a-typical testifiers were crucial for the
impartial image of the TRC. By allowing a wide range of different apartheid victims to
come forward and tell their stories, the Commission tried to prove that it was unbiased
and unprejudiced. All victims were seen as equal and each and every human rights
violation should be equally condemned – that was the message the TRC wanted to
spread. It was mainly through hosting a number of these a-typical testifiers that the TRC
would be able to make this statement. So, although every testifying victim was treasured
before the HRV Committee, the presence of a-typical victims seemed to be valued even
more.

In addition, and even more importantly, this wide variety of testifiers was also part of the
inclusive character of the Commission. In this way, the Commission intentionally tried to
demonstrate that apartheid had been a traumatic experience for the entire nation.
Everyone had gone through the same misery and apartheid had affected everybody.
Consequently, every South African could be regarded as a victim and every citizen should
be healed. By acting accordingly, the TRC manifestly took on its role as a nation-building
instrument. In fact, this inclusiveness - which has been mentioned a number of times
throughout this chapter - can be seen as a superstructure to the overall TRC concept, an item I will come back to elaborately in Chapter Six.

Some of these a-typical testifiers then also expressed themselves in an ideal way in the course of their testimonies. This was not the case for all of the a-typical testifiers. Bernice Whitfield, for instance, was definitely an a-typical testifier, but it is possible that her discourse was not straightforwardly appreciated by the HRV commissioners. Although seemingly being committed to reconciliation, she was highly negative about the TRC, about the new government and about the future of South Africa. Testimonies like these did not add to the atmosphere of reconciliation, mutual tolerance and national unity the TRC tried to establish. However, the a-typical testifiers who did frame their discourse according to the TRC master-narrative - like Mr Beck, Mr Williams and Mrs Kemp - were extra embraced by the TRC. They embodied the values the TRC stood for; in fact they could be seen as the personifications of the TRC ideological master-narrative. Of course, the TRC needed ideal testifiers who were typical as well, and this also for the sake of impartiality and representativeness.

As we understand, the labels ‘a-typical’ and ‘ideal’ testifier coalesced to a certain extent - which accounts for the fact that half of the victims I identified as being ideal were also a-typical. Nevertheless, it seemed as if it was especially the concept of the ideal testifier that was cherished, a concept that was totally constructed at the actual HRV site. Ideal testifiers embodied and represented the values of the TRC. It is these testifiers that should be the point of reference for future generations when recalling the TRC process. The testimonies of these victims should form an inherent component of the material TRC archive, thus linking the material archive with the Foucaultian archive of preferred utterances at the HRV hearings.

Finally, to conclude my discussion of the ideal testifiers - and to even further clarify this concept -, I will give some examples of testifiers who were absolutely not ideal, meaning testifiers who expressed themselves in a way disapproved of by the commissioners, i.e. testifiers who constructed their discourse before the HRV Committee in a manner largely incompatible with the master-narrative of the TRC. I will be brief here, since these illustrations will merely function as clarifying examples.
One of the testifiers who did not seem to identify in a manner appreciated by the HRV commissioners was Johannes van Eck. He testified in Nelspruit, on the 2nd of September 1996. Part of his family got killed when their car hit an MK landmine. As we have seen in Feature One, commissioner Sooka tried to prompt Mr van Eck to speak out in favour of reconciliation. Although Mr van Eck did not straightforwardly claim that he was revengeful, it seems as if he refused to use the terms reconciliation and forgiveness. He only kept repeating that he expected the TRC to stand for justice and equality. Commissioner Sooka also wanted the testifier to give a positive impression about the amnesty process – unfortunately without much avail. It would have been perfect to have an Afrikaner victim like Mr van Eck demonstrating feelings of personal reconciliation and an appreciation towards the TRC amnesty process. Mr van Eck refused to cooperate, however.

MS SOOKA: (...) Now part of the work of the Commission is to facilitate the granting of amnesty to those persons who have committed gross human rights violations on either side, whether they came from the old regime or whether they came from the liberation movements. And this is one of the functions of one of the committees of the Truth Commission. Now there is a great sense out there that people are being asked to deal with the question of forgiving people, but it’s also a necessity in this country of ours, where we need to put the past behind us, what is your personal view on that?

MR VAN ECK: Mr Chairman, I think it was very clear in my submission, all I’m asking, my only request is that it should be consequent, I said, leave those people as they are, leave them where they are, but then we should look at who we are hunting for in vain. In other words, the Commission stands for equality and justice. That’s all I’m asking for, for justice and nothing more.

Based on the way in which commissioner Sooka justified the ANC violence after Mr van Eck has finished his story, it seemed as if Mr van Eck’s fierce criticism towards the ANC and the present government was not really appreciated either. Commissioner Sooka even read from the ANC submission before the TRC to explain why people like Mr van Eck were justified victims in the war against apartheid – as we have seen in Feature Three. This looked like a harsh way of reacting against Mr van Eck’s testimony, because it seemed immoral to talk about just victims when this victim, immediately before, had related such a harrowing personal experience.

Finally, it is possible that Mr van Eck did not feel very comfortable before the TRC. He seemed to struggle with his Afrikaner identity, and especially with the possible contradiction of being negative about the Commission on the one hand, and on the
other hand supporting this institution by participating in it. Mr van Eck was definitely an a-typical victim and his appearance before the HRV Committee was probably valued because of his socio-economic and political background. However, at the actual hearing Mr van Eck did not seem to express in a manner that was highly appreciated by the HRV commissioners. If he would have shown a positive attitude towards the TRC process and if he would have expressed some positive visions regarding future reconciliation in South Africa – like Mrs Kemp did, for instance – he would also have turned himself into an ideal testifier.

One of the typical victims who was definitely not ideal was Mr Nhlanhla Buthelezi. He testified in Duduza, on the 4th of February 1997, about his detention and torture at the hand of the South African security forces. Feature One told us that, in the course of his testimony, Mr Buthelezi shifted in his commitment towards reconciliation. At first he seemed prepared to reconcile with the perpetrators, but towards the end of his testimony he showed straightforward anger and vengeance. This attitude was clearly not accepted by the HRV commissioners, since they kept interrupting him. At a certain point the chair of the hearing even prohibited Mr Buthelezi to continue testifying.

**MR LEWIN:** Could we ...

**MR BUTHELEZI:** I suffered a lot, I almost was affected mentally. Even today, I think somehow I am affected mentally. So, I am not going to, I am not going to reconcile, I am not about to.

**MRS SEROKE:** Order please, order.

**CHAIRPERSON:** Buthelezi, could you, I think you have come to the end, could you please take questions. Thank you.

We have also seen that Mr Buthelezi took advantage of the public space offered by the HRV Committee. In a boastful manner he directly addressed the audience when talking about his experiences. He even tried to ridicule the HRV Committee and he showed off about his sexual performances. This manner of testifying might have been appreciated by the audience but not by the commissioners. The commissioners constantly tried to restrict the interaction with the public. They even read the Riot Act in an attempt to calm down the highly tumultuous audience. In contrast with Phebel Robinson, for instance, who also addressed the audience explicitly, in Mr Buthelezi’s case the interaction with the public was not accepted. Mr Buthelezi used the audience to boost his own image and that was probably an attitude not welcomed at the TRC site.
Also Patrick Morake can be seen as a typical, but non-ideal testifier. He testified in Welkom on the 9th of October 1996. He was attacked by members of an Afrikaner gang. Feature One told us that Mr Morake expressed some powerful feelings of resentment. This resentment did not seem to be appreciated by the HRV commissioners. They did not accept Mr Morake’s feelings of hatred; they rather framed this sentiment as a psychological illness. Revenge was not treated as a natural feeling, but rather as a decease that needed to be cured.

**MRS GCABASHE:** How do you feel ever since this has happened?

**MR MORAKE:** This occurrence changed my life so drastically. I feel I have this deep hatred for a white person. *When I see a white person, especially at night I have these negative thoughts and even at work when I white person speaks to me I just look at him. I totally distrust them because during the day they are people and in the evening they are killers.* Even when I’m driving a car and passing through Brandfort these thoughts come back to me so vividly as if it only happened yesterday. I just don't know how to explain this. Each time I think of this occurrence and I think of this attack ... (incomplete)

In Feature Six we have then seen that, according to Mr Morake’s words, his hatred was specifically aimed at white people. He still categorised South Africans by using the typical apartheid racial terminology and in his subconscious the white inhabitants of South Africa were still portrayed as ‘the enemies’. We cannot expect that such hatred - that was so explicitly aimed at white people - was acceptable at the TRC site. As a result, indeed, leading commissioner Gcabashe, commissioner Magwaza and chairperson Mgojo emphasised how completely inappropriate these sentiments were.

A final illustration of a non-ideal testifier comes from Nelson Jantjie. Mr Jantjie testified together with his mother in Karoo, on the 8th of October 1996. His sister was killed by the police. Mr Jantjie was very angry while testifying. He blamed the police, the Magistrates and the Judges for his miserable situation, both in the past and today. Leading commissioner Seroke did not pay a lot of attention to these fierce reactions. She seemed to almost ignore this hatred while she kept talking about the necessity to arrive at peace and forgiveness. Just like in the case of Mr Morake and Mr Buthelezi also this expressed hatred did not seem to be accepted before the HRV Committee.

**MR JANTJIE:** I am angry, I am not working - I have been tortured by police, I suffer, I am of ill health, I am unemployed, I suffer, my kidneys are not all right.

**MS SEROKÉ:** *We understand - we understand.*
MR JANTJIE: These people - the perpetrators they are alive, what are you doing about them - my life is ruined, what are you doing about them? They were not even jailed, I could not even go to my sister's funeral, I was in detention.(

MS SEROKE: Mr Nelson we understand your situation.

MR JANTJIE: I am in pain, this police that tortured me, they are working, I am unemployed, these people walk pass me everyday, the others are in De Aar - they still under employment, I cannot work for myself because of them. I don't gain anything from that - my children they all over the streets, they are criminals, they do not go to school.

MS SEROKE: We understand your pain, but we ask that you try to control yourself. So that even when we ask our investigation team to find - to find out what happened, we as the Truth Commission would like to reach a place where there can be peace and forgiveness.

Maybe in order to intensify his resentful sentiments Mr Jantjie pronounced some words in Afrikaans. Some of these Afrikaans words were insults addressed at the perpetrators. Other Afrikaans utterances were meant to accuse the perpetrators of being dangerous. These accusations were framed in such a way that Mr Nelson openly made fun of these white police officers, an aspect of historical layering that did not seem to be appreciated by the HRV Committee.

In Feature Ten we have seen that in the course of Mr Jantjie’s testimony there was a constant shifting between his victim and his perpetrator identity. In contrast with ideal testifier Metro Bambiso, Nelson Jantjie did not introduce his perpetrator identity himself. It was commissioner Potgieter who, quite suddenly, shifted the perspective by inquiring why the victim was charged and accused – thus focussing on Mr Jantjie’s perpetrator identity. Strikingly and again contrary to Mr Bambiso, Mr Jantjie completely rejected this perpetrator identity. He stressed that he was found guilty of murdering the man who had shot his sister. Immediately thereafter, he called these accusations lies, thus manifestly refusing to admit this perpetrator identity. It is quite likely that such a self-identification was not appreciated by the commissioners. Preferably, testifiers had to go along with this perpetrator identity. They should not necessarily accept it, but it was probably advisable to give some further clarifications and to explain why there was this possibility of a double identification – not to merely call this perpetrator identification a lie.

Just like Nhlanhla Buthelezi, also Nelson Jantjie clearly interacted with the audience, especially when uttering the Afrikaans terms and phrases. His feelings of hatred and anger seemed to be intensified by projecting them onto the audience. These Afrikaans
terms attracted the attention of the audience - an audience who enjoyed this way of testifying, according to the applause -, so it was a perfect way of highlighting these personal sentiments. Through this interaction Mr Jantjie managed to raise empathy for his feelings, even though these feelings were not totally preferred before the HRV Committee.

Although each of these four testifiers expressed in a manner that was not always appreciated by the HRV commissioners - in a manner that did not suit the pre-established objectives of the Commission, in a manner that did not comply with the image the TRC wanted to spread to the world -, even these non-ideal testifiers were respected by the HRV Committee. Also these testifiers were thanked for their willingness to come forward and they were honoured for what they had endured under apartheid. Although these victims deviated from the master-narrative established at the HRV hearings, they were still incorporated in the TRC project. Also here we can thus see the inclusive character of the TRC at work - an element I will come back to later on.

However, in the closing statements of these non-ideal testifiers, the commissioners often came back to the issues that had been disapproved of in the course of the testimony. The commissioners sometimes tried to rectify expressed feelings of revenge and hatred. They stressed that they still hoped that the testifier would transform his hatred into forgiveness, his resentment into reconciliation. Often, the closing of the testimony was given a paternalist touch, whereby the fundamental aim of the Commission – striving for national reconciliation – was emphasised. They hoped that, although hatred had been expressed at the actual TRC site, the testifier would still change his attitudes towards the future and become more reconciliation-oriented. For instance, these are the closing statements of the testimonies of Nelson Jantjie, Johannes van Eck and Patrick Morake.

Nelson Jantjie:

MS BURTON: So it’s okay for people to express their strong feelings and their anger but that anger mustn’t be translated into revenge because then we go on and on creating bad and worse situations. So what I am saying is that we seek to understand what is happening, you asked us who is the guilty one, and it does help to know who is the guilty one, especially if you feel that you have been wrongly accused and wrongly punished. So our ongoing task will be to try to find out who is the guilty one, but in order to be able to say let us now try to turn the page, and move forward. So I thank you once again for coming to talk to us and I hope that you will if not be reconciled with what happened at least have a deeper understanding, not maybe
today, but in the days ahead. There is a lot of work that still needs to be done among people in Phillipstown, thank you very much indeed, you may leave the stage now, thank you.

Johannes van Eck:

MR BORAINE: There will be many questions in this dark night that South Africa has gone through. We hope that through you and through many others, the sun will begin to shine, some of the light will come back, we hope that you in your own life will have some measure of restoration. And finally, you yourself have said that your strength does not come from yourself, but it comes from God who has been a constant companion to you and is your strength today, and I trust that you will continue to rely on that and go forward in your life. Thank you very much indeed for coming.

Patrick Morake:

MR MGOJO: Patrick, thank your for coming here to tell your story. I want to assure you that you need a treatment just as our perpetrators. I want to repeat that, you need the treatment just as your perpetrators. I think the whole thing of the Truth Commission is that the victim must be helped and then the perpetrator must be helped. That's what I just want to say. You need to tell yourself you also need a treatment just as you have rightly said that the perpetrators need the treatment because they need to be healed and retain that ubuntu which God had given them. And also I hope by your telling this story it may start a healing process in you because the whole aim of the Truth Commission is that of healing. I know that you are severely wounded physically and emotionally and otherwise. That's why you are speaking about that and I hope that your telling the story has started a process of healing in you because these things were locked in your chest and you never had an opportunity of telling this story about them. I hope since you started telling the story even this hate for the white people may be changed. (...) Once you start hating, it means that there's something wrong with you and we hope that the counselling which you may get, as my colleague Mrs Gcabashe has been saying that you need to get the counselling to help you so that this kind of hurt and hate may be changed in something which is very positive so that the Truth Commission may fulfil its aim for what it was made to do. Then we thank you very much for coming here to tell your very sad story (…).

In each of these closing statements we notice that the testifier is respected to a certain extent. However, the expressed hatred is clearly disapproved of by insisting on a personal transformation towards reconciliation. The message is obvious, the TRC will only have fulfilled its aims if vengeful victims like these change their attitudes. To a certain extent we thus see that these victims - who ignored the master-narrative established at the HRV Committee - are addressed in a manner resembling the ways in which perpetrators were addressed at the Amnesty Committee: just like the perpetrators also these victims should try to change their attitudes; they should try to incorporate the national transformation process and apply this transition onto their everyday lives.

It is clear that also these non-ideal testifiers had a specific function at the HRV hearings. These testifiers proved that the TRC was necessary – even indispensable with an eye to
the future of South Africa. These people had not yet brought this internal transformation into practice, but the HRV Commissioners seemed confident that this change towards reconciliation would be realised soon, most likely thanks to the TRC. Hence, it was useful if a couple of these non-ideal testifiers appeared at the public hearings of the TRC. Giving a voice to non-ideal testifiers also showed that the TRC – and by extension the new South Africa – welcomed all South African citizens, referring again to the inclusive character of the TRC. However, it made much more sense to give a voice to victims who had already undergone this transformation. It is these transformed - so ideal - victims that formed the basis for a new and reconciled South Africa.

In the beginning of this chapter (in 4.5.1.), I have already explained how the hierarchy of preferred utterances before the HRV Committee appeared to look like, on the basis of the analysis of the twelve discursive features. I have then distinguished between ideal and non-ideal testifiers before the HRV Committee, ideal testifiers being the embodiment of the ideal discursive position that could be taken before the HRVC. The collection of preferred utterances before the HRVC can actually be considered as a main element of the Foucaultian archive of the reconciliation discourse taking shape at these hearings. It is on the basis of the ideal testifiers’ testimonies that we can get an overview of the - preferred - rules of formation of this HRV discourse. These ‘ideal testimonies’ can be seen as an illustration of these preferred rules of construction. Let me briefly, merely as a reminder, recapitulate which utterances seemed to form the preferred core of the HRV discourse. We can state that utterances approving of reconciliation and forgiveness seemed to be preferred, especially utterances in which the actual words ‘reconciliation’ and ‘forgiveness’ were explicitly pronounced by the testifying victims. Along the same line, also utterances talking about solidarity with the community or the nation tended to be highly valued. An expressed awareness concerning the needs of the community or a clear preference for communal requests instead of personal requests were usually appreciated. Emotional discourse, such as descriptions of torture experiences and elaborations on physical or medical conditions, tended to be valued. While interacting with the testifiers it was preferred that commissioners would take an objective stance vis-à-vis the South African political parties – although we have seen that this objectivity was not always brought into practice. Apartheid-talk seemed to be an aspect of the preferred utterances, just like expressing continuity between past experiences and the present circumstances. White South Africans were allowed to struggle with their identities before
the HRV Committee and identifying the same testifier as both a victim and a perpetrator was highly valued. Within one and the same testimony, victims were allowed to shift back and forth between supporting or opposing the ANC. An inherent and indispensable element of the HRV reconciliation discourse consisted of paying respect to the testifier, and also certain types of interacting with the audience belonged to this preferred discourse. Finally, on a pre-hearing level, both ordinary and non-ordinary testifiers were invited to contribute to this unique kind of HRV discourse.

We can say that the HRV discourse was constructed through the spontaneous utterances of the testifiers as well as through the interaction with the commissioners. In fact, this discourse took shape mainly on the basis of the stimulating input of the HRV committee members. It was these commissioners who guided the testimony and who dominated the interaction with the testifiers. While paying a lot of attention to the personal desires of the testifiers, it appeared as if they were framing the testimonies as to comply with the pre-established structure of the HRV testimonies and with the aims of the HRV Committee. Although the voice of the commissioners was dominant, the HRV testimonies were definitely co-constructed. This means that also the individual testifiers provided significant input, by accepting or rejecting the framing of the commissioners and by constantly negotiating acceptable indexicalities.

However, it seems as if claiming that HRV testifiers were allowed to talk about their experiences as spontaneously as desired - which was often stressed by commissioners at the onset of a testimony - did not always correspond with the truth. To a large extent, victims were indeed allowed to recount past incidents in their own words. They were allowed to express hatred and demand personal requests. They were allowed to criticise the ANC, to interact with the public or to refuse a perpetrator-identification. However, these kinds of disapproved utterances were restricted by the commissioners, which turned the entire HRV hearings into a strictly contained discursive process – a process whereby the unique expressive space provided to the testifiers seemed to be somewhat limited.

At the end of section 4.2.4. I have raised the term ‘ideal commissioners’. It then referred to commissioners who were extremely cautious and considerate when addressing the testifiers, such as commissioners Dlamini and Boraine. Indeed, since we assert that the
commissioners were an important driving force behind the construction of the HRV reconciliation discourse, we should pay some attention to their role and to the individual differences between them. As said in chapter 2.3., the final group of TRC commissioners was extremely diverse: different population groups, different professions, different religions and different political orientations were represented.

With regard to the co-authorship of victim testimonies, no generalising patterns can be distinguished. It is impossible to state, for instance, that black commissioners tended to stress community spirit, that commissioners with an ANC background were eager for emotional discourse, or that female commissioners were likely to especially stress the dual – victim and perpetrator – identity of the testifiers. When considering the twelve discussed features, none of the HRV commissioners seems to stand out. In general, it looked as if all of them cooperated in the construction of reconciliation discourse to the same extent, by using the same discursive techniques and by similarly framing the language of the victims. Sometimes, one of the commissioners seemed to be more outspoken with regard to one of the analysed features, but such temporal ‘idealness’ – as the cases of Mr Boraine and Mr Dlamini mentioned above – cannot be generalised or extended to a whole group of commissioners; we are merely dealing here with personal characteristics.

However, it seems to me that we can make one generalisation, and this with regard to one of the crucial components of the HRV reconciliation discourse, namely the introduction of the term reconciliation. When analysing the discourse of the HRV testimonies, commissioners with a religious background appeared to be more inclined towards having the victims expressing reconciliation-oriented feelings. It looked indeed as if, when it comes to creating a reconciliation-oriented atmosphere at the hearings, the professional background of the commissioners should be taken into account.

From the seventeen TRC commissioners, the majority (seven) were from the legal profession, while four (including Tutu) were ordained ministers who had been the national heads of their respective denominations (Graybill, 2002: 4). As explained in 2.4.1., the HRV Committee also consisted of ten committee members, but more information about their professional backgrounds is not available. Apparently, commissioners from the legal and the religious profession framed their discourse
differently. Commissioners like Denzil Potgieter, Ntsikilelo Sandi and Dumisa Ntsebeza, all of which legal professionals, tended to be more confrontational and adversarial when questioning the victims. Their discourse resembled courtroom discourse, as distinguished by Stibbe & Ross (1997: 20). These commissioners seemed to pursue a legal-positivist agenda, especially being concerned with clarifying actual facts. Although they also stressed the concept of reconciliation, getting testifiers to commit themselves to forgiveness and reconciliation did not seem that much of an issue to them.

Things were different with religiously trained commissioners, such as Alex Boraine, Bongani Finca, Khoza Mgojo and of course Desmond Tutu. It looked as if they were more inclined to use the religious discourse - one of the discourses that characterised the TRC (see also Colvin 2003; du Toit, 2002) - and they referred to reconciliation and forgiveness as part of this discursive frame. They often explicitly asked whether testifiers would be prepared to reconcile and in their closing statements they manifestly praised victims if they had committed themselves to reconciliation in the course of their testimonies. Especially Archbishop Tutu continuously stressed the African reconciliatory concept of ubuntu (see Chapter Five). He also tended to link reconciliation directly to national and individual healing (Kjeldgard & Nexo, 1999: 110). The closing statements of these commissioners often focussed on reconciliation and forgiveness to such an extent that they resembled the genre of the sermon. The commissioners seemed to be convinced that the sanctification of testifiers’ experiences played an important public role. Through religious and quasi-religious utterances, these commissioners continually invoked the Christian doctrine of forgiveness, as also highlighted by Corry & Terre Blanche (2000: 9). With their religiously-oriented language these commissioners played a decisive role in the construction of the HRV reconciliation discourse. They contributed to creating the reconciliation-oriented atmosphere that became so characteristic for the HRV hearings. Therefore, it is important to indicate that, although in general individual characteristics cannot be taken into account to characterise the commissioners’ discourse, their professional background – and more specifically their religious orientation – is a variable worth considering.
4.5.9. Conclusion

In this work, the regimentation of the testifiers’ linguistic space has been revealed through a critical discursive analysis. Mostly, this confinement of the discursive freedom of testifiers was not all that obvious. Consequently, it seemed as if the testifiers were not always aware of it at the actual time of testifying. In any case, they basically never reacted explicitly against the fact that certain discursive items or structures were explicitly introduced, or even imposed on their testimonies. One single exception in my selection of thirty testifiers comes from Mr Bernadine Mwelase. This testifier is the only one I came across who manifestly accused the commissioners of keeping him short while testifying. I merely give this fragment to illustrate how certain testifiers seemed to sense this curtailment of their linguistic freedom. Bearing in mind that this was a rare exception, I will not go deeper into this issue.

**COMMISSIONER:** Mr Mwelase, we’ve heard that, and we are clear that you want the community to know that you were used.

**MR MWELASE:** And I haven’t disclosed many things here because your questions also are disturbing me as well. There are many and lots of things I would like to disclose in this Commission, but due to time - and there are people right there who could be saying, "There he is." You know, here there is security, but outside there are no police, there’s no security, maybe anything could happen, lo and behold. Your questions are keeping me short in explaining.

Although this might have been one of the rare examples where a testifier openly reacted against a perceived lack of freedom of expression, it has become clear in the course of this chapter that victims often implicitly refused to follow the master-narrative sought after by the HRV Committee. They often introduced their own interpretations, thus contributing to the conceptualisations put forward by the commissioners. They added their own layers of indexicality, either on an historical, ideological or identity level. There was a constant shifting back and forward between accepting, rejecting or ignoring each other’s discourse, both from the side of the testifiers and on the side of the commissioners. Whether only superficially manifested, or whether explicitly experienced by the testifiers, it was through this interactional process that a specific kind of so-called reconciliation discourse was constructed.

I have labelled this term accordingly because the inclination towards national reconciliation seemed to be one of the main and all-embracing elements of this discourse. It was especially through discursively framing the victims’ testimonies that the HRV
committee members attempted to create this aura of reconciliation. This discursive drive for reconciliation was actually based on the entire set of twelve features, which means that many of the other distinguished features can be regarded as elements of this focus on reconciliation. In one way or another, basically all of the above mentioned features emphasised that South Africans had all gone through the same experiences, that many of them were both victim and perpetrator, that the entire nation was to be healed, that everyone had gone through a terrible past, but that everyone also needed to work together to transform the nation and to build a united and peaceful society. Although the past was clearly still a heavy burden for all South Africans, everybody was now invited to cooperated in the building of the new nation.

As has become abundantly clear in the course of this chapter, reconciliation discourse was co-constructed through all kinds of personal, situational, institutional, linguistic and extra-linguistic factors. By discursively incorporating all victims in this master-narrative – either as a typical, an a-typical, an ideal or a non-ideal testifier – the inclusive character of the TRC was demonstrated again. Not only had apartheid affected the entire society, also its healing mechanism, the TRC, was a concern of all South Africans – no matter which population group, age or social class they belonged to.

Each of the afore mentioned features contained different aspects of this reconciliation discourse. The reconciliation discourse was based both on the preferred HRV utterances and on the disapproved utterances. For a large part, this discourse was personified by the ideal testifiers, but, as we have seen in the previous section, also the non-ideal testifiers played a significant role in its construction. The combination of these two types of utterances turned the reconciliation discourse into a very complex and layered phenomenon. It is to the relation between this multilayered reconciliation discourse, its rules of formation and the social relevance of the term reconciliation that I will turn in the next chapter. We will then see that the inclusive character of the TRC particularly related to the notion of reconciliation, and that both the ideal and the non-ideal testifiers contributed greatly to the polysemic conceptualisation of this reconciliation concept.
CHAPTER FIVE

Reconciliation discourse, truth and society

5.1. Introduction

The analysis in Chapter Four has led us to conclude that at the Human Rights Violations hearings of the TRC a multilayered reconciliation discourse was constructed. The rules of formation upon which this reconciliation discourse was based appeared to be highly complex, depending both on personal motivations and on socio-ideological considerations. In this chapter I will go back to Foucault and try to connect this specifically constructed archive to a well-defined regime of truth that seemed to be established at these HRV hearings. According to my findings, the TRC commissioners preferred a certain kind of discourse, a preference that can be linked to a particular truth regime. Within this regime of truth, reconciliation took a central position, although the term was open to a broad range of various interpretations. Some of the valued interpretations of reconciliation in post-TRC South Africa will be illustrated by referring to the ideal testifiers as established in chapter 4.5. In all this I will follow an anti-essentialist theory of language, namely that meaning or value are not inherent properties of a word or a sentence (Gardiner, 1992: 86-87). It will become clear that the contextual situation, the socio-historical circumstances and the dialogic nature of discourse are the crucial items to lend value and meaning to language.

In a second part of this chapter I will suggest a relation between this multivocal HRV reconciliation discourse and South African socio-political and rhetorical reality. Numerous sources have mentioned the prevalence of the term reconciliation in both political and social public discourse, especially in the years immediately following the TRC process. I will give an indication of how reconciliation discourse has ‘colonised’ various domains in current day South African society, thus revealing some possible repercussions and impact of the TRC reconciliation discourse on the future of the country. Although this research concentrates on the exact TRC moment as a crystallisation point in South African history, the link between HRV discourse and post-TRC society will enable us to formulate assumptions regarding future evolutions. Post-
TRC South African society is not the topic of this dissertation, but it deserves some attention to investigate how, in the aftermath of the TRC, South Africa has dealt with the reconciliation-issue in everyday reality.

### 5.2. Constructing truth through discourse

In what follows I would like to define the earlier distinguished HRV reconciliation discourse as an *order of discourse*. Based on Foucault (1969), Fairclough (1992: 43) calls institutional and societal ‘orders of discourse’ “the totality of discursive practices within an institution or society, and the relationships between them”. According to Rojo & Pujol (2002) Foucault’s proposal of an order of discourse is mainly focused on the “procedures of regulation of the production, reception, and circulation of discourse”. As a result of this regulation, and as has become clear through the analysis in Chapter Four, “it is socially established which discourses can be produced and spread, within which context, which features of the discourse can authorise them, and which features de-authorise them and prevent their circulation”.

An order of discourse can be seen as a group of statements that belong to a single system of formation, this discursive formation being the principle of dispersion and redistribution of statements (Foucault, 2002: 121). A discursive formation is that which in a given ideological formation “[…] determines what can and should be said” (Pêcheux, 1982: 111). In fact, what I am undertaking in this work is to uncover the discursive formation of the reconciliation discourse, whereby I have labelled this discursive formation with the term *archive*. Indeed, “to describe statements, to describe the enunciative function of which they are the bearers, to analyse the conditions in which this function operates, to cover the different domains that this function presupposes and the way in which those domains are articulated, is to try to uncover […] the discursive formation” (Foucault, 2002: 130). The discursive formation governs a group of verbal performances, and a statement belongs to a discursive formation as a sentence belongs to a text. As Fairclough (1992: 42-43) clarifies, “[…] what happens inside a discursive formation [depends on] the interdiscursive relations between discursive formation and [on] the relations between discursive and non-discursive practices” – hence my emphasis on the extra-linguistic socio-political context of the HRV hearings throughout this text.
The concrete discursive practices taking place at the HRV hearings comprise what Foucault has termed a *discursive regime* (see Kellsall in his discussion of courtroom discourse at the Special Court for Sierra Leone, 2004: 7). Such a discursive regime is always linked to a *regime of truth* – or, put differently, discourse always contributes to the creation of new truths (Gqola, 2001: 4). According to Foucault (in Gordon, 1980: 13).

“Truth’ is to be understood as a system of ordered procedures for the production, regulation, distribution, circulation and operation of statements. ‘Truth’ is linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extend it. A ‘régime of truth’.”

And further:

“Each society has its regime of truth, its ‘general politics’ of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true.”

