Haunting memories

The Truth and Reconciliation Commission's women's hearings and South Africa's discourse on gender-based violence

Student Name: Robyn Murning
Student Number: 558626rm
Student Email: robynmurning@gmail.com

Supervisor: dr. Robbert-Jan Adriaansen
Second reader: dr. Pieter van den Heede

Master History, Honours Degree Trajectory
Specialization Global History and International Relations
Erasmus School of History, Culture and Communication
Erasmus University Rotterdam

Master's Thesis
30 January 2022

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Abstract

The South African Truth and Reconciliation Commission (TRC) brought forth a new era in South African history. Beginning in 1996, its proceedings in restorative justice aimed to promote reconciliation and reform national identity, not only through the restoration of dignity for victims of apartheid-era abuses, but also the granting of amnesty to perpetrators. Although by no means the first of its kind, as a post-conflict tribunal it was uniquely transparent in nature, bringing apartheid abuses to light in the public domain, with proceedings broadcasted on national radio and television. The Commission also produced one of the first state-sponsored historical accounts of apartheid in the form of a seven-volume report, published between 1998 and 2003.

Although a variety of human rights abuses were highlighted during the course of the Commission's victim hearings, the rallying of feminist organisations saw the inception of a series of Special Hearings that placed emphasis on abuses specifically experienced by women. The women's hearings, which took place in July 1997, brought traumatic narratives of gender-based violence (GBV) to light, mediated by a variety of intersecting discourses in a performative context. This thesis seeks to understand the ways in which these narratives were constructed, not only by the women who testified at the commission, but also in the official TRC report. It further seeks to understand the effects that the transition had on post-transitional narratives of gendered violence in 21st-century South Africa.

This thesis employs narrative and discourse analysis, using concepts derived from Avery Gordon's theory of sociological haunting in a critical examination of the intersections of affectivity, memory, and identity. In particular, ideas of haunting, structures of feeling, and rememory are highlighted. Transcripts of the 1997 women's hearings, the official TRC report published in the years following the proceedings, and mixed media from the post-transitional era are analysed. This study reveals that narratives of GBV are inherently affective and interpretable through emotive contexts, and further, that these narratives inherently disrupted the dominant discourses of (post)transitional South Africa.

KEYWORDS: *Narrativity, Haunting, Truth and reconciliation, National identity, Gender-based violence, South Africa*

LIST OF ABBREVIATIONS

TRC	Truth and Reconciliation Commission of South Africa
GBV	Gender-based violence
HRV	Human Rights Violations Hearings
ANC	African National Congress
IFP	Inkatha Freedom Party
FEDTRAW	Federation of Transvaal Women

Preface

I would like to express my gratitude to my supervisor, Dr. Robbert-Jan Adriaansen, for guiding me through the process of writing this thesis. His detailed feedback was instrumental in developing my academic perspective and research techniques. I would further like to thank Dr. Pieter van den Heede for his feedback during research workshops, which allowed me to fine-tune my ideas.

I would also like to thank my friends and family for their support during this process. In particular, I would like to thank my parents, whose emotional support was vital in ensuring my success from afar. Further, I thank my friends, both in South Africa and in the Netherlands, for their willingness to listen and provide me with inspiration.

Table of Contents

1. Introduction

'It doesn't matter now

It's over anyhow

He tells the world that it's sleeping

But as the night came round

I heard its lonely sound

It wasn't roaring, it was weeping.'

- *Weeping,* Bright Blue (1987)

I begin this thesis with a quote from an anti-apartheid protest song that haunted my childhood. It was a song that I sang several times in primary school, long before I knew of its historical significance, let alone the existence of apartheid. It is uncanny to imagine a group of school children singing a song about violence, but this was (and likely still is) a reality for the 'born-free' generation. Even though I did not fully comprehend its meaning as a child, the image it evoked in my mind is one that has lingered for years. With no understanding of allegory, I took the lyrics literally - I imagined a terrifying demon that was difficult to contain, yet filled with sorrow as it wept. Even without knowing its context or full meaning, I *felt* the emotional weight of the song, especially since the uplifting melody of *Nkosi sikelel' iAfrika,* the South African national anthem, was featured alongside its threatening, depressing tone. I understood that the song was important, that it meant *something,* without knowing what that *something* was. I slowly put the pieces of the song's meaning together as I grew older and learnt more about the trauma of the past. It was a drawn out, decade long lesson in how history operates in everyday South African life: it *haunts*.