“In societies like ours”, Foucault continues,

“the ‘political economy’ of truth is characterised by five important traits. ‘Truth’ is centred on the form of scientific discourse and the institutions which produce it; it is subject to constant economic and political incitement (the demand for truth, as much for economic production as for political power); it is the object, under diverse forms, of immense diffusion and consumption (circulating through apparatuses of education and information whose extent is relatively broad in the social body, notwithstanding certain strict limitations); it is produced and transmitted under the control, dominant if not exclusive, of a few great political and economic apparatuses (university, army, writing, media); lastly, it is the issue of a whole political debate and social confrontation (‘ideological struggles’).” (Gordon, 1980: 131-132).

At the HRV hearings a specific discursive regime was constructed, and it is quite likely that subsequently also a certain regime of truth was introduced into South African society. In fact, as Chapter Four has shown, a law of what could and what could not be expressed – the production and circulation of discourse – was established at the HRV hearings. Through this selective procedure, this strictly regulated and controlled discourse contributed to the creation of new realities, new truths.

At this point, it is important to indicate that the notion of truth with regard to the TRC can be interpreted twofold. One of the basic intentions of the *Truth and Reconciliation Commission* was to discover or recover the - factual - truth about the apartheid past. This question of truth recovery was highly controversial, critics claiming that the Commission revealed a large part of the apartheid truth, only a partial truth, or no truth.
at all since a concept such as ‘the apartheid truth’ does not exist. Most scholars are convinced that the TRC did contribute to getting a fuller understanding of what had happened in the past. There seems to exist no unanimity, though, on the amount of truth that was recovered. That it would be difficult, if not impossible, to reveal the truth about the apartheid past was absolutely acknowledged by the TRC. In the TRC Report (1998, 1/5: 109) the following was stated:

“But what about truth - and whose truth? The complexity of this concept also emerged in the debates that took place before and during the life of the Commission, resulting in four notions of truth: factual or forensic truth; personal or narrative truth; social or 'dialogue' truth, and healing and restorative truth.”

Factual or forensic truth referred to the familiar legal or scientific notion of bringing to light factual, corroborated evidence, of obtaining accurate information through reliable (impartial, objective) procedures. Personal or narrative truth involved the individual interpretation of the experiences that had taken place under apartheid. In the revelation of this dimension of truth the process of storytelling was particularly important. Social or ‘dialogue’ truth would be the truth of experience that is established through interaction, discussion and debate. Healing or restorative truth is the kind of truth that places facts and what they mean within the context of human relationships. This kind of truth was central to the work of the Commission (TRC Report, 1998, 1/5: 110-113).

The debate on whether or not the TRC succeeded in providing a more or less complete picture of the apartheid past has been hinted at in chapter 2.4.5. – at this point I will not come back to this issue.

In addition to retrieving the factual truth, the TRC also had the authority to capture, to establish and to codify the truth. This dimension of truth recovery was not so much oriented to the past; it was rather directed towards the present and the future – in this case we are not talking about factual, but about political-ideological truth, as will become clear later on. It is this dimension that will be taken into consideration when dealing with the regime of truth that was established by the TRC through its discourse. This regime of truth had its foundations in the apartheid past since it was based on the memory that was transferred from the past. By applying specific rules of formation, resulting in the construction of a specific kind of reconciliation discourse, a reconciliation-oriented truth was then projected onto the future.
We could argue that the main component of this truth regime was the conviction that South African society was geared to reconciliation - since a large part of South Africans seemed to be committed to living peacefully together, even with their former enemies. Through the multilayered reconciliation discourse it was made clear, though, that within this post-apartheid truth, reconciliation should be interpreted manifold. As I have indicated in chapter 3.2.4, the TRC failed to clearly define the term reconciliation. I would even suggest that the term was deliberately kept vague, in order to allow for as many divergent interpretations as possible. In this way, the term was made acceptable to a wide range of people. Important to note is that this broad interpretation can be applied in a positive as well as in a negative sense. Advocates of reconciliation in South Africa could refer to a large spectrum of reconciliation-oriented initiatives and to the presence of reconciliatory signals among the South African population to have their opinions confirmed. On the other hand, though, opponents of reconciliation in South Africa could also refer to many signals of revenge and hatred among South Africans and to many indications of an unwillingness to reconcile.

Considering the impact of TRC discourse on South African society (see below), the implication might have been that also in post-TRC South Africa different conceptualisations of reconciliation were to be accepted. The TRC had not oriented people’s interpretation of reconciliation in one single direction. Instead, each and every individual was given the opportunity to define the term according to his or her personal convictions. It was mainly in post-TRC South Africa that the term reconciliation started to lead its independent life, being employed simultaneously by both opponents and advocates of the reconciliation-concept.

5.3. Reconciliation as a multidimensional term at the HRV hearings

The HRV reconciliation discourse took mainly shape on the basis of preferred utterances. In Chapter Four these preferences have been categorised based on the analysis of twelve features. As said before, the six ideal testifiers distinguished in chapter 4.5. could be seen as illustrations/personifications of the most-preferred HRV reconciliation discourse. Their utterances tended to be highly valued by the HRV commissioners. It is quite likely that testifiers like these were identified as role models with an eye to future comportment of South African citizens. It appeared as if an
esteemed citizen in the new South Africa was not only supposed to incorporate the TRC values and the TRC truth. He or she should also try to associate closely with the discourse presented by these ideal testifiers, a discourse that was the embodiment of the very truth the TRC sought to establish.

What all six of these ideal testifiers had in common was that they were in favour of reconciliation. Nevertheless, there clearly was individual variation regarding the ways in which reconciliation was conceptualised.

5.3.1. Gregory Beck

In the case of Gregory Beck, reconciliation was mainly framed by referring to national unity. As seen in chapter 4.2.2., Mr Beck was the prototypical example of an individual who had undergone a complete transformation, from supporting the apartheid state in earlier days to appreciating the anti-apartheid struggle and the new dispensation in the present. This testifier did voice some critical reflections with regard to the liberation movements; this was accepted since it functioned as evidence for his transformation process. Mr Beck strongly identified with the new South Africa. He even seemed to be proud to belong to President Mandela’s nation. This identification with the new South African nation was then the point of departure to emphasise his commitment to reconciliation. Taking “our State President” as an example, he explicitly mentioned that he had been turned into a forgiving, tolerant and understanding citizen. Identification with the new nation formed the steppingstone of his reconciliation-oriented attitudes. We thus get an interpretation of reconciliation that was highly valued by the TRC commissioners, since it was based on an internal transformation process and a strong commitment to national unity.

According to Wilson (2001a: 107), it was this national, more abstract interpretation of reconciliation – what he calls the *mandarin-intellectual narrative* – that approached the official TRC view on reconciliation. This official view was formulated in 1996 by Research Unit Director, Charles Villa-Vicencio, who argued that the Commission should promote reconciliation at the level of the South Africa nation, rather than enhancing reconciliation between individuals or social groups - the inclusive dimension of the TRC is clearly at stake when considering this idea. We see indeed, that a number of TRC
victims expressed this point of view, which might have turned their discourse into a highly valued commodity.

5.3.2. Paul Williams

The second ideal testifier, Mr Paul Williams, predominantly framed reconciliation religiously. It was mainly as a committed Christian that he wanted to reach out to his perpetrators. He did not feel any bitterness in his heart and he claimed to have forgiven them totally “out of Godly love”. It was the bible that had taught him to love his enemies and it was also based on his belief that he supported the TRC amnesty process. This interpretation of reconciliation fitted in the religious-redemptive narrative of reconciliation, as distinguished by Wilson (2001a: 109). The religious-redemptive narrative sought not just the reconciliation of ‘the nation’, but also between individuals within the nation. We are here dealing with an approach to reconciliation whereby the personal self only played a minor role: Mr Williams was prepared to forgive his attackers, but merely based on his religious conviction. In this testimony reconciliation was conceptualised on a meta-level, since it was believed to find its source not in human encounters, but in supranatural forces. This was a conceptualisation Mr Williams even tried to communicate to the audience through some subtle audience-interaction. Also such a religiously-oriented interpretation of reconciliation seemed to be explicitly appreciated by the HRV commissioners.

5.3.3. Metro Bambiso

The testimony of Metro Bambiso, my third ideal testifier, formed the basis for yet another way of framing reconciliation. As a victim of state security violence, Mr Bambiso wanted to reconcile with the perpetrators, he was prepared to accept their apologies and to forgive them. Just like Mr Beck, also Mr Bambiso expressed community awareness, which gave his individual reconciliation a national dimension. In this case, though, reconciliation was even further developed, since Mr Bambiso also played the role of a repenting perpetrator. He was the personification of both a forgiving victim and a remorseful perpetrator. Hence he was a prime example of reconciliation in the new South Africa – where every one, according to bishop Tutu for instance, was a victim as
well as a perpetrator. Such a highly inclusive notion of reconciliation was obviously welcomed by the commissioners.

5.3.4. Phebel Robinson

When considering the next ideal testifier, Ms Phebel Robinson, resemblances can be detected with the testimony of Mr Beck. Ms Robinson expressed a strong sense of community spirit, with regard to her late husband as well as with regard to her present-day personal position. As has been explained before, such a kind of solidarity with members of the community can be seen as an aspect of national awareness – it indicated that one was prepared to live peacefully together with fellow citizens, regardless of their positions under apartheid or their social or ethnic backgrounds. Ms Robinson explicitly appealed to the audience in order to have this community spirit confirmed – an interaction with the audience that was highly effective in this case.

Just like Mr Beck, also Ms Robinson clearly interpreted reconciliation in a more abstract, non-individual sense, approaching it from a national/communal rather than from an individual angle. The fact that both of these victims belonged to the Coloured community might be indicative. This group of people had not always felt at home under apartheid, but oftentimes they also struggled with their national identity in the new South Africa - the more so since some black South Africans regarded them as allies of the Whites (see Frost, 1998: 106-107). Proclaiming their affinity with post-apartheid South Africa - and its symbols like Nelson Mandela -, and stressing their solidarity with fellow community members was thus particularly relevant in their case.

5.3.5. Mzothuli Maphumulo

In the testimony of Mr Maphumulo, the fifth ideal testifier, reconciliation was lifted to the political level. Although being a member of the IFP, and a victim of ANC violence, Mr Maphumulo presented himself as a mediator between these political factions. Importantly, his tolerance and understanding towards the different political parties did not only refer to the past, it was also extended to the present and projected towards the future. This testifier was open-minded, being prepared to cooperate constructively to the building of a reconciled society. In the course of his testimony, reconciliation was given a
personal interpretation – and also valued on a personal level – in the first place. Indeed, Mr Maphumulo had lost three sons as a result of political violence, which turned his reconciliation-oriented attitude into a great sacrifice. The commissioners appreciated this attitude enormously and considered it as an unsurpassed personal merit to be able to forgive the perpetrators after such a terrible tragedy. In addition to this personal touch, reconciliation was also given a political dimension, transcending the individual incident, and being relevant to South African society at large. Reconciling different political factions was indeed crucial immediately after the transition to democracy – and also later on it remained a major political issue.

5.3.6. Stephanie Kemp

Finally, there is Mrs Stephanie Kemp, my last ideal testifier. Her approach to reconciliation also fitted in the mandarin-intellectual narrative, since she explicitly expressed her support for national reconciliation. However, also in this case, reconciliation was given an extra dimension, not so much a political, but rather an ethnocultural one. We have seen that Mrs Kemp seemed to struggle with her white/Afrikaner identity, since she actually presented a symbiosis between an anti-apartheid activist and a beneficiary of the apartheid system. In her testimony, the opposition between white/Afrikaner and victim of the apartheid regime/Communist was transcended. Clearly, it was reconciliation between bearers of the Afrikaner culture and speakers of Afrikaans on the one hand, and ANC activists and apartheid exiles (so people who tended to be opposed to both the Afrikaner culture and Afrikaans) on the other hand that was at stake. Based on Mrs Kemp’s testimony, reconciliation was given a national understanding, whereby reconciliation should take place in the first place between Afrikaners and non-Afrikaners – not, as was the case with Mr Maphumulo for instance, between members of the IFP and the ANC.

5.3.7. The ideal testifiers and…

By focussing on these ideal testifiers, we should not forget to pay attention to the other less ideal, or even non-ideal - testifiers. In fact, as stated in chapter 4.2.4., all of the victims who appeared before the HRV Committee were respected. All of them were admired and praised for their courage to come forward. All of them also contributed to
the construction of the HRV reconciliation discourse. It is by surveying the whole range of HRV testifiers (or my representative sample of thirty) that we are able to get an even better understanding of the various interpretations of the term reconciliation that were accepted before this Committee. The above-mentioned ideal testifiers represented one extreme of the way reconciliation could be interpreted before the TRC. Their conceptualisations of reconciliation were very inclusive, broad or abstract; they sometimes even fitted in the ‘official’ TRC view on reconciliation. We could say that the testimonies of these ideal testifiers approached an imaginary upper limit of the way in which reconciliation could be interpreted. This was probably the vision on reconciliation the TRC wanted to present to the nation, the vision they hoped would be followed by South Africans at large. I call this upper limit ‘imaginary’ because in reality there did not exist an upper limit: the more dimensions were attributed to the notion of reconciliation and the broader it was interpreted, the better. It seems highly unrealistic to have HRV commissioners restricting a testifier’s interpretative range. Even in cases where the victim’s manifest commitment to reconciliation appeared to be exaggerated - which was slightly the case with Mr Beck - victims were never asked to temper their enthusiasm. Nor were they ever asked whether their reconciliation-oriented statements were sincere, or whether these attitudes were implemented in their everyday lives.

Let me now turn to the lower limit of interpreting the reconciliation concept, the way reconciliation was conceptualised in a less preferred, but usually still acceptable manner. To illustrate the other extreme in which reconciliation could be understood before the HRV Committee, I will turn to the so-called ‘non-ideal testifiers’, as distinguished in chapter 4.5.

The first victim who identified in a manner less appreciated by the HRV Committee was Mr Johannes van Eck. This victim was highly critical about the TRC and about the ANC government. Although prompted by some of the leading commissioners, Mr van Eck refused to explicitly speak out in favour of reconciliation. The terms ‘reconciliation’ or ‘forgiveness’ were never mentioned; Mr van Eck mainly addressed his personal miserable situation. Nevertheless, Mr van Eck was not straightforwardly vengeful, nor did he express hatred towards the perpetrators. He seemed to be grieved and sad, rather than angry or resentful. In addition, this victim also referred to God as a source of strength, so in fact he seemed to subscribe to the religious narrative that was put forward by the TRC.
Mr van Eck was very disappointed, disillusioned and distressed, but not explicitly opposed to reconciliation. Moreover, despite the fact that reconciliation was never mentioned in this testimony, the message spread by Mr van Eck was that reconciliation was possible - but only under the condition that the TRC and the government would be consistent in their attempt to establish an equal and just society.

Interestingly, in the closing statement of the chairperson (Mr Boraine) the testimony was given a reconciliation-oriented twist. Mr Boraine stressed how this testimony taught us that violence is always terrible and unjust, no matter what the motives are and no matter which ideals are defended. By doing so, Mr Boraine emphasised that all apartheid victims deserved unconditional respect and that all acts of violence were to be reproached – the bottom-line being that all victims should try to reach out towards one another, in order to have aggression and hate replaced by peace and forgiveness. In this way, Mr van Eck’s testimony was given a reconciliatory dimension, which had probably not been the testifier’s intention. Mr van Eck rather seemed to be determined not to openly commit himself to reconciliation, as can be gathered from his carefully chosen discourse. The HRV Committee thus put forward its own interpretation of this testimony, adding a coordinating reconciliation-directed dimension. In this way, it looked as if Mr van Eck’s refusal to speak out in favour of reconciliation was rectified in the closing statement. The impression conveyed was that even if people were not explicit in their support of a reconciled South Africa, some of them nevertheless seemed to have incorporated this reconciliation concept, since it shimmered through their explicit narrative.

The willingness to reconcile, but only under certain conditions was a point of view held by a number of testifiers, especially non-ideal testifiers. This was in contrast with the ideal testifiers, where the interpretation of reconciliation was largely unconditional. Mr Nhlanhla Buthelezi, for instance, started off by claiming that he would only reconcile if he would be given the opportunity to meet the people who called him an informer. At this stage, his approach to reconciliation might not have been ideal in the eyes of the commissioners, it was definitely acceptable. However, maybe as a result of the way his discourse was framed by the committee members, Mr Buthelezi’s testimony became less reconciliation-oriented towards the end. In this phase of the testimony, the audience participation was clearly restricted: Mr Buthelezi was not allowed to appeal to the public or to gain acknowledgement with regard to his expressed emotions. The testifier’s
growing opposition against reconciliation culminated in the explicit sentence “I am not going to, I am not going to reconcile, I am not about to”. Utterances like these were probably not acceptable and we see, indeed, that Mr Buthelezi is cut short abruptly by the chairperson.

**MR BUTHELEZI:** I suffered a lot, I almost was affected mentally. Even today, I think somehow I am affected mentally. So, I am not going to, I am not going to reconcile, I am not about to.

**MRS SEROKE:** Order please, order.

**CHAIRPERSON:** Buthelezi, could you, I think you have come to the end, could you please take questions. Thank you.

All the way at the end of the testimony we got a similar situation. Mr Buthelezi explicitly rejected the reconciliation concept: “No, no, I have no peace whatsoever and I will not forgive”, whereupon the chair immediately reacted. In a rather aggressive way Mr Buthelezi was reprimanded and dismissed.

**MR BUTHELEZI:** No, no, no. No, I have no peace whatsoever and I will not forgive. I do not even see why the TRC is existing and how it is helping us in a way. If the TRC was conducting its work the right way, it was supposed to let me make mention of the names because I know those names, but if you refuse me to mention those names how I am going to reconcile.

**CHAIRPERSON:** Mr Buthelezi.

**MR BUTHELEZI:** I want to mention the names now. Why did they decide to call me a ...

**CHAIRPERSON:** Could you please ...

**MR BUTHELEZI:** ...police informer because ...

**CHAIRPERSON:** Could you please listen. We have never stopped you from mentioning those names. If you did not for the time that you were sitting there, do not blame it on this body. *We are saying thank you, let us give others a chance.*

The message learnt from this testimony seems to be obvious: approaching reconciliation conditionally could still be taken into consideration before the HRV Committee; explicitly rejecting reconciliation could not. These utterances could be situated below the lower limit of possible interpretations of reconciliation. By means of such kinds of expressions, the testifier openly contradicted the HRV reconciliation discourse, an attitude that was to be avoided as much as possible. Citizens of the new South Africa were not supposed to openly refuse to forgive or to reconcile. This was a model the TRC
did not want to spread to the outer world. It therefore seemed as if this category of testifiers was not really allowed to be given a voice before the HRV Committee.

Next, there is Mr Morake, who has also been distinguished as a non-ideal testifier. This testifier did not openly speak out against reconciliation like Mr Buthelezi. Nevertheless, he did express clear resentment vis-à-vis white people. He argued that he felt this deep hatred for white persons; he totally distrusted them, since “they were people during the day, but killers at night”. It is quite likely that utterances like these were not appreciated by the HRV commissioners. However, in contrast with the explicit rejection of reconciliation in the testimony of Mr Buthelezi, these utterances could still be rectified. Indeed, Mr Morake was not cut short, or prohibited to continue. Instead, his resentment was framed as a psychological illness. So, although Mr Morake did not seem to be prepared to reconcile with the perpetrators, this unwillingness was never openly expressed. Proclaiming hatred was an attitude not valued at the HRV hearings. The commissioners interpreted these emotions in a particular way, though, in order to still suit a particular dimension of the reconciliation discourse: this hatred was presented as a curable decease, which means that the possibility was left open for reconciliation in the future.

The last non-ideal testifier I would like to refer to is Nelson Jantjie. The terms reconciliation or forgiveness were not mentioned in this testimony. The testifier was clearly very angry, but he did not openly refuse to reconcile. Also in this case, reconciliation seemed to be regarded as a possibility by the HRV commissioners. In fact, although Mr Jantjie’s emotions were largely ignored, he was not cut short. Commissioner Seroke tried to remedy his anger by emphasising the necessity for peaceful coexistence; she even argued that she understood Mr Jantjie’s anger. The underlying message seemed to be that also resentful testifiers could be moved towards reconciliation. Mr Jantjie’s expressions of hatred were definitely not appreciated, but according to the reaction of the commissioners, all hope should not be abandoned when it came to reversing these attitudes and promoting reconciliation.

When considering these four non-ideal testifiers, we notice that before the HRV Committee basically every expression and motivation of reconciliation was accepted. Testifiers were allowed to express hatred and resentment, as long as these sentiments
could be rectified, for instance by framing them as an illness, or by ignoring them and stressing peace and forgiveness instead. Sometimes, reconciliation was explicitly not mentioned by the testifier, even after instigation by the commissioners. This did not seem to be a problem; in some of these cases reconciliation was then raised by the commissioners themselves – sometimes even in a very subtle way by openly interpreting the testimony in a reconciliation-oriented manner. Although none of these testifiers expressed themselves in a manner preferred by the HRV Committee, these testimonies were framed and interpreted in such a way as to suit the reconciliation-oriented master-narrative. These expressions with regard to the reconciliation concept formed the lower limit of what was acceptable. It was only the testimony of John Buthelezi that could be situated below this limit. Openly proclaiming that one was not prepared to reconcile could not be accepted. Testifiers like these - they were extremely rare – were often not allowed to continue testifying.

Between the upper limit, embodied by the ideal testifiers, and the lower limit, embodied by some of the non-ideal testifiers, there existed a wide range of acceptable interpretations of the term reconciliation. These upper and lower limits seemed to be situated wide apart, which is characteristic of a term that is semantically highly polysemous. Let me deal with some of these intermediate interpretations.

I have hinted before at some of the testifiers who were only prepared to reconcile under certain conditions. Such a conditional reconciliation was acceptable, but a lot also depended on the expressed condition. For instance, a number of testifiers claimed that they were willing to reconcile if the perpetrator would tell the truth – this truth could refer to what had happened to disappeared loved ones, to the role played by informers, or to the exact manner in which some one was killed. By framing reconciliation accordingly, testifiers seemed to subscribe to the legal-procedural narrative on reconciliation, as described by Wilson (2001a: 104-106). This approach to reconciliation was closest to the mandate of the TRC Act. It was a legal positivist, procedural view of reconciliation, which emerged as a result of the application of legal principles contained within the Act. According to the Act, perpetrators were not supposed to express guilt or apologies, but they were obliged to tell the truth if they wanted to be granted amnesty. Based on this stipulation and extending it to the Human Rights Violations Committee, it was understandable that victims linked their willingness to reconcile in a similar way to the revelation of the truth. Amnesty in exchange for truth or reconciliation and forgiveness
in exchange for truth were principles that were clearly inherent to the TRC concept. Therefore, demanding truth as a condition for reconciliation seemed to be embraced by the HRV Committee – based on my discursive analysis it appeared as if only unconditional reconciliation was more acceptable.

Another condition that was acceptable was the condition that perpetrators should apologise for their deeds before being forgiven. Ms Lizzy Phike, for instance, agreed to live in peace with her perpetrators, but only if they would come forward to say they were sorry. Although, in contrast with truth, remorse was not required in order to be granted amnesty before the TRC, from a human point of view it was absolutely understandable that people expected an apology before being able to forgive or to reconcile. After all, the fact that remorse was not a condition for amnesty had been a highly controversial issue all along the TRC process. Remorse was not made a requirement, because one was afraid of insincere declarations of remorse. Nevertheless, many critics saw this as a shortcoming since an apology from the perpetrators was seen as morally very crucial to the victims. It was commonly claimed, as well, that creating a reconciled South African society would never be possible without an apology from the apartheid perpetrators (see Boraine et al, 1997, Frost, 1998, Minow, 1998, Payne, 1999, Heyns, 2000, Ericson, 2001, Taylor, 2002).

On a more general, supranational, level Jacoby (1983: 347) and Schimmel (2002: 141) even argue that both acknowledgement and genuine remorse are essential and necessary conditions in order to forgive. Moreover, from a religious point of view remorse is seen as an inherent component of reconciliation (see Connor, 1998, de Gruchy, 2002). The fact that a victim demanded remorse before he or she would be willing to reconcile was thus a psychological approach to reconciliation that was probably understood and appreciated by the commissioners.

Sometimes however, reconciliation was predicated on material redress/compensation. That was the case with Mr Kedu Mahlangu, who argued that he would only be prepared to reconcile if the perpetrators were going to compensate him. I have explained before that material requests were not really welcomed before the Commission. As I put it in section 4.2.4. “sometimes, the commissioners […] tried to convince the testifiers that caring for their fellow South Africans was nobler than merely desiring money from the Commission”. We can speak here about a tension between the quasi-legal TRC frame (based on retributive justice and material compensation), and the quasi-religious TRC
frame (based on restorative justice, charity and love of one’s neighbour). Before the HRV Committee there was a tendency – definitely by certain commissioners – to openly promote the quasi-religious frame. In general, symbolic or collective reparations, the revelation of truth, or a peaceful solution for a regional conflict seemed to be requests the TRC was much more willing to try to fulfil. In the same way, it also appeared as if offering reconciliation and forgiveness solely in exchange for money was an approach to reconciliation the HRV Committee preferred not to address. People were allowed to present such a materialistic interpretation of reconciliation, but it was probably not highly valued.

In section 4.2.1. I have referred to the testimony of Mrs Lilian Kadi. Initially, when commissioner Meiring quoted from her written statement, this testifier stated that she would be prepared to meet the perpetrators. Later on, though, she talked about the disastrous effects of the incident on the everyday lives of her family and herself, thus indicating that a willingness to reconcile with the perpetrators can go hand in hand with feelings of anger and resentment. Within one and the same testimony we were confronted with a multidimensional interpretation of reconciliation. It looked as if Mrs Kadi wanted to forgive the perpetrators, but she was still very bitter about what they did to her family – one sentiment did not seem to exclude the other. Such a mixture of reconciliatory-oriented feelings might have been common among testifying apartheid victims. However, this testimony of Mrs Kadi is the only one from my selection where this emotional tension is openly expressed. It is likely that the way Mrs Kadi approached reconciliation was accepted before the HRV Committee, although the interpretative turn based on anger and grief was probably less appreciated by the commissioners.

Finally, I would like to come back to the redemptive-religious approach to reconciliation, as referred to already in the case of the ideal testifier Paul Williams. Although Mr Williams was prepared to forgive his attackers primarily on the basis of his Christian belief, he personally did not seem to be averse to reconciliation. He would even like to communicate with the perpetrators in order to find out why they had killed so many innocent people – he thus portrayed them as human beings in the first place. Mr Williams also referred to the fact that this attack was not unique. He seemed to be aware of a more national suffering, by showing compassion for victims on either side of the apartheid divide. This testifier also displayed a positive attitude towards the South
African health system and he was positive about the relief fund that had been established in order to help victims.

It is interesting now to contrast Mr Williams’s testimony to the one of Mrs Bernice Whitfield. Mrs Whitfield’s approach to reconciliation can also be categorised as belonging to the redemptive-religious narrative. She constantly referred to God as the source of reconciliation and forgiveness. She claimed that she held no grudges against anybody because “if God forgives us, we can forgive others”. Taking this dimension into consideration, her interpretation of reconciliation resembled the highly valued interpretation of Mr Williams. However, throughout her testimony Mrs Whitfield was extremely negative about the new government. She also seemed to despise the TRC process, since she stated “As far as I am concerned I’m wasting my time; I’m here for Jesus”. Mrs Whitfield did not show any compassion towards her fellow South Africans; she was only concerned with her own misery. In addition, although she was prepared to reconcile as a faithful Christian right now, she did hope that later on the perpetrators would be judged and punished when coming face to face with Jesus. She really hoped that they would be hurt when judged by the Lord. Apart from her Christian belief, Mrs Whitfield’s attitude did not seem to be directed towards reconciliation – rather towards retribution and revenge. We could also say that Mrs Whitfield’s conceptualisation of reconciliation is double-levelled: at present reconciliation is acceptable to her, but only if justice will take place in the afterlife. Still, I would not define Mrs Whitfield as a non-ideal testifier. Her approach towards reconciliation was clearly religiously inspired, which was appreciated by the HRV Committee. Her conceptualisation of reconciliation seemed to be accepted, but it probably ranked lower on the ‘acceptability-scale’ than Mr Williams’s one.

This last example has been given in order to demonstrate the large variety of possible approaches to reconciliation established at the HRV hearings. Sometimes, different interpretations were combined in one and the same testimony, sometimes there was an overlap between various – preferred and less-preferred – strands. To sum up, reconciliation seemed to form the core component of the HRV reconciliation discourse. The term was not clearly defined by the TRC; in addition, the reconciliation discourse constructed at the hearings was multilayered and highly complex, on an ideological, historical, as well as an identity level. The fact that this discourse was multifaceted,
combined with the fact that reconciliation was not unambiguously defined by the Commission, resulted in a very broad conceptualisation of the term at the HRV hearings.

The HRV Committee only tried to determine the outer limits of acceptable interpretations of reconciliation. In theory, there did not exist an upper limit – the more inclusively reconciliation was approached, the better. In practice however, we notice that this upper limit could be inferred from the testimonies of some of the ideal testifiers. Their attitudes towards reconciliation could be explicitly religious or they could be oriented towards nation-building and communal solidarity. Both of which seemed to be much preferred by the HRV committee members, since the entire TRC concept was highly religious, and since a national/community awareness was seen as a laudable characteristic of a citizen of the new South Africa. Reconciliation could also be framed on a more personal level, for instance by incorporating the identity of a forgiving victim as well as the identity of a remorseful perpetrator. Within these different interpretations a whole lot of variation and layering was possible. Various dimensions could be added, such as political or ethno-cultural dimensions, as illustrated above. It looked as if all of these approaches to reconciliation belonged to the preferred set of interpretations in the repertoire of the HRV Committee. Possibly, these interpretations were gladly distributed throughout South African society. They might appeal to South Africans at large and they might even be copied in everyday life.

The lower limit of the way in which reconciliation could be interpreted was outlined more clearly. Victims were allowed to refuse to use the term reconciliation. They were even allowed to express hatred and vengeance. Usually, though, emotions like these were rectified by the leading commissioners, either by completely ignoring them while still stressing the necessity to reconcile, or by projecting them as temporal and superficial. In any case, it is quite likely that expressing anger and a desire for retributive justice ranked very low in the repertoire of acceptable approaches to reconciliation, even when given a reconciliation-oriented turn. Interpretations below the border of acceptability involved explicit refusals to reconcile or to forgive. In my entire corpus of thirty testimonies only one testifying victim seemed to approach reconciliation in an unacceptable manner – and only in the second part of his testimony (in the first part he was prepared to reconcile, but under well-defined conditions). Based on the overall reading of the 1819 victim testimonies I can claim that this appeared to be a regular pattern. Very rarely victims
explicitly refused to reconcile by actually using the exact words. The majority of victims seemed to be favourably inclined towards reconciliation, giving the term a whole range of different interpretations. A number of victims also expressed hatred although it looked as if this was clearly a minority.

These findings tell us a lot about the way in which reconciliation discourse was constructed at the hearings, through interaction with the commissioners. Despite the fact that this discourse was extremely layered and contained a lot of different dimensions, certain rules had to be respected, certain type of expressions could not be allowed. The majority of testifying victims seemed to be tended towards reconciliation already at the onset of the hearings. In the course of the hearing they were then further incited to commit themselves to a reconciled and united South Africa. This predominantly happened through the establishment of this multifaceted reconciliation discourse, where reconciliation could be interpreted manifold – but could not be straightforwardly and openly rejected.

The provisional suggestion hinted at here is that the HRV reconciliation discourse was partly constructed intentionally, starting at the level of selecting testifiers and then continuing by framing the victim’s discourse at the actual HRV site (see also the critique of other authors, as referred to in the beginning of chapter 4.4.4.). We are dealing here with an example of the professionalisation of discourse. All of these ‘ordinary victims’ first had to pass through a whole network of ‘professionals’ (statements takers, investigators, commissioners) before they were allowed to raise their voices. Through this process, the term reconciliation was, also deliberately, given a very broad interpretation. In fact, we can consider the HRV hearings as a synchronising moment that has led to a new kind of discourse. Stories from a wide variety of different societal domains came together at these hearings. They were filtered, condensed and categorised and then distributed and entextualised again all over the world. At this very moment of the HRV hearings the original narratives ceased to exist - they shifted to a different layer - and a new discourse came into existence: the HRV reconciliation discourse.

As said in the beginning of this chapter, the concrete discursive practices at the HRV hearings constituted a discursive regime, which was linked to a specific regime of truth. Through the reconciliation discourse – with a polysemous understanding of
reconciliation as its basic component—a new truth was created and subsequently introduced into South African society. This was an authoritative truth, established by the TRC as the prestigious bearer of the apartheid archive. This regime of truth defined which truths would be deemed acceptable in the future South African society.

In this new reality the term reconciliation took a prominent position. The willingness to build a united and reconciled nation seemed to be a highly acceptable truth, while it tended to be socially taboo to openly reject the reconciled nation-state. To the same extent as different conceptualisations of the term reconciliation ranked differently on the acceptability-scale before the HRV Committee, also in the newly established reality people were allowed to interpret or implement the notion of reconciliation differently. It is likely that initiatives aimed at creating reconciliation on a community level were highly valued. Also laudable, but probably less valued were situations in which people tried to get a grip on the issue of reconciliation on a personal level.

In the next section I will illustrate how the TRC reconciliation discourse influenced post-TRC South African society. Reconciliation became mainstream in South African society, on the level of political rhetoric, education, social regulations and institutional policy. In all of these domains, reconciliation was not only used as merely a discursive category, it was also consciously implemented, leading to a reconciliation-oriented reality. We will bear in mind, though, that also this reconciliatory truth was multidimensional, leading to a broad spectrum of ways in which reconciliation could be employed or implemented.

**5.4. Reconciliation in South Africa: rhetoric, politics, society**

The idea of this section is not to add to the controversy on whether or not the TRC has resulted in or contributed to reconciliation among South Africans. This discussion has been dealt with in numerous articles, books and dissertations and this issue has been hinted at already in chapter 2.4.5. What I will illustrate, though, is how reconciliation has become very popular in South African public discourse, finding its way not only to the realm of arts and literature, but also to the domains of political institutionalisation and policy making. This will tell us how reconciliation has been implemented in South Africa,

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33 Put differently, we could say that within the reconciliation discourse, reconciliation can be seen as a free-floating *keyword*. It is Blommaert & Slembrouck (1995) who used the term ‘keyword’ to refer to multidimensional words such as ‘diversity’ or ‘integration’ (see later in this chapter).
and how, in the aftermath of the TRC process, a reality based on reconciliation was taking shape in the liberated nation. We will see how the divergent manners in which reconciliation was interpreted before the TRC might have contributed to the coming into existence of a wide variety of reconciliation-related practices in South Africa’s reality.

After the transition to democracy in 1994 a new discourse had to be established to talk about South African society. Discourse on ethnicity, race and separation had to be avoided and replaced by terms that were conform the new ideology (Darbon, 1999a: 45-46). As claimed by Gobodo-Madikizela (2003b: 56), it is always necessary to forge a vocabulary of peace in the aftermath of mass tragedy. People had to start thinking about one another differently, so also talking about and to one another by means of a language adapted to the new dispensation. According to my interpretation, it is in this search for a new socio-political discourse that the TRC acted as a catalysing factor, the HRV reconciliation discourse being the foundation of this wider societal discourse.

5.4.1. Reconciliation discourse pre-TRC

Already before the TRC was established, various aspects of this reconciliation discourse to be had come to the surface. In fact, the implementation of reconciliation neither began with the Commission, nor ended when the TRC handed over its Report (Doxtader, 2000: 131). The pursuit of national reconciliation has a long history in South Africa, being a key-component of the ideology of Albert Luthuli, South Africa’s first Nobel Peace Prize winner in 1961 (de Gruchy, 2002: 33). In the ‘60s, ‘70s and ‘80s several members of the Christian community in South Africa were clearly reconciliation-oriented in their resistance against apartheid (de Gruchy, Cochrane & Martin, 1999: 4; de Gruchy, 2002: 32-38). At the end of the ‘80s negotiations gradually developed between the ANC and the Afrikaner community (such as the Afrikaner Broederbond and the corporation Anglo American). This first stage was difficult and dangerous, but it is in these initial contacts that the seeds were sown of the later reconciliation process (Villa-Vicencio & Ngesi, 2003: 269-271). Apart from a number of tentative initiatives, though, the notion of reconciliation was - obviously - not embraced by the population at large during the apartheid era.
Everything changed after the liberation of Nelson Mandela in February 1990, which unofficially marked the end of apartheid. From then onwards the political transition to democracy was gradually brought into practice. Analogous to this socio-political transformation also the search for a new kind of discourse came into being. Indeed, already after 1990 a discourse of human rights and democracy became dominant in South Africa (Wilson, 2001a: 1). This transition period was characterised by an extreme outburst of violence – according to the TRC Report (1998, 1/6: 171) most violations reported by deponents took place in the period after the unbanning of political parties (so in the period 1990-1994). Although this was a period where reconciliation discourse might have been adopted by the negotiating political parties, it is possible that the aggressive climate inherited from the apartheid era was still much too intense for this kind of discourse to be incorporated by South African population at large.

The true foundations of the truth and reconciliation process were laid after the democratic elections of 1994. During these years reconciliation gradually came into vogue as a national symbol and reconciliation discourse gradually became accepted as one of the national discourses. Also at that time, though, it was initially still the political elite who was the bearer of this reconciliation-oriented language. According to Norval (1996a: 294), predominantly the ANC started to employ a discourse of non-racialism, equality and reconciliation after the transition in 1994. The period from 1994 to 1999 has been labelled the Mandela era, and it is commonly suggested that the person of Nelson Mandela has been highly significant in the establishment of a reconciliation process in South Africa (see for instance Frost, 1998). It is a usual phenomenon that in the production of national symbols towering personalities play a dominant role (Dupin, 1999: 118). And indeed, the search for reconciliation seemed to be largely initiated by the personality of Nelson Mandela – only think about his appearance at the 1995 World Rugby Cup and about the numerous times when he reached out to former apartheid icons, thus turning non-racialism into the new ‘civil religion’ of South Africa (Waldmeir, 1997: 268). In fact, it was especially the message of non-racialism and reconciliation as embodied by Mandela that dominated those early days of the transition. There is no doubt that Mandela has played a unique role in post-apartheid transition and that without him South Africa might have become a totally different country (Alexander, 2002: 44-56; Rotberg, 2002: 480-493). The function of Nelson Mandela (and also of Archbishop Tutu) has been and still is so crucial for peace in South Africa that, as noted by
Goodman (1999: 357), “old animosities might resurface when these moral beacons permanently depart from the public stage”.

Clearly, already during the presidency of Mandela, a new vocabulary emerged to describe the social order, a vocabulary that spoke of nationhood, unity and racial harmony. It seemed as if from 1994 onwards, positive attempts were made in order to give South Africans a new language for speaking about – and to – each other (Fullard, 2004: 2). In the beginning of the Mandela era, it looked as if reconciliation discourse was still largely limited to the domain of politics, since national reconciliation became the mantra of mainly South Africa’s political discourse. It was primarily on this political level that reconciliation discourse began to crystallise as the chief mode of reading the ‘nation’. A major step by which this political reconciliation discourse was made explicit was in the formulation of the Constitution of the new South Africa. Reconciliation seemed to be firmly enshrined in this 1996 Constitution, as the preamble stated that the Constitution was to:

“Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; improve the quality of life of all citizens and free the potential of each person; and build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations” (Constitution of the Republic of South Africa, 1996: preamble).

It looked as if, bit by bit, reconciliation discourse then also spread to popular domains. Terms like ‘rainbow nation’ or ‘Madiba magic’, which were inherent elements of the reconciliation discourse, became a talisman and a characteristic of the new South Africa, also among larger sections of the population (Jacobs, 2000).

5.4.2. Reconciliation discourse after 1995

Despite the crucial role of Nelson Mandela and despite the fact that reconciliation discourse had started to trickle into mainstream discourse already before 1995, it was especially the in 1995 established Truth and Reconciliation Commission which heralded a period marked by the use of reconciliation discourse (see also Wilson, 2001a: 9-10). It is commonly accepted that it was mainly the Commission that permanently introduced and also popularised the term reconciliation in South African society. It was especially the
individual public hearings, along with extensive media coverage, that caused the notion of reconciliation to filter through to South African society (Goodman, 2003: 80).

The role of the media cannot be overestimated in this respect. During the largest part of its proceedings, the TRC was inseparable from the media. The TRC proceedings were a highly mediatised phenomenon and consequently, the manner in which the media represented the Commission was very influential. It has been suggested that especially the audio-visual coverage of the TRC tended to be biased, for instance by promoting the reconciliation-oriented message the TRC wanted to spread to the nation (Verdoolaege, 2004). Some journalists were also convinced that in reporting on the TRC they had a national duty to fulfil, for instance by adopting a human rights perspective or by furthering the nation-building objectives of the Commission (John van Zyl, 1997). Also in the written media that reported on the TRC, as noted by Geslin (2001: 212), there seemed to be a drive towards forgiveness and reconciliation. These reports appeared to channel the readers’ interpretations of the events towards the need for peace, unity and reconciliation, hence impacting significantly on the growing of reconciliation discourse on a wider societal level.

From the time the TRC was established and even more so from the time the public hearings started to overwhelm South African society, the discourse of reconciliation could no longer be escaped. Also the label ‘rainbow nation’, a term coined by TRC chair Tutu, became firmly established in mainstream discourse of the new South Africa and ‘rainbowism’ became the authorising narrative (Gqola, 2001: 7). After the TRC, as claimed by Doxtader & Villa-Vicencio (2003a: XIV-XVI) reconciliation has appeared in many contexts and it has fostered important debates. The significance of these debates being that South Africans were provoked to ask questions about the possibilities to deal with the apartheid past through the concept of reconciliation. Together with the term reconciliation, also expressions such as affirmative action, transformation, transition, healing and democratisation made up the body of the South African reconciliation discourse. All the time, though, opinions were highly divergent regarding the interpretation of the term reconciliation (Bunsee, 1996: 11).

One very interesting and equally debatable term that came into being largely as a result of the TRC reconciliation discourse is ubuntu. In fact, during and after the TRC proceedings
South African reconciliation became conceptualised as something unique, a rather exceptional moral value that was captured under the label of *ubuntu*. This term has various different interpretations, but it usually includes respect for human dignity, solidarity, restoration and justice. In addition, it is often connected to concepts such as humanity, mutuality, community and compassion. As Tutu (1999b: 34-36) puts it: “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”.

According to Tutu, *ubuntu* is a typical African concept and he argues that the term is very difficult to render in a Western language. Gerloff (1998: 49) even calls *ubuntu* an African philosophical concept, meaning the organic wholeness of humanity. Based on forgiveness in community it is a concept “inconceivable in Western thought”. According to Gerloff *umuntu ngumuntu ngabantu* (a Xhosa proverb) relates to “an understanding of the human and divine as binding us together in the interdependence of all living, or an ‘organic, people-based spirituality’”. Quoting Justice Mokgoro, Boraine (2000c: 362) claims that the Nguni word *ubuntu* describes an African worldview, a guide for social conduct as well as a philosophy of life. In an article in the Guardian (26 November 1997), Tutu made himself very clear when stating:

“We Africans are not like Europeans. We are a great deal more communal. You are the great individualists. Each has advantages, but when we say a person is a person through other persons, the solitary individual is a contradiction in terms. Something that happens here to an individual impacts the whole community”.

Tutu (1999b: 36) saw the spirit of *ubuntu* implemented in various other African conflict situations, such as in post-independence Kenya, in Mugabe’s Zimbabwe after 1980 and in Namibia after SWAPO won the first democratic elections in 1989. Also the presence of the concepts of *ubuntu* and symbolic reconciliation in traditional epic poems among certain Congolese groups, for instance, signifies that this notion is firmly rooted in African cultures. Although honouring *ubuntu* seems to be inherent to many African traditions, Tutu warns us that *ubuntu* does not always happen mechanically and inevitably. Congo in the early ’60s and Rwanda in 1994 are two examples of African countries which seemed to have forgotten *ubuntu*. Since *ubuntu* is thus not an automatic process, Tutu can only stress that South Africa has been blessed with some “quite remarkable people of all

As a matter of fact, *ubuntu* was already employed in South African political discourse slightly before the TRC came into existence. Just like reconciliation, also *ubuntu* appeared in a couple of post-apartheid judicial texts. In the post-amble of the 1993 Interim Constitution for instance, it is stared that “there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for *ubuntu* but not for victimization” (Wilson, 1996: 12). Nevertheless, the above-mentioned passage also appeared in the preamble of the 1995 National Unity and Reconciliation Act to establish the TRC, and we could say that it was mainly through the TRC process that the term gained popularity among South African population.

The word *ubuntu* was used quite often at the hearings of the HRV Committee, mainly by chairperson Tutu, but also by other committee members. These are a few examples; only the first one is taken from my selection of thirty testifiers.

-Chairman Mgojo in the closing statement of Patrick Morake’s testimony:

“I think the whole thing of the Truth Commission is that the victim must be helped and that the perpetrator must be helped. That’s what I just want to say. You need to tell yourself you also need a treatment just as you have rightly said that the perpetrators need the treatment because they need to be healed and retain that *ubuntu* which God had given them.”

-CHAIRMAN: Ndade Moleke I want again to reiterate what has been said by my colleagues here. In fact the great victims are those who tortured you because they lost all their humanity, humanness, *ubuntu*. It is only the beasts or wild animals, which don’t have the image of God, could treat a person like that.

-CHAIRPERSON: We can say that here you are a young man who is carrying a heavy load to look after the parents who themselves are traumatised and sick and also to look after your brother's two children. And I want to comment you for the *ubuntu* to know that you are also responsible for the children of your brother if your brother is dead. We commend you for that.
Also in the TRC Report, which can be seen as one of the most influential archives reflecting on the TRC process, *ubuntu* takes a central position. In the chapter ‘Ubuntu: promoting restorative justice’ the TRC Report reads:

“We are also required to look again at the restorative dimensions of various traditions in South Africa, such as the Judaeo-Christian tradition and African traditional values. Neither is monolithic in its approach; both contain strong sources of communal healing and restoration. As such, they are sources of inspiration to most South Africans. As far as traditional African values are concerned, the fundamental importance of *ubuntu* must be highlighted. *Ubuntu*, generally translated as ‘humaneness’, expresses itself metaphorically in *umuntu ngumuntu ngabantu* - ‘people are people through other people’. In the words of Constitutional Court Justice Makgoro: "Its spirit emphasises respect for human dignity, marking a shift from confrontation to conciliation.”.

The Report continues by stressing that “a spontaneous call has arisen among sections of the population for a return to *ubuntu*, a call that has been vividly illustrated by the Commission process” (TRC Report, 1998, 1/5: 124-127).

It was partly as a result of the reconciliation discourse constructed at the HRV hearings that the term *ubuntu* became firmly anchored in South African public discourse. *Ubuntu* was perceived as a concept typical for post-apartheid South Africa and it was seen as indispensable in the search for a united and peaceful society. This can be inferred from the words of Lovemore Mbegi, one of the chief advocates of *ubuntu*, who pointed out that “*ubuntu* can contribute to the healing process and build a rainbow nation” (Wilson, 1996: 11-13). All over the world *ubuntu* became the symbol for the new South Africa, implying that this moral characteristic was typically embodied by post-apartheid South Africans. South Africa also proudly identified with this new label and used it to boost its international image. For instance, at the World Summit on Sustainable Development in Johannesburg in August 2002, the logistics centre was called ‘Ubuntu Village’. I will come back to the use of this term as an inherent aspect of reconciliation discourse later on, since this term especially seemed to gain popularity in the post-Mandela era.

At the time immediately following the public TRC process, not only did a specific kind of reconciliation discourse take shape in South Africa. At the same time, a *counter discourse* developed, consisting of terms that stood in opposition to this reconciliation discourse. It looked as if an entire set of words had disappeared from South African vocabulary, mainly because these words were too closely associated with the previous regime. Certain words became ‘not-said’ in the new South Africa, for instance terms that referred to the
racial categorisation as established under apartheid (‘Black’, ‘White’, ‘Coloured’ and ‘Indian’). In addition, also the term ‘race’ in itself became largely ignored in public discourse.

It could be possible that, just like the reconciliation discourse, also this counter discourse was largely rooted in TRC discursive practices. As said in chapter 3.2.4., the Commission used the racial categories ‘African’, ‘Coloured’, ‘Indian’ and ‘White’ throughout its proceedings and in its Report. However, in the TRC Report the use of these terms was definitely not taken for granted. The Commission seemed to feel rather uncomfortable to employ them and it elaborately justified why this terminology was retained after all: at the TRC there existed a historical necessity to use these terms, but preferably they should not be carried over to the future. Also at the HRV hearings the commissioners themselves tended to avoid these racial categorisations. When occasionally used, these categories were preceded by a qualifying softener such as “so-called”. This example comes from the closing statement of Mrs Botha’s testimony:

REV FINCA: We convey to you our respect, we convey to your mother our respect and we just want you to know that to-day we salute George and we appreciate the fact that in the so-called coloured community there are people who even at that stage took the position that something wrong was happening in this land and it is to be corrected even if it cost them their lives. Thank you very much.

Matters were slightly different with regard to the terms ‘race’ or ‘racial group’. As pointed out by Fullard (2004), the TRC had largely ‘dis-placed’ race all through its proceedings. As I found out when reading over the HRV testimonies, the term ‘race’ was basically never used in the concrete discourse of the TRC commissioners or staff. Also on a macro-level de concept of race was basically ignored. For instance, HRV statements were only accepted by the TRC if they were connected to political violence, not if they were based on racist practices. In addition, also amnesty applicants were to conceptualise their committed atrocities in terms of political violence in order to be eligible for amnesty. Violence based on racial motivations was not taken into account. Understandably, as Fullard (2004: 26-27) points out, when considering the TRC mainly as an instrument of national unity, the terms ‘race’ and ‘racism’ had to be excluded from the Commission’s narrative framework - these terms could still be associated with ideas of exclusion, inequality, and apartheid. Therefore, they had to be replaced with new values of united identity and citizenship instead.
However, as we have seen in chapter 4.3.1., the HRV testimonies were not completely devoid of race. Perceptions of race and racism ran through the victims’ statements, both in implicit forms (when talking about racially constructed relations of power) and explicitly (by means of what I have called ‘apartheid-talk’). In general, though, references to ‘race’ or ‘racism’ were clearly absent in TRC discourse. This might have contributed to the fact that in the years immediately following the Commission’s activities the word seemed to be taboo in South Africa’s public discourse.

I should also add that not only reconciliation discourse as constructed at the HRV hearings, influenced South African public discourse. The TRC in general had an impact on the way South Africans expressed themselves, especially in relation to the apartheid past. Although this falls outside the scope of this research topic, it is worth mentioning that also the amnesty hearings and the testimonies of perpetrators had a tremendous impact on public discourse. Terms such as ‘torture’, ‘state killings’ and ‘solitary confinement’ became part of the language of a wider range of citizens instead of only those who had experienced these violations, as indicated by Fullard & Rousseau (2003: 197).

5.4.3. Reconciliation discourse following the Mandela era

Up till now, we have been mainly occupied with the ways in which reconciliation discourse took shape in South African society in the years immediately following the TRC process. We have noted that, in addition to the TRC, also the role of Nelson Mandela can be considered as quite crucial in this respect. However, also after 1999, when President Mandela was replaced by Thabo Mbeki, South Africa’s rhetorical and socio-political reconciliation discourse was further developed. The personality and also the rhetorical style of Mbeki were quite different from what South Africa had been used to under Mandela, the former being much more confrontational and defensive. And indeed, there were major differences associated with the issue of reconciliation discourse. For instance, in contrast with the Mandela period, the Mbeki era has been characterised by ‘a return to race’ (Fullard, 2004: 2). Already as a Deputy President, Thabo Mbeki gave the notion of race a central position in the problems the country would be facing in the future. In the 1998 parliamentary debate on reconciliation and nation building, Mbeki famously argued that South Africa comprised of ‘two nations’, in which he referred to
economic inequalities rooted in past racial practices. To give another striking example, this was the opening sentence of his statement on the Report of the TRC, held before a joint sitting of the Houses of Parliament in Cape Town, on the 25th February 1999: “The defining parameter in our continuing struggle for national unity and reconciliation is the question of race” (see http://www.dfa.gov.za/docs/speeches/mbeki.htm for a full list of all speeches delivered by Thabo Mbeki). Especially after 1999, though, the discourse on race was further expanded, also to non-political domains of society. On a more popular level, for instance, South Africa hosted the 2001 world conference against racism, xenophobia and related intolerance. It thus seemed as if race had reconquered its place in South African political discourse.

Nevertheless, also President Mbeki gradually came to recognise the power of reconciliation discourse. At the opening of Parliament in 2001, for instance, he openly praised the “Home for All” initiative and, also in the year 2001, he initiated a conference on a search for common values in South Africa. Although reconciliation was no longer the dominant discourse in society, the quest for reconciliation continued in various forms – also on the level of policy making. As stressed by Mda (2002: 281):

“It may not be articulated as much as it was during the Mandela era, but it is in the content of government and civil society programmes that recognize the identities and the rights of minorities while affirming the previously disadvantaged majorities, such as women and black people. Indeed, the current president’s (Thabo Mbeki) definition of an African in parliament has been inclusive of the members of all racial and cultural groups that call South Africa their home.”

In those years, as part of reconciliation discourse, also the term ubuntu seemed to appear continuously in political rhetoric: the speech by Deputy Minister Jacob Zuma on the occasion of the launch of the moral charter campaign in January 2003 (http://www.info.gov.za/speeches/2003/03020309461009.htm), the address by Mr Omar, Minister of Transport on World Aids Day 2002 (http://www.info.gov.za/speeches/2002/02120309461008.htm), and the speech by Minister of Land Affairs and Agriculture Mrs Didiza on Women’s Day 2000 (http://www.info.gov.za/speeches/2000/0008171010a1001.htm) are only a few of the numerous examples that could be given. President Mbeki himself seemed to employ the term ubuntu abundantly in his political speeches and forms of address (see the website of the South African Government (http://www.gov.za/) for an overview of presidential speeches).
It looks as if in the years following the Mandela era a subtle kind of competition was going on between two components of political reconciliation discourse, namely reconciliation itself and ubuntu. Under Mandela, and especially after 1995, reconciliation seemed to be the most outspoken way to characterise the ideal relationship between South Africans. It appears as if ubuntu was a concept gaining popularity mainly under the presidency of Mbeki. On the one hand, ubuntu was a broader term, connecting the moral value of reconciliation with African history and traditions. On the other hand, ubuntu was also more specific, since it was seen as typical for African – South African – society(ies). We could say that under Mbeki, political rhetoric seemed to become slightly more Africanist-oriented, stressing the fact that South Africans should feel proud to be Africans in the first place. As a result of this ideological move, political discourse felt more comfortable to embrace the term ubuntu than reconciliation. Reconciliation was strongly associated with the TRC and with the person of Nelson Mandela. Ubuntu, on the other hand, also embodied this reconciliatory dimension, but in addition it had a very strong traditional African connotation. Since it was perceived as typical South African, ubuntu also had a strong nationalist relevance, which suited the post-Mandela political rhetoric. Moreover, it seemed as if the term reconciliation necessarily referred to the apartheid past, while ubuntu rather had implications for the present and the future. Maybe, at a certain point in time, some South Africans felt that the time had come to leave the past behind and to focus on present and future challenges that were facing the country.

Finally, we may not forget that also at the level of concrete policy-making the TRC influenced government. At the time the TRC process was still taking place the Commission might have exercised a rather pernicious impact on policy-making; in those years government could use the TRC as a discursive and symbolic cover-up. By referring to the TRC, post-1994 government demonstrated that the country was indeed dealing with its past. The impression could have been conveyed that the Commission was going to solve the problems and promote reconciliation, while government could avoid taking any political responsibilities. Later on, South African government did have to take its responsibilities and then the influence of the Commission was rather proactive. Definitely in the years immediately following the TRC process, the Commission, its recommendations and its interpretation of reconciliation were taken as a point of reference by the government. In those years, it is possible that policy measures of the
government were evaluated on the basis of and weighted against the opinions and suggestions of the Commission. The state could also use the TRC ritual to justify or transform its decisions – although we should bear in mind that especially at the end of the TRC process the ANC as well was very hostile to the Commission. In fact, the TRC was seen as the illustration of the new South Africa’s values and principles. The TRC had created a new discourse, new indexicalities and a new vision on society. In this way, the Commission not only influenced, but also determined some of the policy measures – such as decisions to rename schools or streets after fallen apartheid heroes, to erect monuments or to finance reconciliation-oriented institutions and initiatives. Also on this very concrete level, reconciliation discourse thus found its way to political reality.

5.4.4. Reconciliation discourse outside politics

In addition to the realm of political rhetoric, also in other domains reconciliation discourse continued to be explored and developed in the period after 1995. In the discourse of tourism and culture for instance, South Africa was, and still is regularly framed as a ‘rainbow country’ or a ‘multicultural’ nation, characterised by ‘diversity’ and peaceful coexistence (Rassool, 2000: 1). Phrases such as ‘South Africa: the world in one country’ and ‘South Africans, the rainbow people of God’ have become strong identifiers of the new nation. Diversity through reconciliation has become an asset to South Africa, a positive characteristic aimed at, among others, attracting tourists. Clearly, not only abroad, but worldwide as well, reconciliation has become the identifying label of South Africa.

Sticking to the domain of culture, also post-apartheid theatre was preoccupied with the themes of reconciliation. A number of plays dealt explicitly with the TRC – the best known probably being ‘Ubu and the Truth Commission’, by Jane Taylor. Also the general themes of forgiveness and reconciliation were discussed elaborately. Apparently, in that post-1994 period, even former practitioners of protest theatre turned to the theatre of reconciliation (Mda, 2001: 281).

On an academic level as well, the discourse of reconciliation has definitely left its traces. Numerous courses, debates, conferences and discussion groups have been set up, all of which concentrating on the issue of reconciliation in South Africa. Also the number of
academic publications on reconciliation has skyrocketed in post-1994: Brian Frost’s ‘Struggling to Forgive, Nelson Mandela and South Africa’s Search for Reconciliation’ (1998) and Mark Hay’s ‘Ukubuyisana. Reconciliation in South Africa’ (1998), are but a few examples.

On an institutional level, the TRC formed only part of the institutions of ‘redress’ developed by the new government. Already during the Mandela era, but mainly afterwards, long-lasting initiatives were taken on this institutional level. Let me just mention some of the initiatives taken in post-1994 or post-TRC South Africa (http://www.csvr.org.za/links.htm#tru): the activities of the Centre for the Study of Violence and Reconciliation (CSVR) - which was established in 1989 - were extended, amongst others by launching the Khulumani Support Group in 1995 and by setting up a ‘Register of Reconciliation’ in 1997; the Institute for the Healing of Memories was established in August 1998; and the Institute for Justice and Reconciliation was launched in May 2000. Small-scale initiatives were taken, such as the Lyndi Fourie Foundation and also universities participated in this drive towards reconciliation - like the University of Cape Town with its Transitional Justice Project and its Centre for Conflict Resolution. All of these initiatives were, in one way or another, aimed at establishing a reconciled nation, either by promoting the resolution of conflict and the reduction of violence on an academic level, by offering workshops and discussion groups where people could talk about past traumas, or by promoting democratic nation building through research and analysis. Most of these institutions continue to be highly dynamic enterprises, and apparently a lot of resources are made available for this continuing reconciliation process. In addition, the reconciliation-oriented message is also spread through museums and monuments, such as the newly established Freedom Park in Pretoria and the Robben Island Museum on Robben Island.

Interestingly, it seemed as if the reconciliation-oriented discourse of the TRC was also transferred to other commissions. One such Commission was the Land Claims Commission (LCC). This Commission, also established in 1995, addressed the millions of black people who had been dispossessed of their land by racially discriminatory laws since 1913. The language used most commonly by some of its key figures centred around ‘reconciliation’, ‘justice’, ‘healing’ and ‘dignity’, similar to the discourse constructed at the TRC hearings. However, because of a lack of resources and because of the scant
attention the media paid to the LCC, this Commission never received the same kind of recognition or popularity as the TRC (Mesthrie, 1999: 239-258).

Through the activities of some of the above-mentioned institutions we understand that in South Africa there clearly exists some concern on whether or not reconciliation is indeed making progress. The Institute for Justice and Reconciliation for instance, has developed the Reconciliation Barometer project, which is a longitudinal study that will monitor the reconciliation process among South Africans (see http://www.ijr.org.za/baro.html). Also the CSVR has established its Transition and Reconciliation Programme in order to understand the relationship between historical conflicts, reconciliation, the prevention of violence, and the realisation of justice (see http://www.csvr.org.za/annrep/anntrp.htm).

Initiatives have also been taken to introduce reconciliation at the grassroots level of South African society. In ‘Learning to Live Together’ (Fanie du Toit, 2003), Verwoerd gives a few examples of individuals who came together through the TRC, and who continued their journey of personal reconciliation also after the TRC had finished. Apartheid victims or their relatives help to promote healing among other traumatised victims, while apartheid perpetrators are committed to help reconstructing the communities where they made havoc. In addition to the personal initiatives, this publication also illustrates practices of social reconciliation. All over South Africa community leaders are trying to enhance reconciliation, for instance by creating a platform for interracial cooperation and dialogue. An example is the town of Cradock, consisting of three racially polarised communities. By participating in a community dialogue seminar, the racial divide that existed between these community members was narrowed (du Toit, 2003: 280). In organisations and companies, reconciliation can be built through training and participation, and also at schools and among student leaders reconciliation is brought into practice, often with the help of committed volunteers. Also Boraine (2000c: 363) argues that “there are numerous examples in South Africa where the commitment to reconciliation, religious or secular, has transformed lives and has brought about a change of behaviour and a genuine attempt to right the wrongs within society”. “Despite our country’s history of conflict and prejudice”, he continues, “there are countless examples of black and white finding each other and working together”.

It clearly seems as if the TRC reconciliation discourse has not only left its traces in South African society on a discursive level. This reconciliation discourse also continues to be
implemented on a practical basis, mainly on an institutional level, but also on the local community level.

5.4.5. Reconciliation discourse and the world

Reaching the end of this chapter, we should also have a look at the global context of this reconciliation discourse. As Wilson (2001a: 1) states, “already in the mid-1980s, a revived language of liberal democracy became prevalent worldwide”. Human rights discourse became the archetypal language of democratic transition, and since 1990 nearly all transitions from authoritarian rule have adopted it. Being established in 1995, the TRC emerged at a moment when an international human rights discourse was openly expressed all over the world. Maybe more than by any other initiative taken in the 1990s, it was especially the South African reconciliation discourse, as constructed at the TRC that contributed to this international paradigm. We could claim that it was largely as a result of South Africa’s TRC process that reconciliation became part of the discourse of transitional justice and democracy building, also in conflict situations beyond the South African nation.