Indeed, this personal experience taught me two valuable lessons about historical culture in the South African context. The first is that history can be affectively produced, generated through human emotion. The second is that history can be pieced together through fragments of the immaterial, even if at first obscured from view. Indeed, history does not always roar: it sometimes weeps, filling us with sorrow and pain without understanding how or why we feel it. This represents the ways in which South Africa has culturally and socially dealt with the past, through haunting moods and affects rather than strict historicism. The traumas of apartheid haunt South African society in countless emotive contexts - whether it be children singing anti-apartheid protest songs, public holidays that mark the most traumatic or triumphant days in our history, or indeed in our national anthem, in which the song of the oppressor and the song of the oppressed are melded into one. Often, it is not an explicit representation of what

once was, but a persistent *feeling* of lingering trauma and sadness. The South African Truth and Reconciliation Commission (TRC) was perhaps one of the first instances of this melancholic memory culture: even if the commission's explicit historical ethos was defined by historicism in the spirit of *moving on*[1], it also acted to memorialise trauma in the public consciousness, intentionally making the hauntings of history affectively visible and alive. Indeed, it marked a movement 'from repression to expression' in South African society, revealing once invisible acts through expressions of terrible emotional scars.[2]

This was especially true for women, whose suffering of gross gender-based violence (GBV) under apartheid was one of the most invisible of human rights violations.[3] To this day, the acute awareness of the prevalence of GBV in South Africa is a palpable, melancholic connection to the women of the past. Indeed, in retrospect the horrors uncovered during the women's hearings were indicative of what was to come for the women of democratic South Africa - or perhaps what would never change. It is this connection that has prompted me to trace the narratives constructed by women at the TRC, and the legacy that its processes left on how we have come to experience and interpret GBV in the post-apartheid era. It has been well-documented that narratives of GBV are marked by silence, absence, and incoherence due to the immense trauma experienced by victims.[4] Yet the TRC initiated hypervisible hauntings of GBV in the South African context. How were these highly visible, highly performative testimonies consolidated with narrative aspects that remained 'hidden' from view? What role did the commission's mandate play in initiating or influencing this? And what lasting impact has this had on discourses of GBV in the post-apartheid era? These are the contradictions that this thesis will seek to explore, understand, and explain.

This chapter outlines the research questions, concepts, methods, and sources drawn upon in this thesis, and positions this research within existing scholarly literature. It aims to unpack the central idea of 'haunting' employed throughout this research, with an emphasis placed on its conceptualisation and operationalisation in relation to methodologies of narrativity and discourse.

1.1 Research question

With these lines of enquiry in mind, this thesis confronts not only the contents of the women's hearings themselves, but also their reproduction in the TRC Report, as well as the legacy left by TRC on the

[1] Berber Bevernage, "Writing the Past Out of the Present: History and the Politics of Time in Transitional Justice, *History Workshop Journal* 69 (2010), 115.
[2] Njabulo Ndebele, 'Memory, Metaphor and the Triumph of Narrative', in *Negotiating the Past: The Making of Memory in South Africa*, ed. Sarah Nuttall and Carli Coetzee (Cape Town: Oxford University Press Southern Africa, 1998), 20.
[3] Barbara Russell, "A Self-Defining Universe? Case Studies from the 'Special Hearings: Women' of South Africa's Truth and Reconciliation Commission," *African Studies* 67, no. 1 (2008), 49.
[4] Nthabiseng Motsemme, "The Mute Always Speak: On Women's Silences at the Truth and Reconciliation Commission," *Current Sociology* 52, vol. 5 (2004), 910.

narrative constructions of GBV in the post-apartheid era. Thus, this thesis is based primarily upon the following research question:

> *How did the performance and narration of haunting memories during the TRC women's hearings shape and affect South Africa's discourse on GBV?*

The first sub-question is problematised in Chapter 2, and concerns notions of affective staging as a form of textuality, which in this context refers to the properties, attributes, and forms of the communicative aspects of the women's hearings – in other words, the ways in which the proceedings as a whole can be interpreted as texts.[5] In particular, this chapter seeks to examine how histories of GBV were *staged through affect* in the context of the TRC, constructed not only by its environment, but also by its dominant discourses. Affective staging is framed in relation to haunting, including elements of performance and interactional co-construction:

> *How were narratives generated, staged, and influenced during the women's hearings, and what made them so affective in its quasi-legal setting?*

The second sub-question concerns the ways in which memory and identity were expressed through performance and haunting, and how this influenced narrative. This is the focus of Chapter 3, which traces haunted recognition in women's testimonies, the ways in which trauma was expressed, as well as how women's subjectivity was constructed or deconstructed. Thus, the focus shifts from the proceedings as a whole to the contents of the testimonies:

> *How did haunting affect the construction of memory and identity narratively during the women's hearings?*

The third sub-question concerns the ways in which GBV was narrativized in the official TRC report. This report produced in the years following the hearings, forming the first 'official', state-sponsored history of apartheid. That being said, in seven hefty volumes only one chapter was devoted to women.[6] Thus, this sub-question concerns the discourses that informed the construction of GBV within the TRC report, and how this differed from what was produced during the hearings. It examines the paradoxes embedded within an attempt to historicise GBV within a national context, revealing tensions between the (national) self-narrative of the commission's mandate and the affective contents of the hearings themselves:

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[5] Rossana De Angelis, "Textuality", *Oxford Research Encyclopedia*, accessed December 25, 2020. https://oxfordre-com.eur.idm.oclc.org/literature/view/10.1093/acrefore/9780190201098.001.0001/acrefore-9780190201098-e-1098.