Indeed, in the final years of the 20th and in the beginning of the 21st century there seemed to be a worldwide tendency to consider conflict resolution from a restorative rather than from a retributive perspective. The International Centre for Transitional Justice (ICTJ) is currently working in close to thirty countries, either to help setting up truth commissions, such as in Morocco, Kenya, Burundi, Paraguay, Eastern-Timor or Northern Ireland, or to follow up on truth and reconciliation processes that have taken place already, such as in South Africa, Guatemala, Ghana and Peru (for more information see http://www.ictj.org). The activities of this International Centre prove that establishing reconciliation in a divided country is a burning issue all over the globe. Truth commissions are not only called into existence to deal with recent human rights violations, such as in Sierra Leone or Indonesia. Also traumatic incidents that took place many years ago tend to be addressed by TRCs – in the US for instance, the Greensboro Truth and Reconciliation Commission was established in 2004, in order to deal with a KKK-shooting dating from 1979. The vast majority of these truth and reconciliation initiatives were launched after the year 2000. Many times, former staff from the South African TRC was sent to these countries to give advice or to help in the setting up of the
local TRC. Quite a number of experienced South Africans are working for the ICTJ and Alex Boraine, the vice-chair of the South African TRC, is the chairperson of the ICTJ’s board of directors.

One domain in which the TRC reconciliation discourse exercised a pervasive influence on a global scale, is the academic world. In academic publications South Africa is regularly taken as a prime example with regard to peaceful conflict resolution – let me only mention Soyinka’s ‘The Burden of Memory: the Muse of Forgiveness’ (1999) and Derrida’s ‘Sur parole. Instantanées philosophiques’ (1999) – and the same holds for colloquia, workshops or teaching packages. Although part of an international human rights discourse, it seems as if the reconciliation-oriented dimension of this discourse was mainly added by the South African TRC. Establishing reconciliation became the mantra of international conflict resolution and strikingly it was especially the South African TRC that served as a worldwide model.

5.4.6. Reconciliation discourse and politics, some initial comments

I will finish this section on reconciliation discourse in South African society on a critical note, a critique that will be further developed and modified in Chapter Six. In the years immediately following the TRC process, as certain critics claim, the vocabulary of reconciliation, amnesty and truth became part of the political instrument of the government. It seemed as if the message of reconciliation had become a rhetorical tool in the hands of politicians. The vocabulary of human rights and reconciliation was overused, and this rather as a justification for the meagre socio-economic results that were realised in reality, as put by Van Zyl Slabbert (2003: 326). Also John Williams (2001: 31) claims that in the new South Africa the political discourses of reconciliation and nation building are prevalent, but largely meaningless – he even states that masses of ordinary people remain oppressed and humiliated, “sacrificed on the altar of [this] discourse”.

With regard to the metaphor of the ‘rainbow nation’, Habib (1996) claims that after the transition to democracy, it was a term absolutely in vogue in the political vocabulary of South Africa’s new political elite. However, he continues, “metaphors are founded on
political assumptions, and these assumptions are often those of the political elite advancing a political project”. Also Kjeldgard & Nexo (1999: 25) argue that the discourse of the rainbow nation is rooted in “Fantasies about multiracial friendships, forgiveness and co-existence. Fantasies that again are nourished by the rainbow-discourse”.

Also the term *ubuntu*, as an inherent element of this reconciliation discourse, seemed to be eagerly adopted by political parties, especially by the African National Congress. They defined it as humanity, community, respect for human dignity and solidarity and in this way the ruling party attempted to connect African tradition with its government policy. The ANC thus employed the term to link African tradition to progressivism – for instance, *ubuntu* was used to justify the decision to do away with the death penalty. Consequently, the word was used as a political - left-wing - instrument in order to combat both black and white conservatism (Eades, 1999: 107). The manner by which the TRC exercised power through its reconciliation discourse and the question whether this discourse could be seen as part of the political or social agenda of certain groups in society, will be the topic of Chapter Six.

### 5.5. A multilayered reconciliation-oriented reality

It clearly seems as if, in the years immediately following the TRC process, as well as in current day South Africa, reconciliation discourse was/remains firmly anchored in both social and political discourse. Possibly, reconciliation discourse will be further developed in the years to come. However, it is very likely that the interpretation of this multilayered term will continue to be debatable. Various ways of talking about reconciliation will linger on in South African society, where the word will either be associated with political, social, institutional or cultural issues. Right now, it looks as if South Africa is between definitions of reconciliation. As Doxtader (2003: 132) puts it: “[since] its meaning and value [are] in flux, the question becomes how to (re)invent the term in light of the times”.

This overview of manners in which reconciliation discourse has been adopted in South Africa’s socio-political and rhetorical reality cannot tell us whether or not reconciliation has indeed been incorporated by the majority of South Africans. It can tell us, though, that a great effort is put in by a variety of groups in South Africa, not in the least by the government. Quite clearly it is a reconciliation-centred reality – or a reconciliation-centred truth – that is put forward, not only on an individual, but definitely also on an
institutional or public level. It thus seems as if the HRV reconciliation discourse and its related regime of truth became highly influential in post-TRC South Africa. It looked as if this truth regime was the preferred truth in post-apartheid South African, although it was not a univocal truth.

Going back to the multilayered HRV reconciliation discourse and to the fact that the term reconciliation was conceptualised divergently at the TRC site, we should point out that also in the post-TRC era reconciliation discourse comprised different facets. Already starting during the TRC process reconciliation discourse seemed to be dogmatised by the government. At this government level the political aspects of reconciliation were dominant: reconciliation had to be legalised, for instance by making it understood in the 1996 Constitution. Also the institutional dimension of reconciliation was crucial, hence the establishment of a number of institutions trying to promote the reconciliation process.

For many South Africans, though, reconciliation is an interpersonal matter, which cannot be enforced by laws, regulations or institutions, but which can only be built on an individual basis. It is among this group of people that grass-roots initiatives are particularly meaningful. Many people emphasise the racial dimension of reconciliation, which is probably the interpretation of reconciliation South Africa is most commonly associated with in the world. Others concentrate on reconciliation between political factions, or on reconciliation between bearers of different cultures or speakers of different languages. In recent years, also economic reconciliation is an issue - apartheid in South Africa would still exist, though rather on an economic than on a racial basis (Mattes & Thiel, 1998; Alexander, 1999). In all of these cases, the term reconciliation is adopted by various groups in South African society to characterise the ideal situation post-apartheid South Africa is aiming for, be it with a political, a cultural, a national or an interpersonal connotation. These people usually frame the term reconciliation as a socio-political objective, or as a standard by which to judge the positive achievements of South Africa since 1994.

In contrast with these people, it seems as if also some extremist groups have appropriated the term, both white Afrikaners and black extremists. For most of these groups, reconciliation had not been part of their vocabulary before the TRC started to
popularise the concept – mainly because most of them did not support the idea of a reconciled South Africa in the first place. It was then in the post-TRC era that they managed to incorporate the term in their political rhetoric. They explored various dimensions of the word, dimensions that had not yet been developed by the advocates of reconciliation. They interpreted reconciliation in a particular way; they changed the meaning and the reach of the term, in order for it to suit their views of society and to reach the target audience they had in mind. In contrast with the very wide interpretation of reconciliation before the TRC, these groups often recontextualised this notion according to their own ideological viewpoint. They also entextualised the term in a wide variety of text formats, usually texts that were highly critical about the TRC. In this way, they turned a term that was internationally recognised as the symbol of the TRC into a mechanism to reject the TRC process.

Many of these extremist groups do not claim that the search for reconciliation has to be abandoned. Instead, they often interpret reconciliation in a very narrow way, as to prove that establishing a reconciled South Africa will hardly be possible. This narrow interpretation also enables them to put the blame for this lack of reconciliation on particular groups in society. For instance, some members of the population basically see reconciliation as a willingness from the part of the white population to reach out to the non-white majority (Muller, 1997; Cronin, 2001; Ericson, 2001: 368). Since a large part of the white population refused to cooperate with the TRC (see Meiring, 1999: 374; Tutu, 1999b: 186), they see it as a sign that reconciliation will never be achieved in South Africa. The idea that reconciliation is a mutual enterprise, as stressed many times at the TRC, does not seem to occur to them.

Based on this restricted conceptualisation of reconciliation they could also openly criticise the Commission. The TRC maintained the principle of equality, meaning that gross human rights violations from either side of the apartheid divide were equally condemned. Some groups – for instance some segments within the ANC – claimed that the liberation movements were waging a just war against an unjust regime (Meredith, 1999: 209-212; Christie, 2000: 28; Pons, 2000: 88). Consequently, violence at the hands of the freedom fighters was justified and it was the duty of solely the white population to apologise for committed crimes. Since anti-apartheid forces were not to blame for havoc caused under apartheid, achieving reconciliation was a task reserved for the white
population. The idea that all South Africans were victims of apartheid and that establishing reconciliation was a joint enterprise, seemed utterly unjust to some of these groups.

Certain parts of the white, extreme right-wing population of South Africa interpreted reconciliation in a manner equally confined. They often framed South African reconciliation as an attitude that should take place between non-white groups in the first place. Only if these groups would be reconciled, the process of national reconciliation could be initiated. Roodt (2000: 83) for instance, argues that as long as ethnic strife is increasing rather than diminishing in South Africa, there is no chance that a reconciled South African nation will ever be established. The reasoning here is that solely non-white conflicts stand in the way of national reconciliation.

The publication by Roodt is in fact a critical essay strongly opposed to the Truth Commission. Its title in Afrikaans is ‘Om die Waarheidskommissie te vergeet’ (‘To Forget the Truth Commission’), and it mainly gives an overview of the ways in which the Afrikaner community was disadvantaged before the TRC. The Commission is said to be biased, naïve and subjective; African violence was ignored before the TRC, while white atrocities tended to be exaggerated. One chapter of this manifesto is called ‘Versoening’ (‘Reconciliation’) and interestingly enough, the author condemns the TRC for interpreting reconciliation too narrowly. According to Roodt (2000: 27), the concept of reconciliation at the TRC is solely connected to redistribution of wealth. This economic redistribution, as understood by some members of this extreme right-wing part of South African population, would result in the establishment of a socialist state – another sign that the TRC was an instrument of a Communist-oriented ANC.

Of course, this publication represents a very extreme view and Roodt is not always taken very seriously among South African scholars (personal conversation with academics from the University of Cape Town and the University of the Western Cape). Nevertheless, the idea that the interpretation of reconciliation as put forward by the TRC was too superficial, because it was based on economic redistribution, is a point of view also held by other, less extremist, white groups. The former National Party, for instance, also saw the redistribution of resources as an insufficient foundation for national reconciliation.
This can be gathered from the words of Marthinus van Schalkwyk, Executive President of the former National Party in 1997:

“I think very often, on reconciliation, a very superficial definition is used. “Let’s forget the past and like each other, it’s a happy country”. That kind of almost charismatic approach will work for a very short time but it will be very difficult. […] or to argue as the ANC does, that we should put the emphasis on redistribution, I don’t think that would solve the problem. […] Real reconciliation in a country such as ours must be based on finding a balance between common values, decency, and the willingness to accommodate each other.” (McCandless, 1997: 13-14)

In this same series of interviews, also Ziba Jiyane, outgoing General-Secretary of the Inkatha Freedom Party and Dullah Omar, Executive Committee Member of the African National Congress answered to the question ‘What do you understand by reconciliation?’. Mr Jiyane stated:

“By reconciliation I understand that all sides and people involved in the conflict begin to accept each other as legitimate, accept each other as participants in a new situation, as participants equal in designing new ground rules. […] For the communities of SA to reconcile, there needs to be acknowledgment that wrongs were committed on both sides. If you proceed with a holier-than-though attitude, there will always be festering that remains.”

According to Mr Omar:

“Reconciliation implies a recognition of what was right and what was wrong. Apartheid was wrong and democracy is a good think […] In other words, there is a moral element to reconciliation. […] Reconciliation and transformation must go hand in hand. There will be no reconciliation for millions of people in our country if there is no transformation, if for example the rich suburbs were to remain rich, whilst millions of people remain in squatter camps.”

The conceptualisations of reconciliation we can infer from these final two extracts are highly inclusive: in order for reconciliation to be established in South Africa there has to be an acceptance and acknowledgement that wrongs were committed from both sides. At the same time also the economic dimension of reconciliation should not be lost sight of. As we have seen, it is this multidimensional view of reconciliation that was also put forward by the TRC (see also Wilson, 2001a: 97-122). For right-wing groups this polysemic interpretation was not under discussion: moral values were not at stake for them, it was only economic redistribution that was perceived as a huge threat. By conflating the TRC with this one-sided view of reconciliation the Commission itself could be portrayed as devastating for the Afrikaner community.
We thus see that through discursive practices the term reconciliation is appropriated by various political factions in South African society. It is incorporated in their rhetorical repertoire, adapted to new ideological contexts and embedded in new entextualisation processes. These processes sometimes embody exactly the opposite values as the TRC, turning the term reconciliation into a weapon against the Commission, instead of a positive symbol of the TRC. As demonstrated before, it has mainly been the TRC that introduced reconciliation into socio-political discourse in South Africa. It is thus quite interesting that through the right kind of recontextualisation the term can be connected to a totally different set of indexicalities, which turns in into a mechanism to criticise the Commission. For most of these extremist groups (both black and white) reconciliation had never been part of their vocabulary. Apparently, it was only after the popularisation of the term in South African society that they started to employ reconciliation for their own ends.

In fact, the differential accentuation of the term reconciliation by particular socio-political groups with divergent interests and experiences could result in what Voloshinov has described as the ‘struggle over the sign’ (Gardiner, 1992: 89). This involves a term being appropriated by various groups in society, each trying to fix the meaning of this term and to ascribe to this term its own indexicalities and contextualisations. Often, it is especially the ruling socio-political group that tries to lend the sign an external and homogeneous character. In the case of South Africa’s reconciliation concept, it appears as if the term is indeed used by a wide variety of different groups, with a wide variety of different meanings – therefore, we could indeed talk about a ‘struggle over the sign’. Up till now however, this multiplicity of significations seems to gain the upper hand, and not one stable, ideologically coloured meaning imposed by one particular group.

The way the term reconciliation started to lead its independent life at the TRC – and in South African society – can be compared to other terms in late 20th century Western Europe, for instance ‘racism’, ‘tolerance’, ‘multiculturalism’. Each of these terms has such

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34 This overview of political interpretations of the term reconciliation is extremely short. In fact, the aim was not to try to provide insight into all of the different ways in which South African political parties conceptualise reconciliation. I merely wanted to give an idea of some possible interpretations, in order to make my point that also on the political scene reconciliation tends not to be interpreted univocally. In addition, the cited fragments date from 1997; I am well aware that political discourse might have changed over the last eight years, but again, these extracts only serve as a way to illustrate my point. Moreover, it was especially in those years – during and immediately following the TRC process – that the political parties’ opinions on reconciliation were most explicitly expressed.
a polyvalence of meanings that they can be associated with by people having completely opposite social mentalities. For instance, an interesting resemblance can be noticed with the lexical label ‘integration’, as used in Belgian integration policies in the ’80s, ’90s and also today. Also this term was inserted and re-entextualised in various discourses, and appropriated by different parties, thus being defined in widely divergent ways and being incorporated by a large spectrum of different socio-political groups. As Blommaert (2005: 201) puts it, with regard to the term integration: “ideological heterogeneity is both enabled and made invisible by textual heterogeneity”. Different groups in society adopted this term and legitimately employed it to fit their own lexical frame. According to Blommaert, it is this impression of stability, created mainly by the re-enactment of an ideologically fixed term, “which allows for a gradual and hardly noticed shift in political orthodoxy”. In Belgium, the debate on integration goes on and at first sight it seems as if parties do not change their minds or policies. However, “depending on time, cause and audience, new arguments may be incorporated, new registers may be adopted and new terms can be borrowed”. Interestingly, “power resides in this interplay between an ideology of fixedness and practices of re-entextualisation […]”.

As has been demonstrated in this chapter, the term reconciliation was and is a vibrant term in South African politics and society. The majority of South Africans seems to accept this concept, but because of its multiplicity of meanings it could allow the political establishment to gradually change its reconciliation-oriented policies. It would remain largely unnoticed if, under the same banner of reconciliation, the leading parties would gradually adapt the interpretation of reconciliation to fit their own agendas. An extension of political power could be the outcome of such a ‘slow shift in orthodoxy’. The relation between reconciliation discourse and power is what I will address in Chapter Six.

In conclusion I should also mention that in the course of the TRC process there was not only a unilateral influence from HRV reconciliation discourse onto South African society. In fact, discursive strategies of the individual actors did not operate in a vacuum. The discourse of the HRV testifiers was thus not only constructed as a result of discursive struggles in the context of the HRV hearings themselves. It was also influenced by the - still emerging - reconciliation discourse at the level of concrete society. The further the TRC process developed, the more prominent also a reconciliation-oriented message might have been distributed in socio-political discourse (in the mass media, at schools, in
political discourse, etc.). All the time, we can therefore assume that there was a productive interaction between these two manifestations of reconciliation discourse. It could thus be possible that the longer the TRC process lasted, the more explicit the HRV victims themselves directed their discourse towards this reconciliatory master-narrative.

To fully investigate this supposition, one should conduct a comprehensive longitudinal research, comparing victims who appeared at the beginning of the HRV process with victims testifying at the end. When selecting the thirty testifiers whose discourse I wanted to analyse in detail, I opted for a different strategy, selecting victims representatively all along the entire process. Since I cannot prove or illustrate that testifiers tended to spontaneously employ more reconciliation discourse towards the end of the TRC proceedings, I will do no more than merely formulating this assumption.

Also, although the notion of reconciliation seems to be accepted by a wide variety of South Africans, this multiplicity of interpretations might have cleared the way for possible misunderstandings and disagreements. For instance, many South Africans understand reconciliation in terms of the provision of reparations by the government (see amongst others Conrad, 1998; Streek, 1999; Tutu, 1999b; report CSVR, 2000). This is a desire often expressed by apartheid victims on the grassroots level. However, certain social workers, community leaders or government institutions might rather strive for social reconciliation – for example by establishing discussion groups or workshops as explained a couple of paragraphs earlier. As a result, a whole lot of individuals might be disappointed by the conceptualisation of reconciliation by the authorities. We have seen that also among political parties there existed/exists a wide variety of different interpretations regarding the notion of reconciliation. This might make it difficult to reach a coherent reconciliation-oriented national policy.

However, despite these possible misunderstandings and problems on how reconciliation should be interpreted concretely - on higher echelons, but also among individuals at the local level -, it appears as if a general acceptance of the concept of reconciliation is the dominant attitude in South Africa. People might disagree with the manner in which reconciliation is framed by their neighbours or by the Members of Parliament they elected, but they still seem to be convinced that reconciliation has to be realised in South Africa. The overall acceptance of reconciliation appears to be present, while the
disagreements seem to relate mainly to the practicalities of implementing reconciliation. The impression is given that, for the time being, these disagreements do not hinder the general appreciation of reconciliation by the majority of the population. Different sections of society interpret reconciliation according to their own viewpoints, which turns it into such a powerful concept – notwithstanding underlying disagreements and misunderstandings. In addition, these disagreements might even enhance the debate on reconciliation; they might clear the way for intense discussions on how reconciliation should be realised - also these debates and discussions might strengthen the dominance of reconciliation on different levels of society. We could say that the multiplicity of interpretations regarding the term reconciliation might have resulted in opening up a space for meaningful debate about the nation’s past, present and future – this is a highly positive issue I will come back to later.

When discussing historical layering in Chapter Four, and especially the feature on apartheid-talk, I have indicated that in a number of testimonies there seemed to exist a tension between the apartheid archive (apartheid indexicalities, connotations and rules of formation) and the post-apartheid or reconciliation-oriented archive (with the discursive rules of formation as established at the HRV hearings). We notice that this archival tension that came into existence at the hearings was also projected to South African society. In post-TRC South Africa, the apartheid archive is still much more prevalent than at the HRV hearings, especially among certain groups. It is sometimes stated that in public, apartheid discourse has largely disappeared and that it has been replaced by reconciliation discourse. Apartheid discourse still tends to be used in private spheres, though (see for instance Darbon, 1999b: 101) – on this level there seem to be profound continuities between apartheid discourse and post-apartheid projects, as highlighted by Norval (1996a). Hence, on a societal level we notice a tension between the old and the new archives, which is largely manifested in a tension between the private (also referring to the manner in which some groups actually practice their daily lives in post-apartheid South Africa) and the public (also referring to the ideas of multiculturalism or reconciliation these people claim to adhere to in theory) (Ackermann, 1996: 55; Theissen, 1998; Goodman, 1999: 5). This tension can be illustrated through the way reconciliation is conceptualised in post-apartheid South Africa. In public, reconciliation often seems to be framed according to the new archive, following the very inclusive ANC-interpretation of the term. In private, though, extremist voices, such as the one by Roodt or the ones by
extreme African groups, can be heard as well. This might tell us that, among certain
groups, the apartheid archive is still influential in post-TRC South Africa. However, it is
my opinion that for the majority of South Africans the TRC reconciliation discourse
tended/tends to be dominant; that the impact of this discourse should not be
underestimated, is something we will see in the next chapter.

To sum up, in post-TRC South Africa, there existed/exists a wide variety of different
interpretations regarding the notion of reconciliation. With its multivocal
conceptualisations the term took a central position is a well-defined regime of truth. It
appears as if, through its reconciliation discourse, the TRC established this reconciliation-
oriented reality, a reality that could not be ignored or rejected in South African society.
Thanks to the polysemy of the term reconciliation, there was no need for any of South
Africa’s socio-political groups to openly reject the concept. Even groups that were
strongly opposed to the idea of a reconciled nation incorporated the term, sometimes
even to express their criticism with regard to the TRC.

As hinted at before, it is the existence of multiple versions of the reconciliation-concept
that created a potential for power in many different contexts. The bottom-line is that the
HRV reconciliation discourse impacted on South African society in a very powerful and
pervasive way, extending its influence to a large number of different domains. What I
would like to suggest here is that, through its reconciliation discourse and the regime of
truth established accordingly, the Truth Commission exerted a great deal of power on
South Africa’s post-TRC reality. In the next chapter I will contextualise this powerful
influence of the TRC by dealing with the broader issue of discourse and power. I will
conclude by defining the TRC as a ‘centring institution’, an institution that might have
had a political – or a social – agenda and which, through its all-embracing impact, has
been crucial in the construction of post-apartheid indexicalities.
CHAPTER SIX

Exercising power through discourse

6.1. Introduction

Up till now we have analysed the reconciliation discourse as constructed at the HRV hearings. We have seen that it was a multilayered discourse, on an ideological, a historical and an identity level. By applying this layeredness differently, testifiers expressed in a manner that was, to a greater or lesser extent, either appreciated or ignored by the HRV commissioners. We have thus tried to construct the archive of the HRV hearings, the rules that define what in a given situation could or could not be expressed. The most-preferred utterances were embodied by what I have called the ideal testifiers. It was the discourse of these testifiers that the TRC wanted to capture, to spread to the nation and to preserve for future generations. Central to this preferred discourse was the notion of reconciliation, although we have seen that the HRV Committee was extremely flexible in allowing different interpretations of this term. In the course of the HRV hearings, it seemed as if a lower limit of interpreting the notion of reconciliation was established and as if testifiers were not allowed to cross this discursive border.

In Chapter Five we have then pointed out that the discursive practices of the TRC were connected to a regime of truth. Through its reconciliation discourse the TRC did not only contribute to the introduction of the term reconciliation in South African socio-political discourse, it also participated in confronting South Africans with a reconciliation-oriented reality. Because of the omnipresent influence of the HRV reconciliation discourse in South African society, this discourse could be seen as very powerful/influential. It is with the power of this reconciliation discourse and subsequently with the power of the TRC that I will deal in this chapter. I will first elaborate on the relation between power and discourse; then I will set out how the TRC exercised power. I will recapitulate how the TRC exerted power in the context of the HRV hearings by situating this display of power in a theoretical framework. I will then finish by explaining how the TRC exercised power in South African society and how it can be defined as a state institution with a political or social agenda.
6.2. Power and discourse, the context

As stressed in the introductory chapters of this thesis, the TRC was in charge of establishing an official memory of the apartheid past. The TRC was bestowed with the authority to create an archive of what had happened in this traumatic period in South African history. The preservation of memory is always selective and implicated in power, hence my reference to the TRC’s archontic power. The establishment of truth is closely connected to the question of power, as can be deduced from this citation of Foucault:

“‘Truth’ is to be understood as a system of ordered procedures for the production, regulation, distribution, circulation and operation of statements. ‘Truth’ is linked in a circular relation with systems of power which produce and sustain it, and to effects of power which it induces and which extend it. A ‘régime of truth’.” (in Gordon, 180: 133).

According to Foucault, though, it is not only powerful entities, powerful institutions or powerful personalities that succeed in establishing a discursively constructed truth. Power is also generated because the entire system (also the ‘powerless’ people) discursively reproduces regimes of truth. This is Foucault’s understanding of ‘positive power’, an item I will come back to with regard to the TRC later on. In the words of Foucault: “[…] truth isn’t outside power, or lacking in power […]. Truth is a thing of the world: it is produced only by virtue of multiple forms of constraint. And it induces regular effects of power.” (Gordon, 1980: 131; Sanford, 2003: 78).

The crucial role discourse plays in the production of knowledge and in the exercise of power has been generally acknowledged among post-structural scholars working in the domain of language, power and ideology. I will not attempt to contribute to this debate; I will merely recapitulate a couple of theories, upon which some of my premises will be based. According to Bocock (1986: 16), in his discussion on hegemony, both Althusser’s and Foucault’s conceptions of power fail to conceptualise the role of human agents. Althusser claims that power is located in the state – and in its two components, the ‘Repressive State Apparatus’ and the ‘Ideological State Apparatuses’. Foucault, on the other hand, states that power and knowledge are predominantly exercised through discourse. For Foucault, wherever there is a discourse in place there power is to be seen exercised – especially referring here to discursive practices, such as exposés and writings belonging to institutions. Still following Bocock, this opposition is transcended by
Gramsci, who acknowledged the crucial role of human agency when it comes to the execution of power or the realisation of social change. Well-known is Gramsci’s conceptualisation of hegemony as “a form of social and political ‘control’, which combines physical force or coercion with intellectual, moral and cultural persuasion or consent” (Ransome, 1992: 135). It is this coercive control that is exercised by the state, while the consensual control is exercised by civil society – and it is this second dimension of hegemonic power where discourse plays a crucial role.

In this thesis I mainly follow the basic assumptions of Foucault, although, as we will see later, also the concept of the Ideological State Apparatus can be applied to the Truth and Reconciliation Commission. In addition, to challenge Anthusser’s claim that power is located in the state, we can argue that also this power exercised by the state is based on the state’s discourse – its laws, regulations, the stipulation of public holidays, etc. Without this discursive frame the state hegemony would come to an end (Roseberry, 1996: 81-83). This means that also on the level of state power discourse plays an important role.

Foucault did look at the institutional causes of power. He identified a historical shift from sovereign power (state power) to disciplinary power (targeted at individuals) and biopower (oriented to the subjugation of bodies and the control of population in general, such as disciplining citizens by means of statistics and demographies) (Clegg, 1989: 155; Crais, 2002: 10). According to Foucault, power and discourse are closely related, for:

“Discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling block, a point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power, it also undermines and exposes it, renders it fragile and makes it possible to thwart it” (Foucault, 1984a: 110).

Through discourse, Foucault argues, truths are ‘normalised’ and it is through these normalised truths that power is exercised very effectively. Or, as he puts it (in White & Epston, 1990: 22):

“There can be no possible exercise of power without a certain economy of discourses of truth which operates through and on the basis of this association. We are subjected to the production of truth through power and we cannot exercise power except through the production of truth” (Foucault, 1980: 93).

Foucault also claims that “discourse is not simply that which translates struggles or systems of domination, but it is the thing for which and by which there is struggle, discourse is the power to be seized” (Foucault, 1984a: 110).
Bourdieu is another key scholar on the relation between power and discourse. He claims that cultural and symbolic elements such as arts and language can be situated on the level of symbolic capital, since they contain symbolic power. These elements are very efficient with regard to exercising power, since they are usually misrecognised as carriers of power (LiPuma, 1993: 21-26). In this way, power is exerted in a hidden manner, through ‘symbolic violence’ – hence being more fundamental than overt power relations (Robbins, 1991: 66; Thompson, 1994: 43-46). Discourse is especially symbolically powerful because it creates differences: it categorises, classifies and makes things explicit and seemingly self-evident – an activity which is constantly being performed, at every moment of ordinary existence (Bourdieu, 1994: 117-118). Before the TRC, for instance, South Africans were categorised as either ‘victims’, ‘perpetrators’, or - as suggested by Mamdani (1997, 1998) - ‘beneficiaries’. These labels were crucial with regard to the future lives of these people in South African society, so it was clearly a method by which the TRC exercised power – an aspect of the TRC proceedings that had been discussed elaborately by Buur (2000a).

Although Cicourel (1993: 99-107) follows Bourdieu in that discourse is indispensable to preserve power relations, he stresses, in contrast with Bourdieu, that discourse can also be used by people to exercise power consciously. A combination of conscious discourse framing and the subconscious introduction of discursive concepts seemed to be at stake before the HRV Committee. Importantly, as Bourdieu indicates, discourse is only powerful to the extent that this discourse and its users are perceived as legitimate and powerful. Power is not inherent in discourse (Robbins, 1991: 141). The TRC was a highly authoritative and legitimate institution indeed, hence the power associated with the discourse constructed at its hearings. We will see later on that this institutional aspect probably had great implications for the acceptance of reconciliation discourse in South African society.

6.3. The TRC exercised power during the HRV hearings

In this section I will recapitulate how the HRV Committee exerted power at the actual site of the victim hearings. I will do this by applying the theoretical framework of Foucault’s procedures of restriction, as explained in his ‘L’ordre du discours’ (1971 – the
English translation I use dates from 1984). By doing so, I will largely summarise what has been explained in Chapter Four. This summary will be highly relevant, though, since, together with the findings on reconciliation discourse in society, as discussed in Chapter Five, Foucault’s theoretical framework will serve as a point of departure for my discussion on TRC discourse and power\(^\text{35}\) in society later in this chapter.

6.3.1. Restrictive procedures prior to the HRV hearings

The first procedure of restriction I would like to distinguish - so a procedure that determines why an utterance could or could not be expressed - falls outside the scope of Foucault’s framework. I am referring here to mechanisms, determining the ways in which HRV testifiers could express themselves, that preceded the actual hearings. Most of these mechanisms were inherently connected to the practical workability of the TRC - and to the resources that were being made available to the Commission. I am explicitly talking here about practical limitations that are not connected to the actual discourse of the testifiers. These items were part of the TRC set-up, and they were often due to all kinds of factors situated beyond the power of the Commission itself (for instance the funding, the attitude of other political parties, etc).

There is no doubt that only a small minority of the apartheid victims came forward to the TRC, since only a small minority submitted a written statement to the HRV Committee. In the introduction to Volume Seven of the TRC Report, the TRC mentions a couple of reasons why victims could not be heard, usually not through their own fault. Sometimes people did not know that there was a cut-off date, which could be due to poor communication by the Commission. Statement takers could have promised people to go back to take their statements, but could then have failed to do so. It was also quite impossible for the TRC to cover the entire area of South Africa, and to send statement takers to every village and every neighbourhood of this vast country – also because the team of statement takers was too small and the funding only became available in April 1997, which was much too late to be of any significant use (see also TRC Report, 1998, 1/12). Due to transport problems victims could not always get to the TRC offices in

\(^{35}\) I use ‘power’ here as a shorthand, to refer both to authority and to actual power, and this in contrast with f.e. Arendt (1970). In an authoritative way the TRC could obviously influence events taking place at the HRV site. It could also determine events, so exercise power, for it was the TRC who determined according to which frame future generations would interpret the apartheid past, how they would cope with the present and how they would envisage the future.
Apartheid victims could also be afraid or ashamed to participate, or they could be prevented from coming forward by their political parties. As said, most of these limitations were not entirely due to the TRC itself. One could also say that the Commission was given few communication instruments and that in order to reach out to the population also the media and the government institutions failed to take responsibility. This procedure of restriction was thus not so much the fault of the TRC, but of the entire system.

During its mandate period, the TRC took a little under 22,000 victim statements; however, more than 8000 statements were collected after its cut-off date (TRC Report, 2003, 6/4: 575). This tells us that a fair number of apartheid victims were prepared to come forward to the TRC, but did not get the opportunity. These mechanisms of restriction were, if not inevitable, quite understandable from a practical point of view. They had nothing to do with underlying ideologies of inclusion and exclusion; they were merely practical difficulties inherent to any institution similar to the TRC.

In section 4.4.4. I have referred to the selection procedures that determined which victims would be allowed to tell their stories in public. At this level as well a large part of apartheid victims was excluded - about 90% of victims who had submitted a written statement could not participate in the public hearings. This level of exclusion was crucial, since it was predominantly at the public hearings that people could actually have their voices heard. Practical issues as well as political issue were at stake here – the Commission only had a limited time span to conclude its work, which determined the limited number of victims that could be selected, and testifying victims had to be representative for different population groups, different regions and different human rights violations committed under apartheid. I have suggested that ideological reasons could have played a role as well, since victims had to be able to relate their stories coherently and since spectacular and emotional narratives tended to be preferred.

All of these procedures of restriction were related to the selection of testifiers themselves and not to the exclusion of statements from individual testifiers. It is when looking at the actual discourse of the testifying victims that we can apply the systems of restriction as defined by Foucault.
6.3.2. Procedures of exclusion

It has become abundantly clear in Chapter Four that not anybody had the right to talk about just anything at the site of the HRV hearings. As a first set of mechanisms of restriction Foucault refers to procedures of exclusion. According to Foucault, the most obvious and also the most familiar procedure of exclusion is the prohibition. It is mainly through this concept of the prohibition that the link between discourse on the one hand and power and desire on the other is revealed. Foucault talks about three kinds of prohibition, which intersect, reinforce each other, compensate for each other and thus form a complex and ever-changing network. These three types are: ‘taboo on the object of speech’, ‘the ritual of the circumstances of speech’ and ‘the privileged right of the speaking subject’. Foucault reminds us that it is particularly in the domains of sexuality and politics that the prohibitions exercised on discourse are most powerful and pervasive.

Also at the HRV hearings these varieties of prohibition were applied. We have seen that in the discourse of the testifying victims certain topics seemed to be taboo. Narratives revolving around hatred, vengeance and intolerance were not appreciated, nor were statements involving individualism or racism. The hearings could not be used as a platform to spread political messages either. At a hearing in East London (on the 22nd of July 1996) for instance, a lady asked permission to “give a message to the Africans as we are gathering here”, after she had finished giving her testimony. This lady was known as a militant member of Poqo, the military wing of the Pan-Africanist Congress. The leading commissioner seemed to be afraid that she would start sloganising and the testifier was cut short abruptly. The hearings could not be turned into a political rally and the commissioners had to keep control all the time.

The second kind of prohibition has to do with the ritual of the circumstances of speech. Although, as interpreted by Foucault, the word ritual should probably not be taken literally, it is a fact that the TRC proceedings have often been characterised as a ritual (Ross, 1997; Bozzoli, 1998; Krog, 1998b; Buur, 2003; Goodman, 2003). In this ritual setting the atmosphere of religious reconciliation was overwhelming. Also on the level of the props (banners, slogans, candles, the cardinal dress of Desmond Tutu), the HRV hearings radiated a message of reconciliation and forgiveness. This setting – the
circumstances of speech – imposed a reconciliation-oriented grid onto the testifying victims. The ritual setting was supposed to be cathartic and to contribute to the building of a reconciled South Africa. The pressure to comply with this ideal was so overwhelming that it probably forbade certain expressions. As indicated in chapter 4.2.1. testifiers had to be extremely strong-minded and self-confident to have the courage to revolt against this determining frame. Understandably, it was quite difficult to act in a self-assured manner in a context that was so intimidating (also because of the media-presence) as the HRV hearings.

Possibly, some testifiers might not have experienced this context as curtailing, but rather as an incentive to direct their discourse towards the reconciliatory ideas of the Commission. These testifiers, such as Mr Paul Williams, Mr Beck, or Mr Chiba, might have realised the historical significance of the TRC hearings and they could have felt proud to participate in this unique event. They were probably aware that through the media their voices would be heard all over the world and that their performances at the TRC would be remembered by future generations. These victims knew that speaking out in favour of reconciliation could be an important element of the implications the TRC would have in South African society later on. They knew that using reconciliation discourse could mean that they participated in the construction of a reconciled post-apartheid South Africa. It was this uniqueness of the event, together with the official character of the TRC setting and the presence of the media, that might have stimulated them to talk reconciliation. Using reconciliation discourse might also have boosted their self-image and their prestige. As we have seen in Chapter Five, reconciliation discourse really came in vogue in post-TRC South Africa. People who had manifestly contributed to the establishment of this reconciliation discourse might have been welcomed as heroes in the real world outside the TRC hearings.

This means that, on the one hand, the reconciliation-oriented and ritualised context might have been restricting, prohibiting testifiers to speak openly. On the other hand, though, these circumstances could also have led to a sort of self-prohibition, whereby victims were either willing or forced themselves - with all the gradations in between - to comply with this reconciliatory grid to either promote their personal prestige or to partake in a transformation process with a historical significance. Obviously, I am only
suggesting possible factors motivating testifiers to express themselves in a certain manner. It is also possible that certain testifiers spontaneously felt inclined to commit themselves to reconciliation. This alternative interpretation has to be kept in mind throughout this section.

The third kind of prohibition distinguished by Foucault is the privileged or the exclusive right of the speaking subject. This procedure of exclusion can be linked to the ‘self-prohibition’ discussed in the previous paragraph. The victims who told their stories at the HRV hearings were given a special social status. As a result of the TRC proceedings a new category of South Africans emerged: victims of gross human rights violations. This referred to South Africans who had a lot of prestige in South African society since they had testified before the TRC. Not only did TRC victims have a special status, it was also a status that granted them specific privileges – the right to get reparations for instance (only South Africans that were labelled ‘TRC victims’ could apply for reparations).

Obviously, the ‘victim category’ already existed under apartheid and also on a worldwide level victims of the apartheid regime were internationally recognised. What the TRC did, though, was extending this category and thus changing the meaning of the term. In a very inclusive way the outer limits of victimhood were shifted, and this in order to also accept white victims (and even right-wing people who had suffered from human rights violations committed by the liberation movements) to become part of this victim category. As mentioned before, the TRC ‘victim category’ was a highly inclusive concept, referring to the entire, new nation. It is the interpretation of the term victim, amongst others, that demonstrates the inclusive character of the TRC and the bridging function it fulfilled between the inclusive post-apartheid era and the exclusive apartheid era.

The importance of these testifying victims was not only based on the status attributed to them by the TRC itself, it could also be connected to an esteem coming from their communities. We may not forget that these victims were purposely selected to represent a typical human rights violation and a larger group of victims of these human rights violations. They thus had a huge responsibility in that they were supposed to also represent the suffering of fellow community members. Obviously, some of these community members could also be perpetrators, who had no affinity with the testifying victims and who were sometimes even threatening to them. In any case, these testifiers
Chapter Six

were privileged in post-apartheid South Africa; they had the exclusive right to speak in the name of others.

This privilege granted them a great deal of discursive freedom, but it also imposed restrictions. Since they talked before the eyes of the world, it was to a large extent impossible to be untruthful. After the TRC hearings, these victims would go back to their community members and families, who were sometimes familiar with the particular gross human rights violations or with the context in which these atrocities had taken place. As a result, telling lies was sometimes highly improper. Not only were victims more or less obliged to tell the truth; they should also attempt to give their narratives a high level of ‘narrative integrity’ (see 4.1.3.), meaning that they should try to frame their stories conform with existing moral norms of right and wrong. Freeman & Brockmeier (2001) point out that in periods where moral values are unclear, stories usually have a low degree of narrative integrity. The opposite was the case in South Africa at the time of the TRC proceedings, since in this post-apartheid era the borders of morality were fairly well delineated. It was not so difficult for the victims to have their stories linked up with prevailing opinions of ‘good’ or ‘right’ – complying with attitudes like reconciliation, forgiveness, respect, peace and tolerance was definitely morally valued.

As stated before, the victims could also be aware of the fact that they were chosen and exemplary, which could influence their discourse – it could be less spontaneous or they could exaggerate in their support of reconciliation and forgiveness. The fact that these victims were privileged thus clearly involved a particular framing of their language.

Another principle of exclusion, according to Foucault, is not another prohibition, but a division and a rejection. Foucault refers here to the opposition between reason and madness, an opposition I shall interpret very broadly with regard to the TRC. Throughout history the words of the madman have been considered worthless and meaningless, as well as invested with strange, truthful powers. Although such a division between reason and madness was often exercised on the words of the madman, these words were never recorded or actually listened to. This contradictory opposition between insignificant discourse on the one hand and powerful discourse on the other cannot straightforwardly be applied to the discourse of HRV testifiers. We have seen in section 4.2.4. that all of the victims who appeared before the TRC were respected. Their discourse was never
considered worthless; it was rather esteemed and valued. Because this appreciation was not unqualified and because it was not attributed to each testifier to the same extent, the issues of division and rejection also play a role here.

First, on a very overt level, division resulting in rejection could be detected at the stage preceding the actual hearings. On this meta-level testifying victims had to comply with a number of well-defined criteria. This led to a division and a rejection of a certain group of victims, first at the level of the statement taking and then on the level of selection to appear in public. Victims who were rejected at this stage did not get the favourable label of TRC victim, nor could they apply for reparations.

At the actual HRV hearings the division and selection took place in a much more subtle way, since it was embedded in the constructed reconciliation discourse. Through the testimonies and the interpretation of these narratives, the TRC redefined the boundaries between those included and excluded. In Chapter Four I have elaborated on the manners in which the testifier’s discourse was pushed in a certain direction, resulting in the - sometimes explicit - rejection of certain discursive practices. I have argued that this rejection led to a division on the level of the concrete HRV testifiers: one group could be defined as ideal testifiers, while another group was less or non-ideal. The ideal testifiers would be the preferred victims to make up the TRC archive. The non-ideal testifiers were not excluded at the actual TRC site, but their voices were generally less heard, mentioned or remembered in post-TRC discourse. For instance, when taking renowned reflections on the TRC process, such as ‘No Future Without Forgiveness’, by Desmond Tutu (1999b), or ‘A country unmasked’, by Alex Boraine (2000c), we notice that the examples taken are often illustrations of the incredible willingness to forgive expressed by a number of HRV victims. Bishop Tutu (1999b: 82, 120) describes the victims who testified to the Commission as remarkable, extraordinary and special; he even calls them VSPs, or Very Special People. No doubt that when using these favourable definitions, Mr Tutu has mainly these victims in mind who openly claimed to support reconciliation and forgiveness. Also other publications predominantly point at the victims whose discourse was reconciliation-oriented, while testifiers who were less cooperative are hardly even mentioned. We should not forget the large number of negative publications on the TRC and its reconciliatory efforts, although also more critical authors often referred to
testimonies that illustrated the extreme willingness to forgive among certain victims (see for instance Orr, 2000a, chapter five).

Interestingly, we thus notice that in the construction of the HRV reconciliation discourse, there sometimes existed a similar ‘contradictory opposition’ as Foucault explains regarding the discourse of the madman. In contrast with the madman’s discourse, which was generally ignored, the discourse of TRC victims was generally respected and valued. When looking at the non-ideal testifiers, though, it is remarkable that their discourse was at the same time esteemed and considered as unworthy to be preserved for future generations. Non-ideal testifiers could have their voices heard, but the commissioners tried to modify this discourse, and it was not deemed useful or sensible to pay too much attention to it in post-TRC records.

Foucault considers the opposition between true and false as a third system of exclusion. This opposition was quite crucial before the Truth Commission. Foucault talks about the will to truth as a historical construction and as an institutionally constraining system, leading to a desire to classify, measure and observe. This desire was established, reinforced and renewed by a whole lot of institutional practices, such as publishing, pedagogy and economic practices (Foucault, 1984a: 111-113). At the TRC the ‘will to truth’ was given a special dimension. One of the TRC’s objectives was to reveal the truth as had happened under apartheid. At the HRV hearings this truth was to be derived from the victim testimonies, whereby especially narrative and personal truth were seen as crucial (these truths being two of the four truths distinguished by the TRC, see TRC Report, 1998, 1/5: 109-113). This desire for truth led the TRC to establish a victim category – classification made the apartheid past verifiable and manageable. It also urged them to define criteria stipulating which truths would be accepted. If the gross human rights violation was not politically motivated for instance, the testifier was ‘out-of-mandate’, so his or her truth could not be heard. We have seen that at the HRV hearings there seemed to be a preference for a specific kind of truth. As an institution aimed at breaking away from a terrifying past, it looked as if the TRC was interested, amongst others, in emotionally loaded apartheid truths, in truths that portrayed South Africans as both victims and perpetrators, or in truths that originated in the past, but seemed to be
continued in the present. I am talking here about a kind of meta-truth, which was different from the truth related to the actual content of the narrative.

As argued in Chapter Five, the TRC did not only reveal past truths, it also tried to establish truths and to introduce them into South African society. The will to truth was thus both applied to the past, and projected onto future South Africa. However, not any kind of truth was acceptable. The truth that was desired, constructed and subsequently made available to the public was clearly a truth that centred around the concept of reconciliation. The desire to understand and grasp the apartheid truth was thus transformed to a desire to possess and control the present and the future truth. The discourse of the testifiers and the way it was framed fitted in this will to manage the truth, since it was the constructed reconciliation discourse that formed the basis for the reconciliation-oriented socio-political truth.

Of the three great systems of exclusion which forge discourse - the forbidden discourse, the division leading to rejection, and the will to truth -, Foucault sees the third one as the most dominant. In fact, he claims “the first two [systems of exclusion] are constantly becoming more and more fragile and more uncertain, to the extent that they are now invaded by the will to truth, which for its part constantly grows stronger, deeper and more implacable” (Foucault, 1984a: 113-114). What is at stake in this will to truth, according to Foucault, is nothing more than desire and power – or a desire for power. It is because institutions exercise power that they are eager to produce ‘true’ discourses. However, in present-day society the will to truth as a mechanism for power is not really talked about a lot, and this because the power-aspect of truthful discourse is usually masked by truth itself. Exercising power through discourse is a hidden, though highly effective manner to exert power, as we have seen in the first section of this chapter.

Usually, though, we are unaware of the will to truth, we rather “conceive a truth as a richness, a fecundity, a gentle and insidious universal force” (Foucault, 1984a: 114). This was definitely at stake at the TRC, where people tended to pay attention solely to the noble objectives of the Commission, without taking into account the underlying power aspects. We can thus already argue, indeed, that it was mainly through the desire to establish truthful discourse that the Commission managed to exercise power in post-TRC South Africa - I will come back to this issue in the second part of this chapter.
6.3.3. Internal procedures of restriction

Foucault continues by claiming that there are many other procedures for controlling and delimiting discourse. The procedures discussed until now operate from the exterior: “they function as systems of exclusion and they have to do with the part of discourse which puts power and desire at stake” (Foucault, 1984a: 114). Let me also briefly talk about some of the internal procedures where discourse exercises its own control.

According to Foucault, discourse is always determined by the regulations of the genre, the author and the discipline. The fact that discourse belongs to a genre limits the chance-element in discourse on the basis of repetition and sameness. The principle of the genre means that discourse is always a repetition, always a new formulation of a discursive practice that already existed – discourse is inherently multiform and variform. At this point we clearly find resemblances with the ideas of heteroglossia and the dialogic nature of discourse as put forward by Bakhtin. At the HRV Committee the discursive genre could be described as oral narratives of trauma, largely situated in the past, combined with techniques taken from the genres of interrogation and the media. These narratives had an externally determined structure: victims first had to give some general information about their families, they then had to talk about the gross human rights violation in case and they finally had to answer questions posed by the commissioners. This was a format that clearly involved discursive limitations. The structures of the oral traumatic narrative, the interrogation and the media discourse also contained internal restrictions inherent to the genre – for instance, testifiers had to speak understandably in order to be understood by the commissioners and the interpreters, extra-linguistic parameters of emotion were allowed and the interrogation had to be conform to the question-answer format.

Interestingly, through entextualisation - so through an (endless) construction of new discourses - the genre of discourse can change and so do the procedures for control and restriction. The oral HRV narratives were entextualised initially by translating them and by putting them on the TRC website in a written form. With regard to this “repetition in disguise”, as Foucault calls it, a different set of control mechanisms has to be taken into account. The written testimonies were entextualised in English, a choice that was motivated by a particular language ideology, as explained in chapter 2.4.6. These
narratives had to comply with - amongst others - orthographical rules and they were labelled and classified. This written format also meant that features of oral discourse were largely left out and that extra-linguistic features were mostly dismissed. The original oral narratives were then further entextualised, for instance by turning them into theatre productions or by taking them as the basis for prose, poetry or research. In all of these formats, the genre imposed rules, regulations and restrictions to the discourse.

The author principle also limits the chance-element in discourse, but then rather on the basis of individuality and self. With ‘the author’ Foucault does not necessarily mean the speaking individual who pronounces a word or writes a text. Rather, it is a principle that establishes the coherence and unity of discourse; it lies at the origin of the discourse’s meaning and it acts as the focus of its coherence. We should of course not deny the existence of the author as an individual, but in fact such an individual fulfils merely the same functions as the author principle: bringing fragments of discourse together to form a coherent unity. In the case of the TRC, this author principle was fulfilled by what I have called the archons in chapter 3.1.4. It was the archons who had the power to organise discourse, to unify it and to make it available for future archiving efforts. These archons imposed specific restrictions to the HRV narratives: the TRC structure, so also the discourse allowed at its hearings, was determined by a parliamentary act; next, the TRC commissioners and the testifying victims tried to bring coherence and unity in the HRV narratives at the actual site of the hearings; and finally, all of the actors involved in the continuous entextualisation process of the TRC narratives transformed these pieces of discourse, added extra layers of meaning, and then tried to unify all of the fragments of TRC discourse to create a coherent whole.

The final internal procedure to delineate discourse is related to the discipline. According to Foucault, a discipline is “a principle of control over the production of discourse” (Foucault, 1984a: 120). A discipline is not only “the sum of what can be truthfully said about something; it is not even the sum of all that can be accepted about the same data in virtue of some principle of coherence or systematicity”. In fact, in order to be part of a discipline, a proposition has to be able to be inscribed on a certain type of theoretical horizon. As Foucault (1984a: 119) puts is, “a proposition must fulfil complex and heavy requirements to be able to belong to a grouping of a discipline; before it can be true or false, it must be ‘in the true’”. People can speak the truth, but in order to be ‘in the true’
they have to speak according to the regulations of the discipline’s discourse of a certain time.

The reconciliation discourse constructed at the HRV hearings belonged to a set of various disciplines, among which legal discourse, a therapeutic consultation by a psychologist and a religious confession, all of which cloaked in a strictly contextualised narrative of nation building and reconciliation. This network of complementary disciplines determined what could be accepted as truthful, as coherent and as systematic. It was this network that imposed the rules of the production of discourse. The utterances of the testifiers only belonged to this pattern of disciplines if they spoke the truth as defined by the HRV Committee. In addition, when applying Foucault’s framework, they had to be ‘in the true’, meaning that they had to “obey the rules of a discursive policing”. They had to express themselves in a manner conform to the rules of the above-mentioned disciplines that were operative at this specific historical TRC context. They also had to reactivate these rules in each of their discursive moments. It was this disciplinary network that determined how testifiers had to frame their discourse on a historical, ideological and identity level, and that also determined how the commissioners were to react to these statements.

6.3.4. Conditions imposed on the speaking subject

Foucault then talks about a third group of procedures that permit the control of discourse. This time it is not a matter of mastering the powers inherent to discourse, nor of averting the unpredictability of its appearance. These procedures of restriction refer to the conditions determining when, where and especially by whom this discourse can be employed. In fact, not all regions of discourse are equally accessible to any speaking subject. No one will use a certain type of discourse – “enter the order of discourse” in the words of Foucault – if he or she does not satisfy certain requirements, or if he or she is not qualified to do so. Some regions of discourse are open to a wide variety of speakers, without prior restriction, while others are totally prohibited for certain groups of speakers.
Participating in the construction of the HRV reconciliation discourse was the privilege of a highly select group of South Africans. A limited number of apartheid victims was chosen and they developed this discourse in collaboration with a fixed set of HRV committee members. Other groups in society were not qualified to take part. As we have seen in chapter 4.3.3, not even the audience present at the hearings was allowed to assist in the constructing of this discourse. In Chapter Three I have explained that the TRC proceedings were recorded and further interpreted after the actual process had come to a conclusion. All these further entextualisations and interpretations added to the overall TRC archive. All of them helped to continuously construct and reconstruct the HRV reconciliation discourse. However, also this kind of transforming, adapting and evaluating of this reconciliation discourse was not accessible to just anyone – the TRC radio transmissions were open to a fairly large group of South Africans, the TRC website was only open to a small number of people, while international publications reached an even smaller, but more specialised audience. All of this has been elaborated on in Chapter Three, and more specifically in chapter 3.1.5., where I have dealt with the hierarchy of archons.

The most superficial of these systems of restriction is what Foucault defines as the ritual. The ritual determines the qualifications that must be possessed by the speaking subjects - who, in a certain discursive order, have to take a specific position and formulate a specific kind of statements; it determines gestures, behaviour and extra-linguistic signs; finally it also defines the efficiency of words, their effect on those who are addressed, and the limits of their power. Foucault (1984a: 121) gives the examples of religious, judicial, therapeutic and also political discourse, which are inherently linked to performing a ritual. As we have seen earlier, the entire TRC process was oftentimes defined as a ritual. It was the combination of a therapeutic, a religious, a judicial and – as we will discuss later on – also a political ritual. This ritualistic setting determined a certain type of behaviour: people were dressed up, candles were burning – the atmosphere was formal and solemn. This ritual also determined a specific kind of discourse: emotional, candid, non-adversarial. Testifiers were allowed to cry and to pour out their grief; they were not allowed to be overtly aggressive, to be unconcerned about fellow South Africans or to tell lies.
A second restrictive system consists of societies of discourse. According to Foucault, they function to preserve and produce discourses and they distribute them according to strict rules. Some of these societies of discourse are obvious, such as bards in the Middle Ages or griots in certain African societies. These select groups are responsible for the production and distribution of discourse and their members are bound to secrecy. Even in some of our modern-day orders of discourse this element of secrecy is present, for instance in the world of publishing or with regard to secrecy rules in technical or scientific discourse. Also at the HRV hearings certain rules of secrecy were in operation; let me refer to one striking example.

According to the founding legislation of the TRC (see TRC Act, 1995: section 30), the names of perpetrators could not be mentioned at the hearings without these perpetrators being notified beforehand. This was to prevent that people would be implicated in a manner which could be detrimental, and to prevent people from suffering harm as a result of this naming. This meant that even when, in the written statement, victims had made allegations concerning the committed gross human rights violations of certain individuals - which happened quite consistently -, these names could not be mentioned at the public hearing, unless the perpetrator had been noticed in advance, advising him that the Commission intended to name him and allowing him an opportunity to respond. According to the Act this procedure applied to all instances where persons were at risk of being the subject of an adverse finding (TRC Report, 1998, 1/4: 91).

This rule to secrecy at the hearings severely limited the discourse of testifying victims. Sometimes this led to harrowing situations, such as the case of Joyce Mthimkulu who was prevented to appear at the HRV hearings in East London, in April 1996, because the perpetrators who had tortured her son to death had not been notified beforehand (Pons, 2000: 22-29). Also in my selection of thirty testifiers there is one victim who is prevented from mentioning the names of the perpetrators, based on this legislative rule. The testifier in case is Mr John Buthelezi, a victim who, as we have seen earlier, cannot really be defined as an ideal testifier.

**MR BUTHELEZI:** I want to mention the names now. Why did they decide to call me a ... 

**CHAIRPERSON:** Could you please ...
MR BUTHELEZI: police informer because ...

CHAIRPERSON: Could you please listen. We have never stopped you from mentioning those names. If you did not for the time that you were sitting there, do not blame it on this body. We are saying thank you, let us give others a chance.

MR LEWIN: Did he give us the names?

DR ALLY: Sorry, where is…

CHAIRPERSON: You can still, you can still give us the list of those people.

MRS SEROKE: Tom, the names are in the statement anyway. We will deal with that later.

CHAIRPERSON: Thank you for the, we have the list of those people. Thanks, please…

Clearly, this final part of Mr Buthelezi’s testimony takes place in a state of utter confusion. The testifier desperately wants to mention the names of the persons who called him an informer. Chairperson Manthata cuts him short and wants to prevent him from mentioning these names. Apparently, the chair is convinced that these names have not been submitted to the TRC in advance, which means that the persons involved could not be notified beforehand. At this point, the chair wants to dismiss the testifier and to conclude the testimony. It is commissioner Lewin who then comes back to the naming-issue and commissioner Seroke who confirms that the Commission did get the names in the written statement of the testifier. All this means that the perpetrators could have been notified beforehand and that Mr Buthelezi should have been allowed to mention these names. This whole misunderstanding – or mistake from the side of the TRC administration – resulted in the fact that Mr Buthelezi seemed to be absolutely dissatisfied when stepping down from the TRC stage. His discourse had been severely limited and he might have felt treated unjustly.

Also in the distribution of TRC material and in the composition of the TRC archive we can point at certain, maybe politically motivated, secrecy rules. For instance, the TRC archives, which are now in the custody of the National Archives, show significant gaps. Verne Harris (2002c) mentions the fact that 34 boxes of ‘sensitive’ TRC records were already removed from the TRC offices in 1999. This material is still not included in the National Archives. Also records of in camera hearings, lists of informers, a confidential submission by the ANC, records of protected witnesses, and information on certain decision-making processes were kept out of the public domain (Verne Harris, 2002c, 2002d). The fact that these kinds of documents were kept secret could be related to the
institutionalised character of the TRC. Since the Commission was a mechanism grounded in a political compromise and established by a parliamentary act, certain data were kept secret as to prevent certain top politicians from being implicated or discredited. These two examples show that the TRC can be regarded as a ‘society of discourse’, with a limited number of discourse participants. This society was subject to rules of secrecy, not only with regard to the production of discourse, but also with regard to the distribution of this discourse.

The following restrictive system distinguished by Foucault is the doctrine. A doctrine refers to a discourse that is accepted and recognised as truth by a group of speaking individuals.

“It is by holding in common one and the same doctrine that individuals define their reciprocal allegiance. […] A doctrine is always a sign, a manifestation and an instrument of an adherence to class, social status, race, nationality, an interest, etc. Doctrine binds individuals to certain types of enunciations and consequently forbids them all others. […] it uses, in return, certain types of enunciation to bind individuals among themselves and to differentiate them by that very fact from all others. Doctrine brings about a double subjection: of the speaking subjects to discourses, and of discourses to the group of speaking individuals.” (Foucault, 1984a: 122-123).

When applying the principle of the doctrine to the HRV Committee, we notice that the majority of testifying victims had been politically active under apartheid. In section 4.4.4. we have also seen that this was rather understandable. As a result, quite a number of victims spoke from a political doctrine (for instance Mr Chiba with regard to the MK, Mrs Msweli with regard to the ANC and Mrs Kemp with regard to the SACP). Some testifiers spoke from a nationalist doctrine (for instance Mr Beck) and others from a religious doctrine (Mr Paul Williams or Mrs Whitfield). All of these different doctrines, though, created an overall TRC doctrine. This was a doctrine that was partly social, partly religious and partly political, it rejected the past and heralded the future, it was opposed to repressive and dictatorial regimes and it supported democracy, human rights and freedom of speech. This doctrine created an allegiance between these victims, an allegiance that was connected to their common status, that differentiated them from other people and that would be continued also in post-TRC South Africa. This unifying doctrine was embodied in the HRV reconciliation discourse and it was a doctrine that definitely determined the limits of what could or could not be expressed at the hearings.
Finally, Foucault talks about the educational system as a mechanism to restrict discourse, since it is the schooling system that establishes patterns of social inequality. Reminding us of Gramsci’s theories on hegemony, Foucault (1984a: 123) claims that “Any system of education is a political way of maintaining or modifying the appropriation of discourses, along with the knowledges and powers which they carry”. At the TRC, education definitely played a role when it came to expressing oneself at a public hearing. Although we have seen in chapter 4.4.4. that testifiers from different social classes seemed to be given an opportunity to appear before the HRV Committee, it was important that testifiers would be able to express themselves more or less eloquently. It is therefore possible that testifiers who were educated had been favoured when selecting who was to come forward. We then see that at the hearings themselves, educated testifiers ran a bigger chance to make themselves understood. Testifiers like Mrs Kondile, Mr Paul Williams, Mrs Kemp, Mr van Eck, Mr Chiba, Mr Beck or Mrs Botha succeeded very well in getting their messages across to the audience. Testifiers like Mrs Papu, Mrs Manzala or Mr Mbathu were much more limited in their discursive competence.

We should take into account that these public TRC hearings were a very demanding speech event, making heavy demands upon the speaker’s articulateness. The variation between different testifiers should be explained on the basis of the following premise: it is within this particular discursive pattern of the public hearings that certain speakers were more articulate than others. We have noted already that with regard to communicative competence differences can be detected on the level of the population group of the testifiers. There could be a bigger chance for African testifiers to be less articulate, while there could be a bigger chance for Indian or Coloured, and definitely for white victims to be more articulate. One of the underlying reasons for this difference was definitely connected to the schooling system under apartheid. Black pupils were confined to Bantu education, which was highly inferior to the education given to other children. This restrictive system seems to be a restriction belonging to a different category. It is not really connected to the order of discourse in itself, but rather to the overall organisation of society. Since this procedure is part of Foucault’s theoretical framework, I am also applying it here, though briefly.

36 This does not mean that educated testifiers were necessarily better testifiers before the HRV Committee. It does imply that educated victims might be more articulate and might have a higher degree of communicative competence.
Foucault concludes his exposé on the discursive procedures of restriction by stressing that it is very abstract to separate some of these systems. Most of the time, he maintains, “they are linked to each other and constitute kinds of great edifices which ensure the distribution of speaking subjects into the different types of discourse and the appropriation of discourses to certain categories of subject” (Foucault, 1984a: 123). Most of these restrictive mechanisms form a network that encapsulates the entire discourse. It is hard to rip this network apart and consider all of these mechanisms as separate units. By implementing Foucault’s framework on the reconciliation discourse established at the HRV hearings, I did try to deconstruct this framework. We have noticed, though, that the recurring pattern is always the same. In many different ways the discourse of the testifying victims was limited, controlled and managed. The final result was always a particular kind of reconciliation discourse, whereby the concept (and the term) of reconciliation formed a multidimensional central truth.