[6] Truth and Reconciliation Commission of South Africa, *Volume Four: Truth and Reconciliation Commission of South Africa Report* (Cape Town: Truth and Reconciliation Commission, 1998)

How was GBV narrated in the TRC Report, and how did this differ from the narration of the hearings?

The fourth and final sub-question concerns the legacy of the women's hearings, specifically regarding the influence of the national discourse and self-narrative the TRC left in its wake. This is the focus of Chapter 5, which examines developments in the narration of and engagement with GBV in the past 20 years, with an emphasis placed on three GBV case studies from 2006, 2013 and 2019. It focuses on a variety of sources that demonstrate public engagement with GBV as an indicator of attitudes through narrativization, what produced these attitudes, and the paradoxes embedded within:

How did the national self-narrative produced by the TRC influence the narrativization of and engagement with GBV in the post-apartheid era?

These sub-questions are essentially grounded within the theoretical concepts and methodology of this thesis, which are discussed in depth in the following sections.

1.2 Theoretical framework

In order to examine narrative constructions of GBV in the South African context, this thesis employs elements of Avery Gordon's theory of sociological haunting as developed in her book, *Ghostly Matters*. Using case studies from literature, psychology, history and sociology, Gordon emphasises the ways in which current methodologies and forms of knowledge production in the social sciences have failed to recognise or confront haunting as a constituent element of life[7], and in doing so ignore the 'affective complications'[8] of the post-modern and (especially) post-colonial world. Her work suggests a 'new way of knowing' that denotes the practice of being 'attuned to the echoes and murmurs of that which has been lost but which is still present among us in the form of intimations, hints, suggestions, and portents', essentially defining haunting as a means through which we can understand how history and subjectivity create socio-cultural life.[9] Her work is an extensive analysis, but for the purposes of this thesis, I will only draw upon a few concepts found in Gordon's work that I deem most appropriate to the study at hand, elements that can be contextualised relation to narrative and discourse analysis.

Gordon's work differs from other conceptualisations of haunting, such as Jacques Derrida's philosophical work on the hauntologies of communism in post-modern society[10], or Mark Fischer's use of the term to analyse popular media's historical obsession with, and present-day failure to, encapsulate

[7] Avery F. Gordon, *Ghostly Matters: Haunting and the Sociological Imagination* (Minnesota: Minnesota University Press, 2008), 7.
[8] Ibid., 18.
[9] Ibid., x.
[10] Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning and the New International* (New York: Routledge, 1994), 63.

futurism, leading to a sense of a 'lost future.'[11] Instead, I chose Gordon's sociological haunting for its intersectionality, as it invokes several interactions between memory, trauma, identity, race, and gender, and enables a means through which the experience, (re)telling and recollection of gendered trauma can be interpreted as undeniably presently felt, while simultaneously - and inextricably - grounded in a violent history. With this in mind, this section outlines the main theoretical threads drawn from Gordon's work, as well as briefly introducing the applicability of these concerns in the South African context.

1.2.1 Structure of feeling

The first significant theoretical concept that this thesis draws upon is the notion of a 'structure of feeling.' Originally coined by Raymond Williams, in its first iterations the notion of a structure of feeling attempted to capture 'actively lived and felt' social experiences as their interact or disrupt 'our conceptions of… [temporally] fixed social forms.'[12] Essentially, it designates 'elusive' or 'impalpable' forms of present-day social consciousness as not only affective in nature, but also 'interlocking and in tension.'[13] It is grounded in temporality – rather than just highlighting the influence of *pre-existing* ideologies upon thinking, it also emphasises a 'looming present' – that is, the experience of the present that ordinarily 'gets lost when we treat the social as if it were a hard-edged immobile past.'[14] This idea of mobility through time is essential in understanding the idea of a structure of feeling, as it emphasises the 'this, here, now, alive, active contemporaneity of our lives' as informed not only by past experiences, but also the present and the future.[15] These are experienced and expressed through feeling and affect, with Gordon herself specifically defining structure of feelings as affective haunted experiences: the feeling of something being there, even if you cannot at first identify its presence. She writes:

> 'There is something there, and you 'feel' it strongly. It has a shape, an electric empiricity, but the evidence is barely visible, or highly symbolised.'[16]

It is structural because although it may not be inherently evident, it is *felt* to be so, and it is this idea of something 'barely visible, or highly symbolised' that best encapsulates the use of the term in this thesis. It is something that may be imaginatively constructed, made to be real through particular perpetuated ideas. Indeed, the presence of a structure of feeling indicates a primarily affective engagement with a particular sociohistorical, past-present experience - in this case, GBV. As a result, it is particularly fluid or mobile in its social or historical approximation. Gordon also refers to a structure of feeling as having the capability to inform or disturb the concepts that underly our culture, haunting our everyday reality

[11] Mark Fischer, *Ghosts of My Life: Writings on Depression, Hauntology, and Lost Futures* (Winchester: Zero Books, 2014), 13.
[12] Gordon, *Ghostly Matters*, 198.
[13] Ibid., 198.
[14] Ibid., 199.
[15] Ibid.
[16] Ibid., 50.

with a complicated approximation of past-present experiences.[17] Thus, this idea of a structure of feeling is not necessarily concerned with *what* affects are produced by such experiences, but rather what these feelings *represent* – that is to say, their qualities. This thesis uses this concept not only in the examination of the production of narratives through affective structures of feeling, but also to examine whether such structures could have been deliberately and performatively constructed during the course of the TRC, and the effects thereof.