6.3.5. Power exertion yes, but…

Let me finish this section, though, by emphasising again that the exertion of power at the HRV hearings should be put somewhat in perspective. Quite a number of authors are highly critical about the freedom of expression granted to testifying HRV victims. Harper (2000: 69) formulates his critique cautiously. He does not only argue that the co-constructed HRV narratives offer a provisional and subjective truth; he also states that “it is questionable to what extent each and every subject felt in control of his/her experience when telling his/her story to the TRC”. According to West (1997: 10) we cannot even begin to analyse the HRV narratives, since the victims did not tell their own stories in their own way. Also Goodman (2003: 85-87) is moderate in her critique when claiming that at the TRC empathic interlocutors constructed a larger narrative, which was forged in such a way as to offer a particular vision of reconciliation. Ross (1996; 2000) states that the TRC imposed narrative strategies, Lalu & Harris (1996: 33) argue that the TRC was constrained by its approach to questions of truth and reconciliation and also Grunebaum-Ralph (2001: 201) tells us that at the HRV hearings “testimony has been made to ‘fit’ a particular narrative of a ‘new’ South African history”. This author continues that “individuals’ testimonies and the experiences that [were] given voice [were] pre-inscribed into an archive that [was] grounded within the institutional and
discursive framework of the TRC and its political context”. Bock et al (2000) also emphasise that the HRV stories were jointly constructed; in addition, they were contextualised by the commissioners in such a way that each person’s narrative could be seen as “contributing to the bigger picture”. Bharucha (2002: 374) is quite radical when noting that although victims who appeared before the HRV Committee were allowed to tell their stories, were healed and were listened to, they “ultimately [were] subject to the rhetoric of a discourse over which [they] had no control”. And finally there is Corry & Terre Blanche (2000: 14) who maintain that the TRC victim narratives were often overdetermined by dominant discursive structures. In fact, the Commission set up conditions to make certain kinds of utterances possible and it then treated these utterances as discoveries rather than social products.

Although all of the above-mentioned authors did formulate their critique carefully, the gist of the argument was always that the HRV Committee strongly regimented the testifiers’ discursive freedom. I have illustrated in Chapter Four that discursive constructionism was definitely an issue at the HRV hearings. Nevertheless, one should be aware of the fact that discursive power is a multifaceted concept and that the terms linguistic regimentation/manipulation cannot be used lightly.

In his discussion on the politics of languages, Lakoff (1990) compares two institutional discourses: psychotherapeutic discourse and courtroom discourse. Language used in a courtroom is formal, ceremonial and non-spontaneous; it can be defined as elaborated code. Therapeutic discourse is more informal and more spontaneous and intimate; it can be defined as restricted code (Lakoff, 1990: 99). Lakoff continues that in any of these institutions there is always a possibility of power abuse; to a certain extent institutions always permit or prohibit certain kinds of discourse (see also Das & Kleinman, 1999: 5). The language used at the HRV hearings was a combination of therapeutic, legal and religious discourse. There was also an interesting combination of restricted and elaborated code, depending on the victim or on the leading commissioner. Although in these contexts there is always inequality of power relations, this does not necessarily lead to power abuse.

We have seen that at the HRV Committee we could speak about inequality among the various discourse participants. To a greater or lesser extent, testifiers were indeed urged
to direct their language in a certain direction. The HRV commissioners did set the boundaries to the types of statements that were permissible or sayable, both depending on what Foucault might call ‘dividing practices’ (Kelsall, 2004: 11). It is important to stress, though, that at the actual hearings this execution of power should not be generalised. The discussion of Foucault’s framework has told us that power was indeed at stake at various levels of the HRV process. However, at the same time, testifiers were respected, acknowledged and listened to, which was a totally new experience to many of them. In addition, although the commissioners sometimes tried to constrain the discourse of the testifiers, these victims also reacted against this discursive pressure. This resulted in complex ‘discursive struggles’ (Hardy & Phillips, 1999: 5) between members of this institutional field, as each tried to influence the way it was defined. In fact, this intricate network of different dimensions of power exertion, revealed through the interaction between speech participants, helped to co-construct the institutional context of the Commission. In line with Philips & Hardy (2002) we can therefore say that before the HRV Committee, the individual identities of the testifiers and the institutional identity of the TRC influenced, informed and enriched each other.

Discourse at the HRV hearings is an ideal example of an interesting presupposition in certain branches of discourse analysis, namely that one should never draw conclusions prior to the actual analysis of discourse (see for instance Hutchby & Wooffitt, 1998: 164; Verschueren, 2001; Blommaert, 2005: 54-57). Just like in any institution with asymmetric power relations between its participants, power was an issue at the TRC. We have clearly seen, though, that the HRV testifiers also reacted against this division of power. Some of them manipulated the situation and participated actively in the construction of reconciliation discourse. In fact, all of the discourse participants possessed a certain amount of discursive power. They employed this power differently, but through the reconciliation discourse they all helped to establish the institutional context of the TRC. In what follows, I will continue to elaborate on the way the TRC exercised power, not only in the context of the hearings itself, but also on a wider societal level. Nevertheless, it did seem important to me to stress that this execution of power should not be conceptualised one-sidedly. Later on, we will see that also the TRC’s socio-political execution of power should not necessarily be framed negatively, hence being reminiscent of Foucault’s conviction that power is not always a negative force.
There is one more element I have to emphasise: I do not consider the mere fact of exercising power at the HRV hearings as something problematic – in the institutional context of the TRC this was totally inevitable and, as we have seen, this power exertion was not totally unilateral. What I do object to, though, is the way in which the HRV hearings were advertised and the way in which at the actual hearings, testifiers were deluded with images of spontaneity and absolute freedom of expression. As stated by Buur (2000a), testifiers were briefed before appearing at the actual public hearings. They were more or less told what the structure of the hearing would look like, what kind of questions would be posed and by which committee members. There were probably also informed what to expect from this public appearance and what the TRC expected in return. However, I am focussing on the discourse expressed at the actual site of the HRV hearings. In these testimonies it is quite striking how the commissioners manifestly assured the victim that he or she would be able to tell the story “in his/her own words”, “without being interrupted”, “as spontaneous as possible”. It was often stated that the commissioners were not going to try to “put words in the mouths of the testifiers” and that the victims would be given “as much time as needed to talk about his/her experiences”. Let me just give a few examples, all of which coming from the opening statements of the testimonies.

-Commissioner Boraine in the introduction to Mrs Skhosana’s testimony:

  “Mrs Skhosana, you are going to tell a very terrible story of what happened ten years ago when ten or nine, rather, young people were brutally killed, but I do not want to put words into your mouth so I am going to ask you to tell your story in your own words and when you are ready, please start.”

-Commissioner Sooka in the introduction to Mr Chiba’s testimony:

  “So when you give your evidence today, I would like you to take your time and to feel that you use the time that is allocated to you, wisely, to stress the points which you feel need to come out of your testimony.”

-Commissioner Lewin in the introduction to Mr Buthelezi’s testimony:

  “The story you have to tell covers not just 1985, but, as we understand it, 1986 and 1987 and if you are feeling comfortable and relaxed if you could please, in your own words, in your own time, tell us your story. Thank you.”
-Commissioner Boraine in the introduction to Mr van Eck’s testimony:

“The story that you have to tell is a very sad and horrifying story. We want to listen very very carefully, we hope that you will feel comfortable and relaxed and obviously you will use the language of your own choice. I'm going to hand over now to my colleague Yasmin Sooka for the taking of the oath and the assistance to you as you tell your story.”

-Commissioner Sandi in the introduction to Mr Williams’s testimony:

“I’d request you to briefly give us details about what happened so that you can give us all the things that you know about, just tell us the highlights and briefly state everything that you think is most important. I would like you especially to explain on everything that you think is very important to you.”

All of these illustrations are taken from my selection of thirty testifiers, so clearly this reassuring of the testifiers was quite a common feature. Although victims probably knew that they were limited and that they were to keep to spoken and unspoken rules, by means of these phrases the impression was given that the HRV hearings offered total freedom of expression. This might have been misleading to the testifiers and it might have given them wrong expectations – which could have resulted in disappointment and dissatisfaction when leaving the TRC. Maybe, leading commissioners could have been more cautious when referring to this supposed discursive freedom – after all they knew that this was an ideal very difficult to realise.

To sum up, this section has served as a recapitulation of Chapter Four, in which those findings have been given a theoretical foundation. It is through these procedures of restriction that we have summarised and clarified how the HRV Committee exercised power at the site of the actual hearings. This power will now be projected onto South African society at large. In Chapter Five we have seen how reconciliation discourse became widely adopted in South African reality. Though conceptualised in various different ways, reconciliation was the core of this regime of truth. By discussing how, by means of its reconciliation discourse, the TRC exerted power on South African society, the following section will thus function as the continuation of the preceding two chapters.
6.4. The TRC exercised power in society

Chapter Five told us that the HRV reconciliation discourse seemed to have had a considerable impact on post-TRC South Africa, leading to a reconciliation-oriented socio-political reality. Apparently, the HRV Committee thus not only exercised power in the course of its process, it also left a powerful imprint on South African society. I have therefore suggested that the adoption of HRV reconciliation discourse corresponds to the fact that the TRC could be seen as a powerful institution in post-apartheid South Africa. The fact that reconciliation, as a multidimensional concept, tended to be accepted by a wide variety of different groups, added to this powerful nature of the Commission. In this section I will attempt to deal with the wider implications of the power exerted by this HRV reconciliation discourse, implications going beyond the mere fact that this discourse became a favourite type of discourse in South Africa. Rather, I would like to offer some suggestions with regard to the impact the TRC might have had on the relative peace, stability and reconciliation in current day South African society.

First however, I would like to go back to the origins of the socio-political power associated with this reconciliation discourse. More specifically, I will point at a number of particular characteristics, which made it possible for reconciliation discourse to get accepted as powerful at this particular point in time. Because indeed, when trying to detect the origins of this power we should first take into account the historicity of the TRC process.

6.4.1. The TRC and its power exertion from a historical perspective

We can argue that particular discourses only become visible at certain moments in time; time has to be ripe for certain discursive regimes to appear. In earlier paragraphs I have referred to the HRV narratives as ‘hidden transcripts’, transcripts which have been circulating among a certain group of people for a long time, but which can only be expressed in public at a particular point in time. These hidden transcripts are typically bearers of subjugated knowledges, as defined by Foucault (in Gordon, 1980: 81-83). This refers to “blocs of historical knowledge which were present, but disguised within the body of functionalist and systematising theory”, “it is a particular, local, regional knowledge […] which owes it force only to the harshness with which it is opposed by
everything surrounding it”. For a number of decades already the TRC victim narratives had been circulating among people oppressed by the apartheid regime or belonging to the liberation movements. It had often been prohibited to talk about apartheid atrocities outside of this group of subjugated people. If people were allowed to relate their experiences, these narratives were dismissed and the narrators were ridiculed. Expressing hidden transcripts is always risky, but at certain moments the risk can be significantly reduced (Scott, 1990: 210). After the fall of apartheid, it became less risky to relate apartheid atrocities. The TRC was then regarded as a ‘safe space’, where experiences from the past could be relived relatively worryless (Ericson, 2001; Gready, 2003: 23). However, as has become clear in a number of victim testimonies, many HRV testifiers indicated that they were still afraid of their perpetrators and that the apartheid relations of terror had not completely disappeared.

According to Scott (1990: 16), hidden transcripts usually come to the surface in moments of crisis or political revolution. Although the transformation to democracy in South Africa took place in a remarkably peaceful way, the transition period in which the TRC process occurred could definitely be defined as a period of political revolution – sometimes even crisis. It was only under these particular historical circumstances that apartheid victims could come forward with their traumatic narratives. At certain points in time, the entire population can be given the opportunity to come forward with its hidden transcripts. Such an opening up sometimes leads to intense social reaction and sometimes even aggression and violence (Scott, 1990: 188, 213). In the case of South Africa the TRC narratives provoked a lot of social upheaval, indeed. Also an augmentation of violence could be detected in post-TRC South Africa, but this violence should probably not be linked to the narration of TRC stories – Sparks (2003: 168) even states that it is significant that there has been no single instance of private revenge as a result of the hearings (see also Simpson, 1998). Most victims appeared to have been satisfied with finding out the truth of what happened – very rarely this revelation of the truth led to denial and the need for revenge (Lax, 2002: 18).

Scott (1990: 202) claims that especially the very first public expression of a hidden transcript can be seen as a key moment in a transitional process. When applying this idea to the TRC, we notice that, indeed, the first HRV hearings – taking place in East London
in April 1996 – received an enormous amount of media attention. These hearings were seen as a crystallising event in the transition to a democratic South Africa - and this, maybe, rather on a popular, people-oriented, level than for instance the first democratic elections, which was merely a transition on a political level.

Interestingly, it is only at certain moments in time that discourses become accessible for research as well (Blommaert, 2005: 70). TRC data have been fairly accessible right from the start of the process. However, as pointed out in chapter 3.1.2., a large part of the primary TRC material is still kept at the National Archives in Pretoria, where it is not as open to the public as it is supposed to be. Also in section 6.3. I have referred to the rules of secrecy that are maintained with regard to the TRC records. Apparently, time is not yet ripe to reveal everything that has been discovered by the Commission.

Clearly, discourse is inherently connected to historical opportunities, and consequently, also the degree of truthfulness of particular discourses depends on the historical context. As maintained by Foucault, whether discourses are perceived as true or false is historically constructed; “the ‘truths’ and ‘falsehoods’ of particular discourses have been constituted historically” (Clegg, 1989: 167). In the case of the South African apartheid victims, it was only after the fall of apartheid that their stories could be told in public and that, even more importantly, these stories were accepted and believed. It is commonly perceived that the acknowledgement of the past was one of the main achievements of the TRC (Ash, 1997; Franz, 1997; Bzos, 1998: 132; Christy, 2000: 57; Quinn, 2001). Also the victims themselves saw the recognition of their apartheid experiences as one of the most positive elements of the entire TRC process (Picker, 2003). Only after 1994, narratives of apartheid atrocities could be related and accepted as a truthful past – only after 1994 these narratives could thus start to exercise power on a wider socio-political scale.

I have suggested in the previous chapter that the truth as established at the HRV hearings – so the truth the TRC wanted to project to the future society – revolved around the concept of reconciliation. Also the fact that such a reconciliation discourse was deemed acceptable in post-TRC South Africa was connected to the historical setting. The majority of South Africans seemed to be convinced that a reconciliation-oriented transition process was the only alternative when trying to establish a peaceful society.
They realised that also after the TRC process had come to a conclusion, reconciliation had to be embraced – only then, civil war or extreme violence could be avoided; only then attempts could be made to build a united nation.

6.4.2. The TRC as a powerful institution

Clearly, the historical time frame was right in order for reconciliation discourse to be introduced in South Africa and for a reconciliation-oriented reality to be established. The power of the TRC thus had a macro-dimension. This macro-dimension was not only based on the right historical period, but also on the fact that the TRC was established through a parliamentary act, which turned it onto a widely recognised and authoritative state institution. As has been discussed by a number of scholars, it is mainly institutions that, in any society, exercise power through their discourse.

According to Foucault, an institution necessarily has two poles: ‘apparatuses’ and ‘rules’. It has two forms or faces, since it organises both fields of visibility and systems of statements. It is on the basis of these two elements that an institution exercises power (Deleuze, 1988: 76-77). Especially state power is executed by institutional apparatuses; in fact, the most general characteristic of an institution, whether or not this is a state institution, consists of organising the relations between power and government. The TRC, being established by a parliamentary act, was definitely a state institution. This means, following Foucault, that the power it sent out was not local, or limited to privileged places; instead, it was diffuse and all-embracing (Deleuze, 1988: 26). The fact that institutions exert power by creating a certain kind of discourse, is what Fairclough (1995a, 1996) calls ‘technologisation of discourse’. This refers to the manner by which institutions manipulate discourse for their own benefit. Fairclough often refers to the technologisation of discourse in educational institutions (where exercising power takes place through training and research). We will see that at the TRC reconciliation discourse might not only have been guided and controlled for the benefit of the Commission, but also for the benefit of larger forces.

Fowler (1985: 67-68) tells us that ideologies are always imposed upon society by institutions, such as the church, the judiciary or education. Even more applicable to the
TRC, it is especially in *institutionalised rituals* that ideologies are being expressed through language (Silverstein, 1998: 138). It is these institutions that disperse a kind of discourse by which a particular reality is created – a reality that is often favourable to the ruling class. Through language, institutions exercise hegemonic power, and they also use their discourse to preserve this power. Later on, I will elaborate on this idea when defining the TRC as a state institution with a socio-political agenda.

Adding to the theories of Gramsci, Bourdieu and Foucault, Philips (1998: 218; 2000: 231) claims that the state always consists of national institutions. It is in these institutions that ideological practices aimed at nation building are situated – ideological practices that express themselves through discourse. It is thus also by means of their discourses that state institutions exert power, in an attempt to introduce a nation-building ideology in society. We have seen earlier that the HRV reconciliation discourse was centred around concepts such as national solidarity, community spirit and national unity, in addition to its focus on reconciliation. Later on, I will indeed describe the TRC as a state institution oriented towards nation building in South Africa, this nation-building aspect being a particular dimension of the Commission’s institutional power.

It is beyond question that the TRC was a powerful and authoritative institution and most likely, it was this institutional force that promoted the introduction of reconciliation discourse in South Africa. I would therefore like to define the TRC as a *centring institution*, an institution which produces meaning and which creates indexicalities that gradually become mainstream in societal discourse. According to Blommaert (2005: 79) these centring institutions occur at all levels of social life. Moreover, they are a central feature of the nation state as an ‘imagined community’ (Anderson, 1983). One of the TRC’s objectives was indeed the building of a unified nation – I will come back to this aspect of nation building later on.

Blommaert (2005: 170-171) connects these centring institutions to *orders of indexicality*, which he defines as “stratified patterns of social meanings often called ‘norms’ or ‘rules’ and defining what kind of meanings and values the semiotic action or process would have in specific contexts”. People have to orient their discourse to these orders of indexicality in order to have voice, so to be acceptably understood in a given context. It is the reconciliation discourse as an order of indexicality that is linked to the TRC as a
centring institution. At every discursive moment, people are subject to the pressure of these centring institutions. Together with the educational system, the church and political movements, also the TRC as a state institution can be considered as a centring institution with a very wide scope – predominantly exerting influence within South Africa, but definitely also beyond. Finally, Blommaert (2005: 218) describes the state as the determining centring institution, since it is the state that controls access to language, that interprets and evaluates discourse and that determines the significance of terms. Other, non-state, centring institutions can be dominant as well, but they always occur in relation to the state. The TRC was clearly a state institution, which made its role as centring institution even more crucial.

Based on the identification of the TRC as a centring institution, we can describe the HRV reconciliation discourse as a nodal point. A nodal point is a discursive or narrative event that determines the indexicalities of a specific discourse. It unites particular dimensions of this discourse at a given place and time. According to Laclau & Mouffe it is a nodal point which, within a system of semantic differentiation, fixes the discursive meaning (Torfing, 1999: 96, 109). It is around the narratives that constitute a nodal point that social relations take shape (Mumby, 1993: 6). As we have seen, the TRC brought together different interpretations of the term reconciliation and united them under the discursive regime which I have labelled ‘reconciliation discourse’. Social relations, more specifically between victims, perpetrators and beneficiaries, were established around these nodal points.

When allocating the role of centring institution to the TRC, we could take our reasoning one step further by defining the Commission as an Ideological State Apparatus (ISA) (Althusser, 1971). According to Althusser (1971: 143), ISAs present themselves to the immediate observer in the form of distinct and specialised institutions. Amongst others, he distinguishes religious ISAs, educational ISAs, legal ISA, family ISAs, or cultural ISAs. In contrast with the Repressive State Apparatus, which functions predominantly by violence, the Ideological State Apparatuses function largely by ideology. Adding to the Marxist theory Althusser (1971: 146) argues that “no class can hold State power over a long period without at the same time exercising hegemony over and in the State Ideological Apparatuses”. We have established earlier that the HRV reconciliation
discourse contained a clear, though multilayered, ideological dimension. One could maintain that it is through this ideologically coloured discourse that the TRC as an ISA exercised power on South African society.

An Ideological State Apparatus is a highly class-oriented term. According to Althusser, an ISA clearly served the objectives of the hegemonic social class, which turns these state institutions into instruments of the social struggle. In the case of the TRC, it could also be possible to apply this Marxist theory. The Commission could be seen as an ISA in the service of the proletariat (meaning the formerly powerless, the non-whites and the new government). Furthermore, the function of the TRC could be seen as revolutionary, because it helped to establish the transition to a post-apartheid era. Nevertheless, this Marxist-oriented perception cannot be unconditionally applied to the South African situation, where the stratification of society was not only determined by social, but also by ethnic, linguistic, cultural and political divisions. In addition, this thesis does not focus on the economic conditions in South Africa at the time of the TRC, or immediately following the TRC proceedings. Therefore, based on my discursive approach, I would rather define the TRC as a centring institution, as suggested earlier in this chapter.

The power the HRV Committee exerted through its discourse was thus grounded in the fact that the TRC can be considered as an authoritative state institution and in the fact that the historical time frame made this kind of discourse acceptable to the wider South African population. In the next section I will elaborate on possible implications of this TRC power. Since it is regularly claimed that some of these implications are mainly significant on a political level, I will structuralise this section around the question of whether or not the TRC can be seen as a political instrument.

6.5. The TRC as a political instrument?

A number of critics have claimed that the TRC, in its function of centring institution, was purely an instrument of the ANC. After the elections of April 1994, indeed, the African National Congress won the elections with 62.6% of the votes ([http://electionresources.org/za/provinces.php?election=1994](http://electionresources.org/za/provinces.php?election=1994)). Thereupon, a Government of National Unity was established, which was a constitutionally defined multi-party government consisting of seven political parties that were voted to power in
these first democratic elections. In her discussion of the HRV hearings at Alexandra Township, Bozzoli (1998: 173) clearly states that the choice of witnesses was heavily influenced by the ANC. As a result, it was the ANC that was openly identified with the public telling of the story of Alexandra’s past. Also many other authors claim that the impact of the ANC on the TRC process was a recurring feature. According to Roodt (2000) for instance, the TRC was definitely biased, since it underestimated and ignored black violence; NP-committed atrocities were exaggerated, while ANC crimes tended to be neglected. As stated by Jefferey (2001: 85), the TRC treated the ANC delegation with friendliness and respect, while subjecting the NP delegation to persistent cross-questioning. Another critique, voiced by the IFP, said that in the selection of TRC commissioners and the appointment of TRC senior staff “loyalty to the ANC appeared to be a prerequisite” (Jefferey, 2001: 86). Crimes committed by the liberation movement tended to be contextualised and put into perspective as much as possible, while this was rarely the case with crimes committed by the apartheid government.

It was indeed mainly the NP and the IFP who were convinced that the TRC was prejudiced in its dealing with apartheid and anti-apartheid violence (Christie, 2000: 131). From the 17 TRC commissioners, the large majority was ‘pro-struggle’, as also noted by Laurence (1998). Not a single one could be categorised as a representative of either the NP or the IFP. Only commissioner Chris de Jager had links to Afrikaner nationalism, but he resigned, accusing the Commission of bias. ANC crimes were not as thoroughly investigated as NP crimes and there has been not the same amount of pressure to appear before the TRC on ANC and NP leaders. At the grassroots level, people with ANC affiliations were less fearful of the Commission, while people with different ideological conviction lacked the same kind of trust (Laurence, 1998). Norval (2001: 183) tells us that the critique of the TRC being an instrument of the ANC was not only voiced in ‘conservative’ quarters. Especially the IFP and the PAC (Pan-Africanist Congress), but also some NGOs were suspicious of the TRC’s political agenda. Norval continues that this accusation might contain a grain of truth, not on the basis of straightforward partiality, however. Rather, it was with regard to the non-racial, homogeneous conception of nationhood in which the TRC resembled the vision of the ANC. On a more general, long-term level, Kjeldgard & Nexo (1999: 45) state that the ANC needed a Commission like the TRC “to consolidate the new state and to help the ANC in the ongoing struggle
for hegemony”. According to quite a number of people, a political agenda thus seemed to be at stake when establishing the TRC.

However, notwithstanding the numerous accusations of partiality, the Commission itself manifestly upheld its reputation of impartiality. People like Alex Boraine and Desmond Tutu pointed out that the TRC was objective and even-handed, for instance by maintaining that also the liberation movements had committed gross human rights violations in their ‘just war against an unjust regime’ (Buur, 2000a: Chapter Ten). In fact, the Commission was quite severe in its findings on the ANC, which resulted in a major disagreement between the ANC and the TRC. The ANC even took the Commission to court prior to the public handing-over ceremony of the TRC Report in October 1998 (Tutu, 1999b: 168-169). When the Report was officially presented to South African parliament, on the 25th of February 1999, President Mandela paid tribute to the TRC’s work (Boraine, 2000c: 318-319). Many of the ANC delegates however, were absolutely devastated about some of the Commission’s negative conclusions with regard to the ANC struggle against apartheid. The ANC was dissatisfied about the way they had been portrayed by the Commission, nor did the TRC and the ANC-led government reach an agreement on the issue of Urgent Interim Reparations to apartheid victims, after the closing down of the HRV aspect of the TRC (Buur, 2000a: 72). In essence, the fact that all major political parties were dissatisfied with the conclusions of the TRC, proved that the Commission had been largely even-handed (Cherry, 2000: 6; Boraine, 2000c: 231).

When looking at my discursive analysis in Chapter Four, one of the conclusions was that the HRV Committee tried its best to lend a voice to victims from all sides of the apartheid conflict (chapter 4.4.4.). All political groups, social classes and ethnic groups seemed to be represented at the HRV hearings – in fact, since white victims formed such a small minority, these white apartheid victims even tended to be overrepresented, which completely overrules the critique of the National Party. The HRV committee members themselves belonged to various population groups, religions and professional backgrounds. It is true, indeed, that commissioner de Jager, as a member of the Afrikaner community, resigned after some time. The other Afrikaans-speaking commissioner, Mr Wynand Malan, submitted some minority positions prior to the publication of the TRC Report (see TRC Report, 1998, volume 5, chapter 9). This might indicate that the TRC’s method of working was rather in line with the non-Afrikaans commissioners. It should
be recognised, though, that the Afrikaner community was not excluded whatsoever at the Commission. All this demonstrates the highly inclusive character of the TRC, a centring institution that addressed the entire nation in attempt to forge a common understanding of the necessity to live together peacefully.

In chapter 4.2.3., we have seen that, at the level of the actual discursive practices, the HRV commissioners tended to be largely unbiased when addressing the testifiers. Sometimes, ANC policy was explicitly defended, but in the same way, the ANC was also criticised. Especially when victims of anti-apartheid crimes were allowed to speak, the commissioners often openly stated that violence could never be justified, no matter what the ideological motivations are. On the basis of this concrete discourse analysis, together with the arguments from people such as commissioners Boraine and Tutu, it becomes rather difficult to classify the TRC as an instrument of the African National Congress. Moreover, the first proposals and discussions regarding the TRC already took place during the negotiation period between 1990-1994. At that time, the National Party was still in charge, although the ANC was its main fellow negotiator. The TRC concept was thus also approved by the NP – in fact, some ANC negotiators were convinced that the ANC had been pressurised to great concessions, since the amnesty process was an explicit condition from the side of the NP. When, in December 1995, the TRC Act came into effect, South Africa was ruled by the Government of National Unity. This meant that not only the ANC was to decide how the country should be governed, and that the TRC came into existence as a result of a political compromise.

Since it was established by a parliamentary act, the TRC was clearly a state institution. Rather than an instrument of the ANC, though, we could call it an instrument of the ruling/decision-making parties between 1990-1998 (being the year in which the first part of the TRC Report was published). Consequently, the TRC probably did have a political agenda. Its objective was to start a process of national reconciliation, whereby inclusive nation building was clearly a political exercise. In addition, we should recognise that although the establishment of the Commission was not solely in the hands of the ANC, the Commission in itself and also the majority of its conclusions were definitely beneficial for the ANC as the post-1994 majority party. As stated by Kjeldgard & Nexo (1999), the TRC came in quite handy to consolidate the new state. The TRC process has,
as a matter of fact, regularly been defined as a method to create a post-apartheid nation state, a point of view which clearly goes along with the conceptualisation of the TRC as a political instrument. Let me now elaborate a little on this issue of the TRC as a nation-building mechanism as part of this political agenda.

6.5.1. Inclusive nation building as part of a political agenda?

When defining the TRC as a centring institution I have pointed out that centring institutions can be regarded as key features in the conceptualisation of the nation state. In fact, as pointed out by Philips (1998: 221), discourse is crucial in imagining the nation. The nation is often interpreted as an ‘imagined community’, mainly constructed through discursive practices of, amongst others, state institutions (see also Bhabha, 1990a: 1; Renan, 1990: 20).

The TRC Act tells us that one of the main objectives of the TRC was “to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past” (TRC Report, 1998, 1/4: 54). According to Wilson (2001a: 13), the fact that discussions of truth seem to lead naturally into questions of national unity and nation building, is a general feature of truth commissions worldwide. In this, national unity is not an end in itself; rather, it is necessary to built a legitimate constitutional state. Also in the case of South Africa, the TRC could be seen as the archetypical transitional body, created to promote a culture of human rights as the basis for a new national identity. In contrast with some of the other countries where truth commissions have contributed to the nation-building exercise, constructing a national identity was even more problematic in South Africa. Not only was South African society extremely diverse, on an ethnic, religious and social basis, the concept of the ‘nation state’ was also defined differently by many of the different groups in society. The ANC, for instance, adopted a non-racial perspective where anyone could be included in the new nation, while some of the Afrikaners still defined the nation on the basis of their Afrikaner ‘volk’-identity (Christie, 2000: 96-117). Whether the TRC has indeed succeeded in constructing a united South Africa is highly debatable. In any case, it was the Commission’s intention, right from the start, to contribute to the nation-building project in post-apartheid South Africa.
What is more interesting from our point of view, though, is how, in the course of the TRC proceedings, this nation-building exercise was taking shape more concretely. The first aspect of the TRC nation-building exercise was the fact that the Commission constructed a common national memory, based on the ‘truth’ about human rights violations committed by the past regime and its former opponents (Buur, 2001a: 149, Christie, 2000: 94). This truth became an undeniable truth, acknowledged by any citizen who wanted to incorporate the identity of the new South Africa. This national truth formed the basis for the officially recognised apartheid past and it served as a unifying factor for a reconciled society in the future. In addition, a feeling of national unity was also established by treating all victims and all perpetrators equally. In fact, victims, perpetrators, as well as beneficiaries tended to be equalised before the TRC - I have elaborated on this inclusiveness-feature earlier. Especially victims were often constructed as national heroes, which also formed the basis for a national identity (Kjeldgard & Nexo, 1999: 126).

According to a number of commentators, the nation-building exercise of the TRC came about largely as a result of the TRC discourse. This relation between narratives and nation building is based on the inherent link between narratives and identity, a link which I discussed already in chapter 4.1.3. It is through narratives that not only the self but also a national identity is constructed (see Kerby, 1991; Brockmeier & Carbaugh, 2001; de Fina, 2003). People make themselves and the world through narratives and it is by means of narratives that they put meaning on reality (Johnstone, 2001: 640-643).

When considering this relation between nation building and TRC discourse, two levels can be distinguished. First, on a micro-level, concepts of national solidarity, community spirit and national awareness were regularly referred to, as we have seen in chapter 4.2.2. On a macro-level, it was the narrative process in itself that could be interpreted as a nation-building enterprise. In her discussion of the role of the confessional mode in South Africa, VanZanten-Gallagher (2002: 108-126) argues that the ongoing moulding of a new nation undoubtedly relies heavily on the power of stories, for “as recent studies of the modern nation state have pointed out, narratives are an integral part of the ideology of nationalism”. After 1994, in order to establish the contours of a new identity, a new national narrative needed to be constructed. It is mainly through ‘confessional narratives’, as VanZanten-Gallagher calls it, that a new identity can be created. Such a confessional
narrative can take the form of repeatedly narrating past violence, in order to heal the trauma that it carries, or of repeated public confessions. According to this author, the Commission became the prototype of post-apartheid confessional discourse, a confessional mode by which it attempted to craft a new national identity. False narratives of apartheid were replaced by new conceptions of national identity. A new sense of national values was created at the hearings, a new national narrative of accountability, acknowledgement and civil values (VanZanten-Gallagher, 2002: 124-125; Minow, 1998: 78).

Based on Anderson (1983), Goodman (2003: 87) argues that just as language has typically been seen as one of the primary mechanisms for imagining a community, also the TRC narratives “provided a common language which offered a means by which ‘pasts [could be] restored, fellowships […] imagined, and futures dreamed’”. Through the testimonies told at the TRC, relations of inclusion and exclusion were built and the South African nation thus ‘invented itself’. The stories produced at the TRC encouraged people to recognise each other, they evoked a sense of solidarity and they helped to establish a new conceptual framework of belonging (Goodman, 2003: 85). As discussed by Moon (1999: 2) as well, the new South African nation emerged as an effect of the process of storytelling. It is the narrative, as a discursive code, which operated performatively to try to fix the identity of the nation. Following Butler (1993, 1997), Moon states that it is possible to argue that “the nation ‘materialises’ as a product of its narration”, or that “(national) identities are constructed iteratively through citational processes”. Through the narrative of truth and reconciliation – so the idea that revelation of the truth about the past would lead to reconciliation in the present – the TRC created sentiments of unity. In earlier days, South Africa had been a nation divided into victims and perpetrators. At the TRC individual stories were integrated into a collective narrative of national unity (Grunebaum-Ralph & Stier, 1999: 146). In this way, a collective memory was created and it was stressed, time and again, that in the new nation, everyone should be considered as a victim as well a perpetrator, both of which could clearly be interpreted as unifying factors. The TRC process can be seen as a transitional phase, situated between a past, reprehensible vision on the nation on the one hand, and a future, praiseworthy interpretation of the nation on the other.
The TRC narratives can thus be defined as ‘narratives of transition’ (Teitel, 2002: 251-257), bringing into practice the re-conceptualisation of the nation. These narratives develop out of trials or historical commissions of inquiry, and “they make a normative claim about the relationship of a state’s [dictatorial] past to its prospects for a democratic future”. Through these narratives, suffering from the past gets transformed into future peace and reconciliation. Transitional narratives can be defined as mini-narratives, situated within the state’s national story. These narratives are central in the construction of a collective truth. As we have seen in Chapter Four, such narratives of transition are always highly complex and densely layered, especially because of the close interaction between the individual and the collective. Transitional societies with traumatic pasts are always faced with the task to create “a consensual collective national narrative” (Patel, 2003: 293). By forging solidarity through a shared national narrative and by creating a social framework of reconciliation, the TRC has definitely contributed to this process.

A nation typically defines itself by reference to aliens, foreigners, strangers and other nations. In the case of the TRC, which was clearly intended and also understood itself as a nation-building agent, the new nation was rather based on the division between the old and the new nation; the post-TRC nation seemed to be defined against the old one. In the words of Wilson (2001a: 16), “the most significant site of otherness for the new South Africa has not been other nations, it has been itself”. The new identity was constructed in an opposition between the present – and future – self and the past other. In fact, the South African nation already existed before 1994, so instead of calling the TRC a nation-building exercise, it might be better to define the Commission as being implicated in the re-building of the nation (Stacey, 1999). In fact, the old, divided nation could be considered as ‘the Other’, as opposed to the new, united nation.

Nevertheless, also at the TRC proceedings - or rather as a result of the TRC process -, new relations of inclusion and exclusion were established. The TRC’s premise was that in the new South Africa all citizens were considered as equal, based on the idea that they had all suffered equally from the past. Despite this general assumption, “certain sacrifices had to be made on the altar of the Nation” (Kjeldgard & Nexo, 1999: 25). As mentioned before, the TRC created classifications, such as ‘victim’ versus ‘perpetrator’. Since language creates conventions, this labelling of people created stereotypical notions that
were projected to the future (see also Buur, 2000a: chapter three, in his discussion of the category ‘victim of apartheid’). Although both victims and perpetrators seemed to be welcomed in the new South Africa, the label of ‘victim’ was more prestigious and more valuable than the label ‘perpetrator’. Consequently, an order of ranking was established leading to ‘preferred’ and ‘non-preferred’ new citizens. As we have seen in Chapter Four, also within the category of TRC victims, certain people tended to be more acceptable within the new nation, depending on how they expressed themselves in the course of the HRV hearings. The same probably happened within the category of the perpetrators, also here amnesty applicants were considered as more or less preferred, depending on their narrative. In all of the TRC process, clear-cut borders were never drawn, but the message spread was obvious: there were conditions for membership, citizens of the new South Africa preferably had to comply with a certain profile. South Africans who refused to commit themselves to this new identity were excluded from the new nation, at least on a moral/symbolical level.

It is sometimes argued as well that the nation-building endeavour, partly instigated by the TRC, may have had exclusive rather than inclusive consequences (Simpson, 2004: 19). This assumption is based on the overall growth of xenophobia and violence directed at foreigners. Especially immigrants from other African countries tend to be treated with hostility, as elaborately explained in the book by Crush & McDonald (2002). According to Simpson, such attitudes lead to the development of a “dangerous and damaging kind of rainbow nationalism”. Also the authorities seem to take severe action against foreigners, all of which rather harm than promote the idea of South Africa as a rainbow nation (Pérouse de Montclos, 1997: 224). Vis à vis its own citizens South Africa proudly identifies as a rainbow nation; this identifying label seems to lose significance, though, at the borders of this new nation.

Some critics also claim that it is basically impossible to construct a larger narrative out of the separate and highly fragmented narratives that were presented at the hearings. The TRC did aim at the production of a common memory, in which all these individual memories could find their place. However, Kjeldgard & Nexo (1999: 165) wonder whether the TRC, being a combination of a victim-oriented approach and national reconciliation, “was not from the beginning doomed at falling between two stools?”.
On a more psychological level, Tobias (1999: 9) is especially concerned about the attitudes of the victims towards this national exercise, for he claims that “the construction of common memory risks the betrayal of what is most intimate and inexpressible in the lives and experiences of victims”. Also Buur (1999) is critical about the nation-building enterprise of the Commission. He claims that the methodology of the TRC was highly positivistic. Without sensitivity to the victim’s story or to different narrative styles, individual experiences were decontextualised and reduced to one ‘supra-individual code’. A common history of national suffering was thus forged and this resulted in the construction of the imagined community of the nation state - according to Buur, the victims’ stories were merely used to create collective identities.

Finishing this section, and taking into account the controversies surrounding this issue, it would be reasonable to suggest that the nation-building exercise was a crucial dimension of the power exerted by the TRC. This attempt at nation building also seemed to be an element of the political agenda of some of South Africa’s leading parties. Importantly, I would like to claim that this nation building crystallised around reconciliation and that it was concretised, amongst others, by means of the HRV reconciliation discourse. To conclude this chapter on power and discourse, I will now deal with the implications of this discursive power exertion by the TRC, mainly by trying to give this exercising of power a constructive dimension.

6.6. Discussion

Let me first say some words about the nation-building aspect of the TRC’s discursive power. Following Foucault, I would like to stress that the TRC’s exertion of power on the level of nation building should not necessarily be conceived as a negative force. Foucault argues, instead, that people predominantly experience the positive or constitutive effects of power (White & Epston, 1990: 19). Power does not only contain an oppressing or suppressing character, it can also be productive (in Devos, 2004: 65). In a highly constructive manner, indeed, the TRC’s drive for nation building helped to make up the lives and identities of South Africans. It might have contributed to their self-consciousness and it encouraged them to manifestly identify as a member of an internationally acknowledged and democratic nation.
Although this TRC power contained an important nation-building dimension, we have noted in the previous chapter that it was first and foremost a reconciliation-oriented force – it is this reconciliatory force that I consider as the most dominant and coordinating feature of this TRC discourse. Also in this respect the power exercised by the TRC might have had a favourable impact on South African society. It is quite likely that the HRV Committee’s reconciliation discourse and consequently also the reconciliation discourse in South African society, have shaped the way South Africans think, feel and act. As Harper (2000: 70) puts it: “the apartheid legacy has spawned a powerful construction of identities which cannot be changed overnight”. The reconciliation process in South Africa will be a long-lasting process. This process was instigated by the TRC and presumably it is also thanks to the Commission that a reconciliation-oriented atmosphere amongst South Africans seems to last for the time being.

As Gerwel (2000: 123) puts it, the initial idea of the TRC was to deal with the past as quickly and efficiently as possible, so that South Africans could put the past behind them. However, the TRC became so dominant in everyday life that it began to take a life on its own. In fact, the TRC became a kind of monument in and of itself to the past. In doing so, Gerwel continues, it has “generated a spiritual mode of reconciliation”. As we have seen in Chapter Five, all through South Africa reconciliation-oriented initiatives have been taken in the aftermath of the TRC process, on a social, a political as well as on a rhetorical level. We can only hope that the levels of tolerance and mutual understanding among different South African population groups are also on the rise. If so - once again I should state that it is not my intention to evaluate this highly controversial reconciliation process - , then I would suggest that the TRC reconciliation discourse has played a significant role. This change in attitudes might have had wide implications on an abstract level. Starting from the time reconciliation discourse was first introduced in South African society, the spirit of ubuntu and reconciliation started to prevail and – more importantly – it also seemed to persist.

As I have mentioned earlier, it was probably largely as a result of the HRV reconciliation discourse - and the vagueness of the term reconciliation - that the debate on reconciliation was and is sustained in South African society. The outcome of this debate is that the South African nation is constantly giving meaning to its proper existence,
which can definitely be identified as a positive effect of the TRC’s reconciliation discourse. We can argue that the vagueness of the term reconciliation was a deliberate choice from the side of the TRC. It was even an inevitable choice: defining reconciliation unambiguously and restricting reconciliation discourse in such a way that it would only allow for a number of limited interpretations, would never have had the same impact on South African society. Never would the debate on reconciliation have become so dominant in South Africa and never would so many people – both nationally and internationally – have started to reflect on the value of restorative justice and peaceful conflict resolution. Finally, the power exercised by the TRC on a socio-political level can also be conceived as positive since it was a mechanism to decentralise power. All people who had participated in the TRC process – victims, perpetrators, TRC staff, but also the media, politicians, researchers and artists who used TRC material – felt as if they had contributed to ‘the building of a unified and reconciled nation’. All of these people felt powerful to a certain extent and they felt proud to be part of the new nation. Because they were given voice before the TRC they understood that they were now esteemed citizens of the new South Africa; they had gone from subjected people to subjects of the new state. It is even possible that the entire nation and the entire socio-political scene gained power as a result of the TRC proceedings, since not only TRC participants, but most South Africans might have felt committed to the TRC. They realised that their country was setting an example to the world and they could have felt part of this unique undertaking. This means that also powerless South Africans (uneducated, poor, marginal) might have got a certain amount of power because of their emotional attachment to the TRC – here we clearly see the productive power of the TRC discourse at work. Everybody talked, discussed and read about the Commission, so it was this discursively produced regime of truth of the entire state system that generated power. This is what Foucault means when he talks about ‘positive power’ – power that is rooted in the society as a whole, power that belongs to everybody and power everybody can contribute to. We might also say that this decentralisation strengthened the authority of the new state – I will leave aside whether this can be seen as a positive or a negative evolution.

In finishing I would like to temper the idea that the TRC would have presented solely a political agenda. We have seen that the TRC’s attempt to build a reconciled nation might have been positive, and basically inevitable in post-apartheid South Africa. Still, we have
concluded that this exercise was to a certain extent part of the political agenda of the ruling parties. Especially because the TRC has been defined as a centring institution, we can presume that a political agenda was definitely at stake. In addition, though, I would like to suggest that the TRC also had what I would call an inclusive social agenda. With this term I refer to objectives and motivations that were accepted (and desired) by a majority of the South African population. Inclusive indicates that it was mainly people belonging to the inclusively defined nation of South Africa who related to these objectives and motivations. It is true that the TRC itself came about as a result of a political compromise. However, the fact that the HRV reconciliation discourse tended to be smoothly accepted by South Africans, and the fact that a reconciliation-oriented regime of truth was quite easily introduced in South African society, also largely originated from a social consensus. One could presume that, just like in a country torn apart by war, where there is a longing for peace, in post-apartheid South Africa there existed a desire for reconciliation and national unity among large parts of the population. Put differently, the reconciliatory motives of the TRC seemed to be supported by the community at large, also including the civil society, church groups, youth organisations, etc. This social support was already present at the onset of the Commission, for instance with regard to the selection of the TRC commissioners. In contrast with a political agenda, we can state that a social agenda involves a different kind of legitimising support from the civil society. As I said before, people were aware of the fact that creating a united and peaceful society was the only way forward; it was the TRC that instigated the realisation of this desire.

In conclusion, we can state that the TRC was involved in a systematically organised and structural ritual of confession and reconciliation. It can thus be seen as a Foucaultian mechanism invented for the extraction of exactly those confessions that illustrate the need to establish a united and reconciled nation. To fulfil this aim, a specific discursive space was created - not only entailing the construction of reconciliation discourse at the actual HRV hearings, but also setting up an entire infrastructure of paper work and administration (Praeg, 2000: 266). The TRC constructed, managed and controlled this discursive space, in order to accomplish specific socio-political objectives.

To sum up, the suggestion offered here is that as a result of the reconciliation discourse constructed at the HRV hearings, a reconciliation-oriented reality was established in
South Africa. This reality was multifaceted, since the concept of reconciliation could be interpreted manifold. Since this reality seemed to be generally accepted in South Africa, we can argue that the TRC, through its reconciliation discourse, exerted a big influence on South African society. This discursive power depended both on the significance of the TRC as a centring institution, and on the historical moment. Political motives played a role when considering the powerful impact of the TRC, mainly because the TRC process could be considered as a nation-building exercise. In addition, though, we have also noted that the TRC could be seen as part of South Africa’s social agenda after the fall of apartheid. These discursive, social and political dimensions interacted in a powerful way, thus resulting in a phenomenon with far-reaching implications on South African history and society. The bottom-line is that the TRC’s institutional power was absolutely influential in South Africa. This power should not be seen as detrimental, but rather as a constructive and advantageous force with an eye to South Africa’s future.  

Before going to the conclusion of this work, I would like to come back to the inclusive character of the TRC, a notion I have used throughout this text, but mainly in Chapters Five and Six. I would consider inclusiveness as a superstructure of the entire TRC concept. First of all, this inclusive dimension was highlighted when I discussed the diversity of the HRV testifiers. Through this diversity, the TRC emphasised that apartheid had affected everybody, that the entire nation was a victim and that everybody should be healed. It was also as a result of this inclusiveness that victim and perpetrator identities were largely interchangeable before the TRC – or that testifiers could possess a double identity. The respect that was attributed to each and every testifier before the HRV Committee formed also an important element of the inclusive nature of the Commission. In Chapter Five we have seen that at the HRV Committee the reconciliation-oriented master-narrative and the term reconciliation itself were constructed in a very vague and multidimensional manner. Most South Africans could relate to the polysemic concept of reconciliation, so also here the inclusive dimension is at stake. Reconciliation not only became a national symbol, but also an internationally recognised identifier of the new South Africa. Finally, as mentioned in this chapter, it is  

37 Also Gibson (2004) - who conducted one of the only comprehensive studies of post-apartheid attitudes in South Africa to date - maintains that the TRC did have a positive influence on reconciliation in South Africa. Namely, “[those South Africans] who are more accepting of the TRC’s
argued by a number of critics that TRC discourse involved an influential nation-building exercise. By including all South Africans into the TRC process, by constructing a common narrative of the past and by stressing that all South Africans now had to work together to live in peace and stability, the TRC had inclusive nation building as a main objective. In this work I have mainly focused on the reconciliatory aspects of the HRV discourse, not so much on its aspirations to build a united nation. Nevertheless, it is worth mentioning that the inclusiveness of the TRC is like a Leitmotiv running through this work. It appears in different segments of this text and it is part and parcel of some of my main findings. We might even say that by demonstrating the inclusiveness of the HRV discourse, we are bridging the reconciliation-oriented and the nation-building objectives of the Commission. We could argue that the nation-building element of the TRC was largely embodied by the HRV reconciliation discourse. This means that mainly through this reconciliation discourse, a majority of South Africans recognised themselves in one central concept. They all related to the term reconciliation and in many divergent ways they all identified with this concept. As a result of this reconciliation discourse, a majority of South Africans also felt connected to the TRC. Consequently, they all felt united, which could have formed a solid basis for the construction of new, democratic South Africa.

It is now time to recapitulate my main findings and to put things a little in perspective.

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version of the truth are more likely to be reconciled” (p.334) and “accepting the TRC’s truth certainly did not contribute to ‘irreconciliation’” (p.335).
CHAPTER SEVEN

Towards a conclusion

7.1. Summarising

In this thesis I started from a socio-political phenomenon, located in one particular historical and geographical context, but with universal relevance, namely the South African Truth and Reconciliation Commission. The main objective was trying to gain insight into the ways in which the TRC might have contributed to a reconciled post-apartheid society in South Africa.

In Chapter Two I gave an overview of the TRC, the legal framework, its coming into existence and the possible alternatives that were considered after the fall of apartheid in 1994. I pointed out that the TRC could definitely be seen as a praiseworthy and unique undertaking, although a number of less favourable characteristics were also mentioned. Since this study focuses on testimonies given before the Human Rights Violations Committee, I devoted a lot of time to this subcommittee of the TRC. As an introduction to the discursive analysis in later chapters I already paid some attention to language and discourse at the HRV hearings in this introductory chapter. This chapter thus gave a lot of contextual information with regard to the TRC. I argued though, that for a decent discursive analysis such background knowledge is indispensable. Moreover, the intention of this study was not to conduct discourse analysis in the limited sense of the word. Rather, it is a socio-political study in which society is approached from the perspective of discursive constructionism.

Chapter Three was devoted to the methodology of this research project. First, I elaborated on the notion of the archive and I explained how his term would be conceptualised twofold. The first interpretation concerned the material TRC archive; both primary and secondary material were dealt with extensively. It is then the archive understood in a Foucaultian sense that I paid a lot of attention to, since I consider this concept as the theoretical core of this thesis. Adding to this Foucaultian archive I also talked about archons, archontic power and the hierarchy of archons, all of which being
applied to the context of the TRC. Based on this chapter, the initial objective of this investigation could be defined as follows: deconstructing the Foucaultian archive, so the rules of formulation, of the discourse created at the HRV hearings.

The second part of Chapter Three was devoted to the actual sample upon which the discursive analysis would be based. I explained what the difficulties and opportunities were of using transcribed textual data and audio-visual material. I then referred to the fact that these data are highly problematic and to the methods eventually used to arrive at the well-structuralised corpus that was going to be analysed. I elaborately justified the selection of my descriptive sample by paying a lot of attention to the parameters employed. Especially the parameter ‘Commitment to reconciliation’ deserved a great deal of interest, since reconciliation would be considered as a key concept in the construction of the archive at the HRV hearings. This chapter was concluded by discussing my concrete selection of thirty testifiers – by means of tables and statistics they were all categorised according to the five selected parameters.

Chapter Four contained the largest and perhaps most innovative part of this thesis. The discourse of the thirty HRV testimonies was analysed, mainly by implementing Blommaert’s theory of discursive layering. Twelve features of this HRV discourse were distinguished, all of which belonging to a specific type of discursive layering – either ideological layering, historical layering or layering on an identity level. Each of these features was discussed and illustrated by means of discursive fragments taken from the thirty transcriptions. Especially in this chapter I did not restrict myself to the detailed analysis of solely the victims’ language. Contextual information was given throughout and the HRV discourse was continuously linked to the wider socio-political reality. As a conclusion I suggested that at the HRV hearings an extremely layered kind of reconciliation discourse was created. This reconciliation discourse came about as a result of the interaction between testifying victims and commissioners, whereby certain discursive utterances seemed to be more acceptable and higher valued than others. The most preferred type of reconciliation discourse was embodied by the ideal testifiers. It looked as if it was the reconciliation discourse as constructed in the narratives of these ideal testifiers that the TRC wanted to uplift and to archive for future generations. I thus discussed how this reconciliation discourse took shape, how it was regimented, controlled and guided through a constructive interaction between the testifiers.
themselves, the HRV commissioners and the socio-political context. As a result we gained insight into the construction of the HRV archive, into the rules regulating what could or could not be expressed in this context.

This HRV archive was then further investigated by focussing in detail on the HRV reconciliation discourse in Chapter Five. Following Foucault, this reconciliation discourse was defined as an order of discourse, while the discursive practices taking place at the hearings were described as a discursive regime. I then concentrated again on the discourse of the ideal testifiers. They could be considered as an important aspect of the HRV archive, since it is on the basis of their language that we - in a coherent way - understood why certain discursive constructions were most preferred by the HRV Committee. The commitment to reconciliation was seen as the core of these ideal testifiers’ discourse and as a result I largely focussed on the ways in which these testifiers conceptualised the term reconciliation. When comparing this ideal discourse with the less-preferred discourse of other victims, we came to the conclusion that at the HRV hearings a lower limit and also a – theoretical – upper limit were established with regard to the interpretation of reconciliation. As an inherent part of the HRV reconciliation discourse, the term reconciliation seemed to be conceptualised manifold. Just like the reconciliation discourse was multilayered, also the notion of reconciliation turned out to be multifaceted at the HRV hearings.

In the second part of this chapter, this reconciliation-oriented order of discourse was linked to a specific regime of truth. We saw that although the notion of reconciliation had been circulating in South Africa before the coming into existence of the TRC, it was mainly during the TRC proceedings and in post-TRC South Africa that reconciliation became firmly grounded in the rhetorical and socio-political reality. Quite a number of examples were given of the prevalence of reconciliation in South African society. Also in South African reality though, we noted that there did not exist one specific and unambiguous interpretation of reconciliation. Reconciliation was maintained as a highly polysemous term, and it is these multiple versions of the reconciliation-concept that created the potential for power in many different contexts. As a result we could therefore argue that, through its reconciliation discourse, the TRC had a great impact on a wide variety of different domains in South African society.
The issues of discourse and – institutional – power were then discussed in Chapter Six. After a short general introduction on discourse and power, I concentrated on the ways in which the HRV Committee exercised power. First, the exertion of power in the context of the HRV hearings was discussed. In this part, the findings from Chapter Four were recapitulated by inserting them in the theoretical framework of Foucault’s *procedures of restriction*. The conclusions drawn in Chapter Four were thus given a broader significance, a more general relevance. On the basis of this framework I decided that the discursive power exercised at the HRV hearings should not be conceptualised one-sidedly. Certainly, the discourse of the testifiers seemed to be guided in a certain direction, but this was not the only force that should be taken into consideration. The testifiers’ discourse was also determined by the concrete setting at the HRV hearings and by different kinds of contextual features, both internal and external to the TRC process. And of course, the victims themselves also reacted against the imposition of discourse. They added their own layers to the reconciliation discourse and they – sometimes successfully – attempted to manipulate the interaction with the commissioners or with the audience. In addition, we may not ignore that even when the testifiers’ discourse was framed and directed by the commissioners, these testifiers still experienced an incredible amount of discursive freedom compared to the situation they had known under apartheid.

Since during and after the TRC process a multilayered reconciliation discourse came in vogue in South Africa, and since, consequently, a multidimensional reconciliation-oriented reality took shape in various societal domains, I suggested that the TRC exerted a considerable amount of power on South African society. Put differently, because reconciliation was so broadly defined at the HRV hearings and because reconciliation could thus be accepted and employed in South African society by people with various social and political agenda’s, the whole concept impacted greatly on this new nation. This impact was partly the result of the historicity of the TRC – the right discourse being expressed at the right time. Partly, it was also a result of the TRC’s nature as a highly authoritative and prestigious state institution – bearing in mind that powerful discourse is often distributed through institutions. Because defining the TRC as an Ideological State Apparatus seemed too class-oriented, I preferred to label the Commission as a *centring institution*. As a centring institution the TRC was inherently connected to a specific order of indexicality, namely its reconciliation discourse.
In the final section of Chapter Six I then discussed the wider implications of this TRC power, starting from the question whether or not the TRC could be considered as a political instrument. With regard to the political dimension of the TRC, many scholars reflecting on the TRC process, as well as most of South African political parties, severely criticised the Commission. They regularly defined the TRC as an instrument in the hands of the ANC and they often saw the attempt at nation building as an inherent aspect of this political agenda. Since the TRC was condemned from various sides of the political spectre it would be unfair to consider the Commission as an instrument in the hands of the ANC. Also, on the basis of my discursive analysis, it is reasonable to maintain that all of the testifying victims were treated with the same amount of respect and understanding. With regard to the affiliation with political parties or an expressed prejudice vis à vis certain parties, we could therefore argue that the TRC seemed to be fairly unbiased.

Nevertheless, establishing a reconciled and united nation was definitely a - political - objective of the TRC. Also the constructed reconciliation discourse and the introduced regime of truth centred around reconciling and – consequently – uniting the new South Africa. Reconciliation and nation building were crucial elements of the power the Commission exerted on South African society. I claimed however, that this power was not only part of the TRC’s political agenda; the Commission also seemed to represent a social agenda. After the fall of apartheid, there seemed to exist a social consensus among South Africans with regard to creating a reconciled nation. It is the political construction of the Truth Commission that revived this social contract.

I concluded Chapter Six by arguing that the power exerted by the TRC on the level of South African society should not be solely considered as a negative force – which has, unfortunately, often been the case in TRC-related literature. Rather the opposite, since I would put forward that as a result of - amongst others - the TRC proceedings the entire society veered towards reconciliation and peaceful coexistence. This influence of the TRC on the nation seemed quite noticeable in the years immediately following the reconciliation process – in the period that was generally described as the ‘Mandela era’ (also ‘Madiba era’). We have seen though, that also President Mbeki gradually started to recognise the power of reconciliation discourse after 1999. In society at large South Africa still seems to be blessed with a stable democracy, while large-scale clashes between
different population groups have been averted so far. At present, reconciliation seems to be a working concept among South Africans.

At the end of Chapter Six I elaborated on this positive nature of the TRC reconciliation discourse. I stated that it is possible that at the HRV hearings the reconciliation discourse and the term reconciliation were deliberately - or even inevitably - constructed in a vague and multifaceted manner. As a result, the debate on reconciliation is sustained until today, which is also why the South African nation feels the necessity to constantly re-invent itself in a meaningful way. Earlier in this text (see section 3.2.4.) I have referred to scholars who criticised the TRC for not defining reconciliation unambiguously. I would refute this critique by arguing that the vagueness of the term reconciliation was one of the reasons why the TRC largely succeeded in communicating its reconciliation-oriented message to the South African nation.

The fact that, because of its polysemy, a majority of South Africans could recognise themselves in the term reconciliation, has then been identified as an aspect of the inclusive superstructure of the TRC. Not only did the TRC construct a social concept acceptable to most South Africans, the Commission also deliberately addressed all South Africans in the course of its proceedings. As a result, the majority of South Africans felt committed to the TRC and they were proud to belong to this internationally recognised initiative. In addition, the diversity of HRV testifiers stressed the fact that everyone had suffered under apartheid and that everybody should be healed in order to build a united new nation. Also the nation-building exercise of the TRC has been seen as part of the Commission’s inclusive nature. Emphasising that all South Africans shared a common past and needed each other to build the future, was a way in which the TRC tried to spread the message of inclusive nation building.

To conclude we can say that both at the actual HRV hearings and in South African society the TRC exerted a reconciliation-oriented power. In both of these contexts though, power should be interpreted as a complex and multidimensional concept. At the hearings we have noted a fascinating combination of granting and constraining discursive freedom. In South African reality as well, the TRC exercised power, partly based on political, nation-building motivations, but also inspired by a reconciliation-driven social consensus. In all this, TRC power should be regarded as a constructive and stimulating
force, and not as a confining and adverse one. In addition, power should be seen as an exceptionally complex phenomenon that can only be applied to the TRC when taking into account its extreme layeredness – the fact that apartheid victims could appear before the TRC was highly positive; the fact that their discourse tended to be restricted at the hearings could be a negative feature; the fact that their testimonies were entextualised manifold, especially on the internet, was very positive again. Discourse, power, South African society and the TRC process are all much too complicated to draw straightforward conclusions.

Finally, I should add one remark regarding my theoretical core concept, namely the archive. Resulting from my analysis of the HRV discourse we note that there seems to exist an intriguing interaction between the material TRC archive and the archive in a Foucaultian sense. The deconstruction of the Foucaultian archive provided insight in the rules of formation of this HRV discourse. These rules of formation were both implicit and explicit and they told us that certain types of utterances seemed to be preferred before the HRV Committee, preferred utterances being personified by the ideal testifiers. Hence, it was largely the discourse of the ideal testifiers that made us understand how this HRV archive was established. In chapter 6.3.2. I already referred to the fact that the discourse of the ideal testifiers also tended to be preferred when composing the material TRC archive or the TRC memory. It seemed as if it was mainly the testimonies of the ideal testifiers that were reproduced and entextualised in post-TRC South Africa and beyond. These apartheid victims embodied the values the TRC wanted to spread to the world and their discourse was framed as the ideal discourse of citizens belonging to the new South Africa. As Blommaert et al (2001: 2) put it: “the stories of [those] people made it …more easily into ‘history’ than those of others”. Obviously, the primary TRC data included material from all of the victims who had testified before the TRC. It was the secondary data though, that seemed to concentrate largely on the ideal testifiers. There thus seemed to exist an interesting interplay between the theoretical Foucaultian archive and the more concrete material archive.

Revealing this connection is one of the fascinating outcomes of this discursive analysis. It stresses again that discursive power taking shape in an institutional context can have far-reaching implications. Since this power helped to determine the ways in which the TRC would be remembered by future generations, its impact is quite impressive – both on a
Chapter Seven

geographical and on a historical level. It is only in the beginning of this thesis, in Chapter Three, that I have paid attention to the material archive. The remainder of this work was then devoted to investigating the Foucaultian archive. Nevertheless, since we can discern links between these two types of archives, I would like to consider the archive as discussed in this work as an inclusive concept. The subtitle of my thesis *Deconstruction of a multilayered archive* therefore refers to this inclusive archival concept, containing both the material and the Foucaultian HRV archive.

7.2. The researcher’s perspective

In the previous paragraphs I have tried to clarify the point I wanted to make in this study. Let me now try to formulate some qualifications with regard to these conclusions. In this section I will deal with two aspects of this work that might have raised questions: the employed methodology and the approach taken towards the Commission.