1.2.2 Haunting recognition

Haunting recognition is, as Gordon defines it, 'a special way of knowing what has happened or is happening.'[18] It is essentially the *means* through which imperceivable apparitions are recognised, and consequently, conveyed. In her analysis, she establishes that haunting recognition occurs in response to the effects that a ghostly presence has onto the 'sphere of haunting.' She outlines a variety of means through which this occurs: haunted presences may imports a 'charged strangeness' by unsettling knowledge that is taken for granted, they may be a symptom of something missing, either as a loss or as a future-oriented 'path not taken' that 'gives notice not only to itself but also to what it represents', or they may be 'alive' through our *existence* in relation to them.[19]

As this thesis reveals in subsequent chapters, this idea of 'haunting recognition' is immensely relevant in the South African context, as we see narratives and discourses of GBV both formulated from and disrupted by uncomfortable memorialisations of history, paradoxically maintained in a context of the 'hopeful' constructions of a new South Africa free from its sordid past. Thus, I draw on haunting recognition to not only examine how the women of the TRC grappled with their own personal and social hauntings of trauma, but also in understanding the complexities of national identity approximation. I regard it as a means through which narratives of violence can be produced. In a sense, it is a tool employed to grapple with the presence and perpetuation of trauma in both personal and social worlds, essentially bringing to light that which is obscured behind that which is taken for granted. This is fundamentally tied to the aforementioned notion of a structure of feeling – because when haunted recognition is experienced or employed, it pulls one into the affective context of structures of feeling, providing the emotional means through which we come to interpret what signs of haunting represent.

1.2.3 Rememory

As structures of feeling are loaded with notions of movement through time, theories of memory are also taken into account in this thesis. Memory has been conceptualised in a variety of different academic and sociohistorical contexts. This thesis employs the concept of 'rememory', first introduced by Toni Morrison in her 1987 seminal novel, *Beloved*. Gordon calls upon Morrison's use of rememory as a

[17] Gordon, *Ghostly Matters*, 129.
[18] Ibid., 63-64.
[19] Ibid., 64.

means of interpreting haunted experiences, particularly in post-colonial or post-slavery contexts. In Morrison's novel, she introduces rememory as the means through which her protagonist, Sethe, interprets her experiences of the ghostly traumas of slavery in relation to remembering a memory that is not her own:

> 'Someday you be walking down the road and you hear something or see something going on. So clear. And you think it's you thinking it up. A thought picture. But no. It's when you bump into a rememory that belongs to somebody else. Where I was before I came here, that place is real. It's never going away. Even if the whole farm—every tree and grass blade of it dies. The picture is still there and what's more, if you go there—you who never was there—if you go there and stand in the place where it was, it will happen again; it will be there for you, waiting for you.'[20]

Although this notion of rememory has its origins in a literary context, it is employed by Gordon to examine the ways in which an awareness of haunting produces a kind of materialism, in which social memory is 'not just history, but haunting' as it is *animated* in the present moment.[21] This concept has previously been compared to Marianne Hirsch's concept of postmemory, especially when interpreting narrative representations of traumatic history, such as in slave narratives or holocaust narratives. In contrast to postmemory, which denotes the absence of the past and the compulsion felt by later generations in filling that absence, rememory instead denotes how colonial traumas – such as slavery or prolonged racial and gendered oppression – are still actively and corporeally omnipresent in the everyday lives of those who experienced or inherited them.[22] Rememory is an analytical tool that provides insight not only into how traumatic narratives of GBV are formulated in the present moment, but also in relation to historical context. Further, the concept of rememory provides a means through which the paradoxes generated by the past-presence of trauma can be interpreted or understood. Indeed, as Gordon highlights, rememories disrupt the 'security historical context provides'[23], and it is this element I deem most relevant in this thesis.

1.3 Literature review

Literature on the TRC has focused on several aspects of commission and its hearings. Notable themes of temporality, narrative production, trauma, memory, and performance emerge. In this review, I have divided existing literature into three thematically based sections: (1) Temporality, narrative production, and history (2) Performativity at the TRC and (3) Trauma, silence, spectrality and the TRC's legacy.

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[20] Toni Morrison, *Beloved* (New York: Vintage International, 1987), 35-36.
[21] Gordon, *Ghostly Matters*, 165.
[22] Barbara Daneels, "Postmemory versus Rememory: Remembering the Holocaust and Slavery" (PhD diss., Ghent University, 2013), 58.
[23] Gordon, Ghostly Matters, 166.

Further, each section is structured on a continuum: beginning with literature that only tacitly deals with the women's hearings, and ending with literature that more extensively confronts gendered issues.

1.3.1 Temporality, narrative production, and history

In this section, literature pertaining to the production of narrative and history within the TRC will be considered. This section consists of the arguments of Njabulo Ndebele (1998), Mahmood Mamdani (2002), Sandra Young (2004), Jan Blommaert, Mary Bock and Kay McCormick (2006), Deborah Posel (2007), Barbara Russel (2008) and Rina Kashyap (2009).

Ndebele's argument, which was formulated during the course of the hearings, provides insight into the inception of discourses of narrative production. This early perspective warrants comparison to the retrospective accounts of the 21st century. Ndebele argues that the processes of the TRC mark a 'restoration' of narrative after decades of narrative suppression. He highlights the uniqueness of the South African case – wherein he hypothesises that, through the TRC, the public would begin to 'reinvent' itself through narrative, finally 'becoming a true subject of philosophy.'[24] This can be interpreted in a few ways, but fundamentally it implies that, through the processes of the TRC, the capacity of South Africans to generate post-apartheid 'imaginations' of identity went beyond mere testimony, and 'towards creating new thoughts and new worlds' through new forms of knowledge production.[25] 'What can no longer be denied has come out,' he writes, and in doing so, the 'search for meaning' began.[26] This creation of new modes of expression, as he entails, presents as a diverse experience for different social and racial groups.[27] While at first this analysis may seem somewhat unrelated to the topic at hand, the idea of the TRC as a form of epistemological production is particularly interesting to consider in reference to the women's hearings. The notion of 'reinvention' through narrative suggests the potential for regaining subjective agency through testimony, and in doing so, reshaping the very fabric of South African identity. This places enormous emphasis on the power and potential of hypervisible narrative production, which of course warrants comparison with the silences and invisibilities that were also generated and maintained by the TRC.

In contrast to Ndebele's relatively positive outlook of the narrative effects of the TRC, Mamdani was one of the most outspoken early critics of its proceedings. In his well-known 2002 article, he identifies three 'key limitations' of the commission's approach to narrative.[28] Firstly, he highlights the problematic way in which the TRC 'individualised' victims, reducing apartheid 'from a relationship

[24] Njabulo Ndebele, 'Memory, Metaphor and the Triumph of Narrative', in *Negotiating the Past: The Making of Memory in South Africa*, ed. Sarah Nuttall and Carli Coetzee (Cape Town: Oxford University Press Southern Africa, 1998), 27.
[25] Ibid., 28.
[26] Ibid., 22.
[27] Ibid., 23.
[28] Mahmood Mamdani, "Amnesty or Impunity? A Preliminary Critique of the Report of the Truth and Reconciliation Commission of South Africa (TRC)" *Diacritics* 32 (2005), 33.

between the state and entire communities to one between the state and individuals.' This, he contends, limited the 'definition of harm and remedy' to individual victims, which narratively 'obliterated' the racial and ethnic policing of entire communities central to apartheid, consequently diminishing the potential for social reconciliation. Secondly, he suggests that the TRC was unable to recognise the 'bifurcated nature' of apartheid in its governance of different ethnic groups. Apartheid 'spoke the language of rights of the white population' while it administered laws to the native population 'in the name of enforcing custom.' Mamdani suggests that the TRC placed its focus on the 'civil' regime of apartheid while ignoring the 'customary' regime in its narratives. Thirdly, Mamdani critiques the ways in which the TRC 'extended impunity' to most perpetrators, turning what was meant to be 'individual amnesty' into 'group amnesty.'[29] These problems were implicit in the limited definitions of human rights violations, amnesty and reconciliation developed by the commission, which had a direct effect on the proceedings and the narratives that were produced within them.[30] For example, the victims hearings 'proceeded on the narrow assumption that the project of apartheid... was not political'[31], and the commission failed to engage with several violations due to this, including 'pass laws, forced removals, convict labour for farms, detentions without trial, and so forth.'[32] Thus, despite its pursuit of narrative 'truth', the hearings of the TRC only produced a partial version of this truth. In effect, the TRC 'dehistoriciz[ed] and decontextualis[ed] the story of apartheid.'[33] Although Mamdani does not refer to gender issues within the TRC, his perspective is still relevant in the present research, particularly when examining the ways in which the environment of the TRC influenced victims' stories, producing what could be deemed as a directed, rather than authentic, 'truth.' That being said, his lack of engagement with gender can be criticised, especially with reference to subsequent perspectives in this literature review.

Adding to this discourse of directed truths, Posel suggests that the idea of 'confession' was 'central' to the epistemological and narrative functions of 'truth' that the TRC produced. She contends that, within the TRC, the version of 'confession' that was produced represented an amalgamation of 'Christian, legal and therapeutic elements.'[34] She suggests that the TRC had a 'confessional imperative' that required 'performance of confession' directed by the commissioners. This was informed by a 'version of the modern confessional' that emphasised that 'speaking out' would allow victims, perpetrators and the nation to 'heal.' Firstly, she argues that a confession 'promises an appropriate type of truth' that can be subjected to 'verifiable processes of interrogation.'[35] Secondly, she suggests that confessions 'affirm