7.2.1. Methodology

Right from the start (see Chapter One) I have explained that, although borrowing from methods used in the domains of Discourse Analysis, Critical Discourse Analysis and – to a lesser extent – Conversation Analysis, I would rather not call this thesis a purely linguistic study. The discourse of the thirty testifiers has been analysed, but this analysis was absolutely not detailed enough to claim any affiliation with discursive analyses as carried out by some of the linguists mentioned throughout this text. Moreover, the nature of my data – often inaccurate, non-phonetically transcribed testimonies – prevents this study from making any contribution whatsoever to the field of conversation analysis. My analysis only rarely paid attention to linguistic features such as grammatical constructions, phonology or word choice, mainly because I was working with translated data. Except for the testimonies where the interlocutors spoke English, I predominantly dealt with the content of the phrases, the intended meanings and the interaction patterns. I have basically tried to analyse the HRV discourse from a socio-politically grounded critical perspective. With this respect I would argue that Critical Discourse Analysis is the closest domain this thesis bears resemblance to.
I have however also tried to avoid some of the problems sometimes associated with CDA. Blommaert (2005: 38-41) mentions three negative features in relation with CDA: linguistic bias, closure to particular societies and closure to a particular time frame. CDA is said to be too restricted to solely a linguistic-textual analysis, without paying attention to the social context. It has become clear that in this study South Africa’s socio-political reality is the issue of special interest, although the construction of discourse forms the point of departure. In addition, attention was also paid to where reconciliation discourse comes from and where it goes to. I explained how this discourse came into existence and how it still reverberates in South African society at large. It is claimed as well that CDA mainly concentrates on discourse patterns in Western societies – this is clearly not the case in this work. Finally, in this work I have also expressed a clear sense of history. Power and linguistic repertoires have long histories, also in South Africa. Therefore, I have elaborated on the differences regarding linguistic inequality under apartheid and in post-apartheid South Africa, and I have devoted a great deal of attention to aspects of historical layering – for instance how specific apartheid terms tended to be recontextualised before the TRC.

With regard to theoretical and methodological defects, CDA is sometimes said to be biased and to be offering a view from above. I have tried to avoid partiality as much as possible and the view presented here has been explicitly the view of the testifying victims. A substantial critique is that in CDA research theories are not always supported by data and that data tend to be adapted to a priori theories. In chapter 6.3. I have referred already to the problem of drawing a priori conclusions. In this regard I can be very affirmative: all of the positions taken in this work are based on a thorough investigation of the TRC material. Although only thirty testimonies were analysed in detail, I have ventured to generalise sporadically because I could fall back on the entire reading of all of the 1819 HRV testimonies.

I would thus say that the domain of CDA seemed to contain most potential for this study, although I added my own interpretation to this academic field through implementing it on an exceptional kind of data.
7.2.2. What about the TRC?

In Chapter Two I indicated that in the field of TRC studies plenty of both positive and negative evaluations regarding the South African Commission could be found. Already at the time of its existence the TRC was highly controversial in South Africa. Especially in the aftermath of the process though, the domains of reconciliation studies and conflict resolution flourished and worldwide the TRC was either praised or condemned. From all of these - often contradictory - opinions we can only draw two tentative conclusions: the TRC process cannot be straightforwardly classified as either positive or negative and the results of this process will only be revealed in due time.

When trying to appraise the success of the TRC, the notion of reconciliation takes a central position. In fact, as argued by Borer (2001), because the TRC tended to use various interpretations of reconciliation interchangeably, without actually defining this concept, it is very difficult to get an idea of the achievements of the TRC. This multiplicity of interpretations might lead people to judge the Commission wrongly: for instance, some South Africans might expect interpersonal reconciliation, while losing sight of national reconciliation. The success of the TRC should be assessed at all of these levels, which makes one univocal judgement highly problematic. Therefore, it is very important to gain insight in the polysemic nature of the term reconciliation as constructed at the TRC site – only on the basis of this insight, an evaluation of the TRC process might be possible in the future.

My intention has never been to evaluate the Commission. By dealing with the aspects of power in and through discourse - considering that the exertion of power has a doubtful reputation in a lot of post-structural literature - and since I have regularly used terms such as ‘controlling’, ‘guiding’ and ‘directing’, the impression might have been conveyed that I consider the TRC as an institution that was not able to live up to its grand ideals. I have also claimed that the freedom of expression of testifying victims seemed to be regimented to a certain extent at the HRV Committee. Therefore, at the end of Chapter Four, the reader might have concluded that I merely regarded the entire HRV discourse as being solely constructed on the basis of underlying ideological motivations – hence not really serving the interests of the apartheid victims.
In the remainder of this text it became obvious that a certain amount of power exertion and discursive constructionism was at stake, indeed. However, I have also explicitly stated that we should try not to discredit the TRC too much. It should be clear that I first and foremost see the TRC as a positive initiative. Not only was the Commission the only possible - and indispensable - option in post-apartheid South Africa; also in its concrete proceedings the TRC attempted to successfully fulfil its ambitious mandate. It is therefore quite understandable that conflict-resolving mechanisms in countries such as Sierra Leone or Northern Ireland have openly taken the South African TRC as a model. This means that the influence of the TRC reaches far beyond its local context. Not only did the Commission facilitate a national discussion on gross human rights violations and on issues of justice, reconciliation and democracy. Quite likely, the TRC also instigated the worldwide debate on the value of restorative versus retributive conflict resolution.

More importantly, it seems to me that the negative features of the TRC sink into insignificance when compared to the long-term implications this initiative might have had on South African society. One of the suggested conclusions of this study was that the TRC probably contributed to the continuation of a reconciled atmosphere among South Africans after 1994. This is also put forward by Gibson (2004) after having carried out his research on current day attitudes towards reconciliation in South Africa. The impact of the TRC might not have been manifest; it does not seem to be a tangible result we can clearly pinpoint. Instead, it can be described as an underlying current, a tendency at reconciliation many South Africans might not be openly aware of. This corresponds to the ideas expressed by Antjie Krog in the epilogue to the 1999-edition of her book ‘Country of My Skull’. In this postscript she wonders whether the TRC process has indeed achieved reconciliation in South Africa. What is not visible, she claims, is “reconciliation as a mysterious Judaeo-Christian process”. Instead, what we see daily is “reconciliation as one of the most basic skills applied in order to survive conflict”. Following this line of thoughts she argues that survival is the essence of reconciliation, whereby negotiation is the key to reconciliation. Therefore, also Krog seems to be convinced that it is first and foremost in the daily lives of South Africans that we find this intangible spirit of reconciliation. Krog also maintains that the word ‘reconciliation’ still resounds in the land. In this work I have tried to demonstrate, indeed, that it is partly as a result of the HRV reconciliation discourse, that reconciliation became a point of
discussion in South Africa. The concept became firmly rooted in South African public life, which might have influenced people’s perspective on society.

What I suggest here is that the TRC might have been one of the factors leading to a reconciled South Africa. As many scholars have pointed out, the TRC was only part of a reconciliation process (see amongst others Bizos, 1998: 238; Connor, 1998: 8; Van den Heuvel, 1998; Christie, 2000: 178 and Villa-Vicencio & Ngesi, 2003). A direct causality between the TRC and reconciliation in South African can never be proven. Also actors like churches, civil organisations, community networks and government agencies have contributed - and are still contributing - a lot to the preservation of reconciliation in the country. As referred to in chapter 5.4.2. it is sometimes claimed as well that the traditional African concept of ubuntu might have been one of the factors underlying the willingness among South Africans to try and build a peaceful future together. I have argued before that also charismatic figures such as Mandela, Tutu and to a lesser extent Michael Lapsley, Albie Sacks and Joe Slovo played a significant role in getting the notion of reconciliation accepted by a larger public. Finally, it is possible that also the rise in the standard of living of some South Africans, or the material provisions supplied by the government could have enhanced reconciliatory feelings.

In the course of this dissertation I have not devoted too much attention to these alternative factors. It is indeed my assumption that it was mainly the TRC that instigated, stimulated and promoted this process.

This final suggestion has to be formulated very carefully for a couple of reasons. First of all, I have been discussing and analysing South African society from an outsider’s perspective. I did not conduct any participant observation, not did I carry out extensive fieldwork in South Africa. My primary material was either available on the internet, or I bought it from an already existing TRC archive (at the SABC for instance). In the course of the last four years I tried as much as possible to gain insight into South African society, mainly through literature and through a number of working visits to South African universities. While in South Africa I did try to raise socio-political topics when interacting with South Africans. Since my contact persons largely belong to the academic domain, the information thus received cannot be considered representative. This outsider’s perspective means that, although I have tried to formulate my conclusions
cautiously, it is quite possible that certain points of view will be controversial for people more familiar with South African society.

However, we may not forget that it was from the onset my deliberate intention to approach the Commission from an outsider’s perspective. I have studied the TRC as it showed itself to the outer world through its publications on the internet and through the media, as elaborately justified in chapter 3.2.3. Clearly, this outsider’s perspective does not only hold for the Commission itself, but also for my approach towards current day South African society. Just like looking at the TRC from the outside could be advantageous, also approaching South Africa’s socio-political reality as an outsider might be interesting. It has given me the opportunity to investigate a crystallisation point in South African society without being too much influenced by recent developments in the country. Since I looked at South Africa from a distance, my research was not affected by the country’s terrifying history, nor by present-day sensitivities. Nevertheless, I would like to emphasise that I am very much aware of the difficulties connected to this outsider’s perspective. I would never pretend that I have actually gained insight into South African society. I have merely offered some suggestions with regard to one single aspect of this complex nation.

Not only did I look at a national phenomenon from the outside, also the conclusions I formulated regarding this phenomenon cannot be manifestly proven. As mentioned before, I merely assume that the TRC contributed to national reconciliation in South Africa. As a result of these two features – the outsider’s perspective and the largely unprovable nature of my suggestions – I thought it crucial to emphasise that my findings are definitely provisional. This provisional dimension certainly holds with regard to the longitudinal aspect of this investigation. The main part of this thesis concentrated on one well-defined time period, namely the proceedings of the TRC. In Chapter Five I have then argued that a reconciliation-oriented reality was not only established during the TRC process, but also continued in post-TRC South Africa. It is then in Chapter Six that I ventured to deal with some of the possible long-term implications of the TRC. It is especially with regard to these long-term suggestions that I would like to display extreme caution.
Actually proving that reconciliation has been incorporated by a majority of South Africans is an almost impossible task. Institutions like the IJR or the CSVR are engaged in research projects shedding light on the reconciliation process in South Africa (see chapter 5.4.). Also their findings though, are often fragmented, controversial, and not representative. I can thus only repeat myself by claiming that it might take many more generations to actually reveal the results of the reconciliation process and the role played in this process by the TRC. This thesis might have opened up the debate on TRC reconciliation discourse and its relation with peace, stability and tolerance in South Africa. We may never forget that each reading and interpretation of records becomes a new reading. Each reading provides new insights to what actually happened, to the context and to the quest for understanding the past. To put it in the words of Bakhtin: “any text is an inter-text, part of a wider con-text, which is but one link in a continuous chain of speech performances and therefore inexhaustible and potentially infinite, like a mirror reflecting back on itself” (Gardiner, 1992: 89). In different ways this study has tried to add to these insights - to this wider con-text - and thus it has tried to contribute to the TRC archive. Based on Derrida (1996: 68) we can argue that since the archive “opens the future”, this investigation of the TRC past has been absolutely crucial and will be highly relevant in pursuit of the future. Quite evidently, a huge domain of investigation in South Africa is still reserved for many more generations of researchers to come. Although an incredible amount of material is already available on the TRC, the Commission and especially its implications on South African society need to be further investigated – the final aim being to add to the global debate on restorative justice and conflict resolution.
CHAPTER EIGHT

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Samenvatting

Inleiding

Dit proefschrift is een discours analytische studie die zich richt op een bepaald onderdeel van de Zuid-Afrikaanse Waarheids- en Verzoeningscommissie (TRC). De bedoeling van het werk is suggesties te formuleren over het in stand houden van een verzoeningsgezinde maatschappij in post-apartheid Zuid-Afrika. Daartoe wordt het discours geanalyseerd zoals het is geconstrueerd tijdens de slachtofferhoorzittingen van de TRC. Vooral de ontstaansregels van dat discours, de talige interactie tussen slachtoffers en commissarissen en de supra-linguïstische context van de hoorzittingen vormen de kern van dit onderzoek. Mede daardoor kan dit doctoraat niet louter gedefinieerd worden als een linguïstisch onderzoek; het kan eerder bestempeld worden als een socio-politieke studie van een scharniermoment uit de Zuid-Afrikaanse geschiedenis, vertrekkende vanuit de dialoog die daarvan aan de grondslag ligt.

Dergelijk onderzoek is in de eerste plaats relevant voor de Zuid-Afrikaanse situatie. Nadat apartheid officieel afgeschaft werd in 1994 rees de behoefte een nationaal verzoeningsproces op te starten, een verzoeningsproces dat toenadering moest bewerkstellingen tussen de verschillende Zuid-Afrikaanse bevolkingsgroepen en waarmee een dreigende burgeroorlog afgewend kon worden. De Waarheids- en Verzoeningscommissie wordt vaak beschouwd als de aanzet tot dit nationale proces. Het is vooral door de werkwijze van deze Commissie te bestuderen dat we inzicht krijgen in de manier waarop Zuid-Afrika getracht heeft af te rekenen met de gruwelen uit het aparthiedsverleden. De analyse van deze transitiefase leert ons de huidige Zuid-Afrikaanse maatschappij te begrijpen, het zet ons aan tot het in perspectief plaatsen van de socio-politieke vraagstukken waarmee het land nu geconfronteerd wordt, en het laat ons nadenken over de wijze waarop deze heel verscheiden natie in de toekomst zou kunnen of moeten evolueren.

Overal ter wereld echter worden landen en regio’s geconfronteerd met conflictverzoening en vredehandhaving, vaak in de nasleep van bloedige oorlogen of wrede repressie. Sinds de jaren ’70 heeft men in dergelijke situaties steeds meer gegrepen naar een restoratieve aanpak - door middel van een waarheids- en verzoeningscommissie.
Samenvatting

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- eerder dan naar retributieve methodes - tribunalen gevolgd door bestraffing (Hayner 2000). Het is echter vooral op het einde van de jaren '90, toen de werkzaamheden van de Zuid-Afrikaanse TRC succesvol afgerond waren, dat waarheidscommissies wereldwijd werden opgericht om af te rekenen met een traumatisch verleden: Sierra Leone, Oost-Timor, Sri Lanka, Indonesië, Nigeria, de Democratische Republiek Congo en Noord-Ierland zijn slechts een paar voorbeelden van landen waar waarheidscommissies opgericht zijn, of waar voorbereidingen getroffen worden om met een dergelijk verzoeningsproces van start te gaan. In praktisch al deze landen wordt de Zuid-Afrikaanse TRC als model gebruikt en medewerkers en commissarissen van de TRC worden geregeld uitgenodigd om advies te geven bij het tot stand komen van een dergelijke restoratieve manier van conflictverzoening. Vooral door deze wereldwijde impact en unieke voorbeeldfunctie is het absoluut cruciaal het Zuid-Afrikaanse TRC-proces op alle mogelijke vlakken te proberen te doorgronden.

De Zuid-Afrikaanse Waarheids-en Verzoeningscommissie

Na jarenlange onderhandelingen tussen het African National Congress (ANC) en de National Party (NP) kwam de TRC tot stand in mei 1995, en dit op basis van de The Promotion of National Unity and Reconciliation Act No 34. In tegenstelling tot het verlenen van algemene amnestie voor apartheidsmisdaden enerzijds of het instellen van gerechtelijke vervolging tegen alle apartheidsdaders anderzijds, was deze Commissie een compromis waarmee de meeste politieke partijen zich konden verzoenen. De kerngedachte kan samengevat worden als amnestie in ruil voor waarheid, wat erop neerkwam dat persoonlijke amnestie enkel toegekend werd indien de volledige waarheid onthuld werd over de misdaden begaan onder apartheid. Het mandaat van de TRC was erg ambitieus, aangezien de Commissie zich tot doel stelde een zo volledig mogelijk beeld te schetsen van grove mensenrechtenschennis begaan onder apartheid, amnestie te verlenen aan misdadigers van het apartheidsregime, en de waardigheid van de slachtoffers te herstellen. Dit laatste gebeurde door de slachtoffers de kans te bieden hun ervaringen te vertellen en door vergoedingen voor te stellen ter compensatie van de gebeurtenissen uit het verleden (Truth and Reconciliation Commission of South Africa Report, 1/4: 54). Om dit mandaat te vervullen werden drie subcomités opgericht: het Human Rights Violations Committee (HRVC) bood een forum voor apartheidsslachtoffers waar ze hun verhaal van doorstane trauma’s konden vertellen; het Amnesty Committee had de
juridische macht om onder welbepaalde voorwaarden amnestie te verschaffen aan apartheidsdaders; het Committee on Reparation and Rehabilitation ten slotte formuleerde aanbevelingen voor de regering met betrekking tot toekomstige vergoedingen aan apartheidsslachtoffers. In dit proefschrift buig ik me over de openbare hoorzittingen van het HRVC, een comité dat ongeveer 22.000 aanvragen van slachtoffers verwerkte en dat aan 1819 van hen de gelegenheid bood om hun verhaal in het openbaar te vertellen.


**Het TRC archief**

Het concept *archief* is terzelfdertijd het uitgangspunt en het kernbegrip van deze verhandeling. In de beginfase van dit proefschrift wordt dit begrip op tweeërlei wijze benaderd. Het TRC-archief verwijst in eerste instantie naar het materiële archief, bestaande uit primaire en secundaire data. Primair materiaal bestaat onder andere uit de tekstuele en audiovisuele versies van alle getuigenissen en aanvragen ingediend voor de TRC. De tekstuele getuigenissen zijn gedeeltelijk gepubliceerd op de officiële TRC-website, maar ze worden grotendeels bewaard in Zuid-Afrikaanse archieven. Het audiovisuele materiaal is in het bezit van de South African Broadcasting Corporation (SABC) en is vrijwel niet publiekelijk toegankelijk. De secundaire TRC-data hebben ontzaglijke proporties aangenomen, zowel wat betreft academische publicaties, als krantenartikels, fictie, documentaires, enzovoort. Van dit materiële archief probeer ik een zo volledig mogelijk beeld te schetsen in hoofdstuk drie hoewel het analyseren van dit materiële archief niet de finaliteit is van deze verhandeling.
Het is namelijk vooral de tweede notie van het begrip archief die verder van belang is in deze studie. Deze tweede interpretatie verwijst naar het archief zoals gedefinieerd door Michel Foucault (ik baseer me hierbij grotendeels op zijn ‘Archéologie du Savoir’, 1969). Volgens Foucault verwijst het archief naar de ontstaansregels die aan de basis liggen van een bepaald discours. Het gaat om de wetten die bepalen wat in een gegeven situatie kan of mag gezegd worden en wat niet. Het is het doorgronden van dit Foucaultiaanse archief, of het analyseren van wat - waarom en door wie - kon en mocht gezegd worden voor het HRVC dat de centrale probleemstelling uitmaakt van mijn onderzoek.

Belangrijk om op te merken is dat er een connectie zal blijken te bestaan tussen het materiële en het Foucaultiaanse HRVC-archief. In de interactie tussen de commissarissen en de HRV slachtoffers zullen we namelijk merken dat bepaalde uitingen en expressies geprefereerd worden. Deze uitingen maken de kern uit van het Foucaultiaanse archief, maar ook in het materiële archief wordt aan deze uitingen de voorkeur gegeven.

Het discours zoals geconstrueerd tijdens de hoorzittingen van het HRVC defineer ik als verzoeningsdiscours. Door eerst na te gaan welke beperkingen er bestonden bij het tostandkomen van dit discours, wordt de aanzet gegeven tot een exploratie van de invloed van dit discours op de post-TRC maatschappij in Zuid-Afrika.

**Data**

De data voor dit proefschrift bestaan enerzijds uit de 1819 transcripties van de openbare getuigenissen die afgelegd zijn voor het HRV Committee. In eerste instantie werden al deze getuigenissen gelezen, geteld en gecategoriseerd. Uitgaande van die grondige lezing werd een representatieve selectie gemaakt van dertig getuigenissen, en dit op basis van vijf parameters: geslacht van het slachtoffer, regio waar de getuigenis plaatsvond, bevolkingsgroep van het slachtoffer, zijn of haar politieke overtuiging en zijn of haar verzoeningsgezindheid.

Omdat geschreven materiaal slechts een oppervlakkige indruk geeft van discours, werd voor alle dertig van deze getuigenissen ook het audiovisuele materiaal aangekocht bij de SABC. Het zijn deze twee complementaire datacollecties die me in staat stelden mij een beeld te vormen van het HRV-verzoeningsdiscours.
Een meerduidig HRV-verzoeningsdiscours

Om de ontstaansregels van het HRV-verzoeningsdiscours te achterhalen heb ik een theoretisch kader ontworpen gebaseerd op Blommaerts *discursieve gelaagdheid* (Blommaert 2005). Ik ben ervan uitgegaan dat dit discours gelaagd was op ideologisch en historisch vlak en op het vlak van identiteit. Die meerduidigheid wordt gedeconstrueerd door het analyseren van twaalf ‘features’, linguïstische eigenschappen die, op basis van mijn grondige lezing van alle HRV-getuigenissen, kenmerkend lijken voor het HRV-verzoeningsdiscours. Vijf features behoren tot het onderdeel van de ideologische gelaagdheid: het feit dat de term ‘verzoening’ sterk benadrukt werd in de loop van de hoorzittingen, het beklemtonen van de concepten ‘nationale eenheid’ en ‘gemeenschapszin’, het feit dat de TRC soms voorgesteld werd als een (on)partijdige instelling, het feit dat getuigende slachtoffers in bijzonder grote mate gerespecteerd werden tijdens het afleggen van hun getuigenis, en het benadrukken van emotioneel discours.

Drie geïdentificeerde kenmerken worden beschouwd als vormen van historische gelaagdheid: het voorkomen van zogenaamde ‘apartheid-talk’, het benadrukken van continuïteit tussen heden en verleden en het feit dat het aanwezige publiek een belangrijke actor was in dit discours – door die rol van het publiek werd de getuigenis geprojecteerd in de toekomst, aangezien het dit publiek was dat de slachtoffers moest opvangen na hun TRC-ervaring, dat hen moest begeleiden en dat ervoor moest zorgen dat hun verhalen bewaard bleven voor het nageslacht. ‘Publiek’ wordt hier in een erg ruime betekenis gebruikt, onder andere ook verwijzend naar de prominent aanwezige media.

Ten slotte behoren nog vier features tot de gelaagdheid op het vlak van identiteit: de strijd die sommige slachtoffers voerden met hun Afrikaner of blanke identiteit, het feit dat sommige slachtoffers de neiging hadden een daderidentiteit aan te nemen in de loop van hun getuigenis, het over en weer gaan van bepaalde getuigen tussen onvoorwaardelijke steun aan het ANC en regelrecht verzet tegen datzelfde ANC, en het feature dat ik genoemd heb ‘alledaagse slachtoffers’, waarin ik onderzoek in welke mate deze HRV-getuigen ‘doorsnee’ Zuid-Afrikanen waren op politiek en socio-economisch vlak. Doorheen dit vierde hoofdstuk wordt deze extreme complexiteit en meerduidigheid
van het HRV-verzoeningsdiscours uitgebreid geïllustreerd aan de hand van tekstfragmenten uit de getranscribeerde getuigenissen.

Deze drieledige gelaagdheid resulteert in de identificatie van zes zogenaamd ‘ideale getuigen’. Deze term verwijst naar slachtoffers die zich in de loop van hun getuigenis uitdrukken op een manier die past binnen de ideologie van de TRC – dus op een manier die erg geapprecieerd leek te worden door de de HRV-commissarissen. Het is het discours zoals geconstrueerd tijdens de getuigenissen van deze ‘ideale slachtoffers’ dat de TRC koesterde, wilde uitdragen naar de buitenwereld en wilde bewaren voor het nageslacht. Het is op basis van dit discours dat we inzicht kunnen krijgen in de ontstaansregels (= het archief) van het HRV-verzoeningsdiscours.

**Verzoeningsdiscours en de Zuid-Afrikaanse maatschappij**

In hoofdstuk vijf wordt dieper ingegaan op dit specifieke HRV-verzoeningsdiscours. Er wordt gesteld dat verzoeningsgezindheid en meer bepaald het zich verbinden tot termen zoals ‘verzoening’ en ‘vergiffenis’ de kern uitmaakte van dit discours. Aan de hand van de getuigenissen van de zes ‘ideale getuigen’ wordt aangetoond dat de term verzoening niet alleen centraal stond in het verzoeningsdiscours, maar dat de term tevens een erg multidimensionele gestalte kreeg. Slachtoffers voor het HRV Committee interpreteerden ‘verzoening’ op een uiterst gediversifieerde manier, waarbij sommige van die interpretaties in meerdere of mindere mate aanvaard werden door de TRC-commissarissen. Door ook de interpretatie van verzoening door minder ‘ideale getuigen’ te analyseren wordt het hele spectrum van toegelaten interpretaties doorgrond.

Verder bouwende op Foucault wordt gesteld dat het verzoeningsdiscours een ‘regime van waarheid’ vestigde, een regime waarin de term verzoening centraal stond en dat een grote invloed uitoefende op de Zuid-Afrikaanse samenleving. In het tweede deel van dit hoofdstuk wordt dit maatschappelijke waarheidsregime nader bekeken. Er wordt aangetoond dat de term verzoening reeds oppervlakkig aanwezig was in het Zuid-Afrika van voor de TRC. Het is dan vooral na de totstandkoming van de Waarheidscommissie dat de notie verzoening doorgedrongen is tot in alle domeinen van het maatschappelijke veld, zowel het politieke, het artistieke als het sociale. De term verzoening grijpt echter niet alleen om zich heen in Zuid-Afrika, maar ook in de internationale gemeenschap – en
dat waarschijnlijk in grote mate onder invloed van het tijdens de HRV-hoorzittingen geconstrueerde verzoeningsdiscours. Hoofdstuk vijf wordt afgesloten met een reflectie op de extreme semantische gelaagdheid die de term verzoening eveneens aangenomen heeft binnen de Zuid-Afrikaanse maatschappij.

**Macht en verzoeningsdiscours**

Het zesde en laatste hoofdstuk sluit aan bij de conclusies van hoofdstuk vijf. Vooreerst wordt een kort overzicht gegeven van de relatie tussen discours en macht, vooral gebaseerd op theorieën van Gramsci, Althusser, Bourdieu en opnieuw Foucault. Daarna wordt gesteld dat de TRC, door middel van haar HRV-verzoeningsdiscours, macht uitoefende op twee vlakken. In de eerste plaats oefende dit discours macht uit tijdens de slachtoffersoorzittingen zelf. Deze machtsuitoefening wordt uiteengezet door het recapituleren van hoofdstuk vier. Dit houdt in dat Foucaults theorie van uitsluitingsprocedures toegepast wordt op de bevindingen van hoofdstuk vier. Een voor een worden die uitsluitingsprocedures aangehaald en geïllustreerd op basis van concrete voorbeelden uit hoofdstuk vier. Op die manier wordt op een coherente manier aangetoond hoe het verzoeningsdiscours en macht in nauwe interactie met elkaar stonden tijdens het HRV-proces.

In het volgende deel wordt de overgang gemaakt naar de relatie tussen het verzoeningsdiscours en machtsuitoefening in de Zuid-Afrikaanse maatschappij. Aangezien de term verzoening extreem meerduidig was, niet alleen tijdens de hoorzittingen zelf, maar ook in de maatschappij op zich, werd verzoening een inclusief concept dat aanvaard kon worden door brede lagen van de bevolking. Erg diverse groepen verwelkomen de term, incorporeerden hem in hun eigen discours en interpreteren hem ook op hun eigen manier. Zodoende werd verzoening een uiterst krachtig begrip, dat algemeen aanvaard leek te worden binnen Zuid-Afrika en dat ook het kenmerk bij uitstek werd om Zuid-Afrika te identificeren in het buitenland. Door die enorme maatschappelijke invloed van de notie verzoening wordt de TRC hier beschouwd als een uitermate machtige instelling.

Die macht van de TRC zou gebruikt kunnen worden om politieke doeleinden te verwezenlijken, onder andere het vestigen van een eensgezinde nationale staat. Deze vaak
geuite kritiek - dat de TRC een onderdeel zou zijn van de politieke agenda van de dominante partijen in Zuid-Afrika - wordt gerelativeerd op het einde van hoofdstuk zes. Een politiek compromis was zeker aan de orde bij het oprichten van de Commissie en het lijdt geen twijfel dat de boodschap van verzoening en nationale eenheid in het voordeel speelde van de heersende politieke constellatie. Desalniettemin verwijs ik niet alleen naar een politieke agenda, maar ook naar een sociale agenda die aan de basis kan liggen voor de toestandkoming en het succesvol beëindigen van het TRC-proces. Naar het einde van dit proefschrift toe is mijn suggestie dat de TRC, door middel van haar verzoeningsdiscours, een belangrijke rol kan gespeeld hebben in het behoud van een verzoeningsgezind Zuid-Afrika.

**Ter afsluiting**


Voorgesteld wordt dus dat samen met andere factoren – de rol van mensen zoals Mandela of Tutu bijvoorbeeld – de TRC van grote betekenis was voor het opstarten van het Zuid-Afrikaanse verzoeningsproces. We mogen ook aannemen dat het mede dankzij
De TRC is geweest dat Zuid-Afrikanen doordrongen werden van de noodzaak om verzoening in stand te houden in deze nieuwe natie. Tot slot wordt ook gesteld dat de gelaagdheid van het begrip verzoening een noodzakelijke en bewuste keuze was van de TRC – en dit in tegenstelling tot de grote massa van publicaties waarin de vaagheid van deze term bekritiseerd wordt. Verzoening eenduidig definiëren en het verzoeningsdiscours dermate beknotten dat het beperkt bleef tot enkele geprefereerde interpretaties, zou nooit eenzelfde impact gehad kunnen hebben op de Zuid-Afrikaanse maatschappij. Nooit zou het debat over verzoening op een dergelijke manier zijn losgebarsten en nooit zouden zovele mensen – nationaal en internationaal – zijn beginnen na te denken over de waarde van restoratieve en vergevingsgezinde conflictverzoening.

In een volgende onderdeel van de conclusie worden mijn suggesties in perspectief geplaatst. In de eerste plaats heb ik in de loop van dit onderzoek een outsider's perspective aangenomen met betrekking tot de TRC, en dat zowel met betrekking tot de tijd (de HRV-werkzaamheden werden afgerond in 1998), als met betrekking tot de ruimte (ik verbleef nooit langer dan enkele weken in Zuid-Afrika, een periode die het onmogelijk maakt om een samenleving ook maar enigszins te doorgronden). Ten tweede kan de voorgestelde relatie tussen het TRC-verzoeningsdiscours en de Zuid-Afrikaanse maatschappij nooit meer zijn dan een suggestie. Een causale link tussen die twee concepten kan nooit onomstotelijk bewezen worden en bovendien zal het nog vele jaren duren voor de effecten van het TRC-verzoeningsprocess zich volledig openbaren. Door de ontstaansregels van het verzoeningsdiscours te deconstrueren hoop ik toch te hebben aangetoond welke betekenis dit discours heeft gehad, zowel op de concrete deelnemers aan het TRC-proces, als op de Zuid-Afrikaanse samenleving in haar totaliteit.
Op die manier poogt deze verhandeling bij te dragen tot inzichten in de TRC als een conflictverzoezend mechanisme, inzichten die levensnoodzakelijk zijn voor de toekomst van Zuid-Afrika en die bovendien inspirerend kunnen werken bij het opstarten van dergelijke initiatieven in andere getraumatiseerde maatschappijen.