[29] Mamdani, "Amnesty or Impunity?", 34.
[30] Ibid., 36.
[31] Ibid., 38.
[32] Ibid., 58.
[33] Ibid., 57.
[34] Deborah Posel, "History as Confession: The Case of the South African Truth and Reconciliation Commission", *Public Culture* 20, no. 1 (2008), 136.
[35] Ibid., 139.

the emotional content and power of truth.'[36] Indeed, the act of confession is a 'story saturated with emotion' which stands in contrast with 'rational and detached recounting.' It was through this medium that epistemological, ethical and psychological issues surrounding the genealogy of truth were confronted.[37] However, Posel suggests that the idea of national healing through the confession of narratives of truth must be met with scepticism. She points to individual experiences – as some of those who told their stories did not experience the desired catharsis, were forced to edit their narratives, or found the 'imperative of forgiveness towards perpetrators... unpalatable.' Much like Mamdani, she also notes criticisms of the 'normative framework of the hearings', in particular its treatment of 'nations as individuals.' However, as she contends, the confessional environment of the TRC, by denying 'anyone a position of moral purity or innocence' opened up a space for 'argument[s] about history', allowing for a recognition of the 'complicities of historical agency.'[38] These complications of 'confession' must be taken into account when considering testimonies in relation to the greater epistemological environment of the TRC.

On the other hand, Young focuses on the notion of 'healing' present within the ethos of the TRC, and its relationship with narrative. She contends that the 'healing power' of narrative is based within its 'temporal and syntactical structures, which produce the security of self-identified subjects and events' measured across time. She analyses the language of the TRC, noting several key features. For example, she notes the continual use of plural pronouns such as 'we', and the ways in which this obscured 'the distinction between testifiers and their audience.'[39] She also notes the 'orientation towards the future' that pervaded the language of the TRC, with metaphors 'claiming a gradual or dramatic break with the past abound.'[40] However, she contends that the testimonies themselves were 'less apt to indulge in the illusion of thoroughgoing redemption' that the language of the commission itself suggested. Much like Posel, Young highlights the confessional mode of the hearings, and the ways in which it allowed for new meanings about history to be generated.[41] This is particularly important to take into account in the present research. Although testimonies were mediated and 'directed' by the commission (as suggested by Mamdani and Posel), there was a gap between the discourse of the commission itself and the testimonies that it heard. This gap may relate to the role of the overproduction of a certain semantic discourse of truth and its resulting inconsistencies, ambiguities, and silences.

Conversely, Blommaert, Block and McCormick explore narrative inequality within the context of the TRC. According to Blommaert et al., those who were heard by the TRC were 'framed as important...

[36] Posel, "History as Confession", 140.
[37] Ibid., 139.
[38] Ibid., 141.
[39] Sandra Young, "Narrative and Healing in the Hearings of the South African Truth and Reconciliation Commission", *Biography* 27, no. 1 (2004), 157.
[40] Ibid., 158.
[41] Ibid., 159.

storytellers', however, only the stories of some people 'made it (or will make it)' into 'history.'[42] This is as a result of the ways in which 'some discourses have more 'weight' than others.'[43] 'Weight' in this context refers to how discourses generate power through being more or less socially recognisable. It is within this that narrative inequality is generated, and thus, an important task in 'making the most' of the TRC proceedings consists of uncovering the 'unheard aspects of what witnesses expressed during their hearings.'[44] In order to confront this, Blommaert et al. suggest the need to engage with 'hidden transcripts' of the TRC.[45] 'Public transcripts' consist of stories that 'regulate the status quo' and 'fortify power.'[46] On the other hand, 'hidden transcripts' disrupt such notions as discourses of resistance. Indeed, the TRC hearings brought 'hidden transcripts to the public forum' with many stories 'originating from resistance cultures.' Despite this, however, 'previously existing, structural forms of social and cultural inequality... percolat[ed] into the hearings.'[47] These variances in 'sayability' may, as Blommaert et al. suggest, be due to differences in 'communicative competence'[48], the formal and uniform procedure of the hearings, subcultural codes, or the ways in which commissioners contextualised and shaped stories through 'interactional assistance.'[49] In essence, even though the TRC offered a 'space' to express these hidden transcripts, the space itself did not 'create more equality' and instead 'accentuat[ed] past inequalities.'[50] This is important to consider within the present research. Black women were arguably one of the most 'hidden' and subaltern groups under apartheid, and thus the narratives they constructed were inevitably influenced by the presence of past inequalities.

Kashyap also critiques the TRC and its narrative production, with particular emphasis placed on the commission's engagement with gender issues. She suggests that although a 'certain degree' of gender consciousness informed the TRC's engagement with GBV, its gender sensitivity was, in many respects, lacking.[51] She makes a variety of critiques, but this review shall place emphasis on those most relevant to the topic at hand. Most significantly, she contends that the TRC's transformative potential was 'not fully realised' due to being narratively 'captive to the project of nation building.' This was as a result of the way in which the TRC created a 'hierarchy of victimhood experience', as only 10% of testimonies were selected for public hearing. Kashyap contends that this hierarchy of suffering compounded experiences of marginalisation, and in doing so, the 'voiceless public' were not the drivers of narrative

[42] Jan Blommaert, Mary Bock and Kay McCormick, "Narrative inequality in the TRC hearings: On the hearability of hidden transcripts", in *Discourse and Human Rights Violations*, ed. Christine Anthonissen and Jan Blommaert (Amsterdam: John Benjamins, 2007), 34.
[43] Ibid., 35.
[44] Ibid., 34.
[45] Ibid., 37.
[46] Ibid., 36.
[47] Ibid., 37.
[48] Ibid., 38.
[49] Ibid., 40.
[50] Ibid., 61.
[51] Rina Kashyap, "Narrative and Truth: A Feminist Critique of the South African Truth and Reconciliation Commission", *Contemporary Justice Review* 12, no. 4 (2009), 462.

production during the reconciliation process.[52] This critique can, in many ways, be related to the notion of narrative inequality explored by Blommaert et. al., as well as the contradiction of hypervisible testimonies accompanied by voicelessness under scrutiny in this thesis. Furthermore, Kashyap emphasises issues around how narratives of sexual abuse were constructed within the context of the TRC. The commission, as she highlights, 'determined that rape is not a political act.'[53] This echoes Mamdani, who also criticised the depoliticization of the TRC. In the context of GBV, Kashyap contents that this made narratives about abuse 'partial and incomplete' for several reasons. Firstly, the TRC failed to encapsulate the links between the liberation struggle and 'the extraordinarily high rates of sexual violence' that accompanied it. The TRC also 'side-stepped' the fact that men and children were also victims of sexual violence. Furthermore, 'categorical perceptions' of victimhood impeded the production of narratives of GBV within the commission. Many victims did not come forward as the dominant construction of victimhood 'did not comport their own self-perception', or due to being threatened by their abusers.[54] This highlights the persistence of silence around GBV for victims, which is of significance when analysing the inherent invisibilities in the testimonies that *were* made by victims during the hearings.

Similarly, Russell considers the impact that the institution of the TRC – that is, its setting – had on the narratives that women produced. She suggests that the 'ad hoc' approach to incorporating women's stories created a 'very narrow focus on questions of gender.'[55] She highlights the ways in which South Africa's 'deeply patriarchal' society impacted the work of the commission, and this cannot be understated in any analysis of the work of the commission as a whole. Perhaps the most interesting of her arguments is the ways in which the privileging of 'severe' human rights violations caused the 'prosaic and sustained suffering of many under apartheid to become the 'lesser' evil.'[56] Thus, much like Kashyap, she reveals that a 'hierarchy of suffering' was created by the environment of the commission, with its emphasis on sexual violence 'diminishing' other forms of violence. Furthermore, she highlights that women's invisibilities extended into the TRC reports, in which only a single chapter on women was included.[57] She emphasises these points through her close analysis of the testimonies of Thandi Shezi, Joyce Marubani, and Lita Mazibuko, and concludes that some women felt that their experiences were 'not as bad' as others, and some women felt the need to elaborate further in order to be properly heard by the commission.[58]

[52] Kashyap, "Narrative and Truth", 456.
[53] Ibid., 459.
[54] Ibid.., 460.
[55] Russell, "A Self-Defining Universe?", 50.
[56] Ibid., 50.
[57] Ibid., 66.
[58] Ibid., 65-66.

1.3.2 Performativity at the TRC

In this section, literature that directly employs or engages with performativity or performative ideas will be discussed. This includes the arguments of Fiona C. Ross (2003), Tanya Goodman (2006), Catherine M. Cole (2007) and Analisa Oboe (2007).

Ross analyses whether the TRC's narrative production – granting a voice to the voiceless – achieved the goals that it presumed. In many ways some arguments, such as Ndebele's, make the same assumption that the TRC itself did: that there is an 'unproblematic link between 'voice' and 'dignity' and between 'voice' and 'being heard.''[59] Ross argues that the commission's 'model of voice' ignored the 'unevenness of social fields and their saturation with power.'[60] She contends that although the Commission used the idea of 'storytelling' as 'a part of its methodological approach to ascertaining truth'[61], narratives were more often than not homogenized by the media and in the Commission's final reports. This, as she suggests, ignored the complexities of testimonies, especially as their 'rich performative contexts' were reduced to stories of suffering.[62] This notion of the reduction of performativity is particularly relevant in the case of the women's hearings, as it suggests that, although the hearings were marked by performative agency, this performativity only influenced narrative as far as the act of testimony itself. Furthermore, Ross highlights the limitations of the transcription process of the hearings. Oral performances are inevitably 'transformed', with their 'form and intent' altered. She suggests that this may not be entirely problematic, as it could result in fresh perspectives – however, such recontextualization may also be 'harmful' to the subjectivity of the original narrator.[63] This recontextualization of performativity should be considered when analysing the transcripts of the testimonies under consideration from a performative perspective.

Cole focuses on the theatrical qualities of the TRC as a 'ritual of performance.'[64] She notes that multifaceted theatrical metaphors came to surround the commission – on one hand, it was embraced as 'ritual and drama', on the other, it was referred to as a 'circus.' Fundamentally, she suggests that the performative nature of the hearings 'transcended language' in many respects, with this kind of 'embodied expression' central to the TRC process. This, as she suggests, is an aspect of the hearings that is rarely given notice or attention in secondary literature on the TRC, or in fact the final report of the TRC itself.[65] She highlights that performance 'resonates... in several different registers', namely 'reason, emotion and experience', acting as a vehicle for expressing the profound human suffering

[59] Fiona C. Ross, 'On Having Voice and Being Heard: Some after-Effects of Testifying Before the South African Truth and Reconciliation Commission', *Anthropological Theory* 3, no. 3 (2003), 327.
[60] Ibid., 327.
[61] Ibid., 328.
[62] Ibid., 329.
[63] Ibid., 334.
[64] Catherine M. Cole, "Performance, Transitional Justice, and the Law: South Africa's Truth and Reconciliation Commission," *Theatre Journal* 59, no. 2 (2007), 176.
[65] Ibid., 178.

expressed at the TRC.[66] This, as she contends, provided agency to people 'who had been voiceless.' However, she also points out that, although the theatrical quality of the TRC appeared to provide 'unmediated access' to the truth, in reality the hearings were 'highly mediated.' She compares the commission to a 'casting director' that determined who would, and who would not, receive a public hearing. In addition, the media chose which portions of these hearings would, and would not, be broadcasted. This echoes aforementioned concerns about the 'hierarchy of suffering' the TRC produced. That being said, Cole disputes the notion that the public hearings 'made for good theatre, but bad history.' Although she acknowledges that this was perhaps the case in the official TRC reports – wherein there were 'wobbly definitions of truth, simplistic bifurcation of victims and perpetrators, [a] lack of quality control in data collection, and [an] absence of explanatory narrative' – she sees the potential for the 'densely meaningful embodied testimonies' created by performativity to produce nuanced history.[67] In order to demonstrate this, she provides a compelling analysis of the hearings of the Guguletu Seven that took place in April 1996, which suggests that while 'some truths could be contained within the commission's mandate', the performative nature of the hearings resulted in a 'live, embodied experience', allowing individual agents to take charge of their own narratives.[68]

Similarly, Goodman examines the case of the TRC as an example of a 'modern ritual of performance.'[69] However, she extends her analysis to include the role that its performativity played in the transition from apartheid to democracy. She contends that it was a 'successful performance' that offered both catharsis as well as a 'pathway to new definitions of belonging.'[70] She argues that the hearings of the TRC were unique in their location within a 'liminal space' that generated 'collective effervescence.'[71] In Goodman's view, liminality explains the ways in which the hearings 'occurred both in and out of normal trajectories of cultural space and time.'[72] This, in many ways, relates to the present research in terms of the ambiguities of presence and absence within the hearings. Indeed, the liminality of the hearings meant that victims and perpetrators 'shared the same moral space of judgement and evaluation' and in the reversal of positions of 'villains and victims, evil and good' a 'blurry space emerged' through which the TRC established the idea that 'all had suffered.' Goodman argues that it was within this ambiguous space that the nation awakened to a 'shared bond', implying that it was the unique performative framework of the TRC that produced narratives of nation building.[73] She highlights the relational aspect of performativity – between 'telling' and 'listening.' Indeed, she stresses that the

[66] Cole, "Performance, Transitional Justice, and the Law", 179.
[67] Ibid., 180.
[68] Ibid., 186.
[69] Tanya Goodman, "Performing a "new" nation: the role of the TRC in South Africa," in *Social Performance: Symbolic Action, Cultural Pragmatics, and Ritual*, ed. Jeffrey C. Alexander, Bernhard Giesen and Jason L. Mast (Cambridge: Cambridge University Press, 2006),169.
[70] Ibid.
[71] Ibid., 172.
[72] Ibid., 162.
[73] Ibid., 175.

performative process 'involved multiple audiences': victims, perpetrators, observers in court, the media, the broader audience of South Africa, and even the world at large. This, as Goodman suggests, meant that 'once the testimonies moved outside of the walls of the TRC, they reverberated through the public space' with enormous social significance.[74] She emphasises the importance of listening in this process, acknowledging 'commissioners as empathetic interlocutors'[75], the 'media as sympathetic interpreters'[76] as well as the general public, highlighting the impact that these interactions had on creating a 'new, shared collectivity.'[77]

Conversely, Oboe focuses on the role of performance in the women's hearings of the TRC in particular. She emphasises the ways in which, by testifying, women re-negotiated structures of power that were formulated during apartheid, as 'so far their identity ha[d] been denied, their voice silenced' – in opposition to the 'cancellation of identity.'[78] She highlights the ways in which performativity was accompanied by both 'lyricism and fragmentation', and poses a vital question for the analysis of women's testimonies: 'in the culture of black South African women, do strength and motivation lie in disclosure or in secrecy?'[79] She argues that these two opposing 'discursive approaches' stress an established fact in these hearings: 'how self-annihilating it was to be a black woman under apartheid.'[80] Much like Goodman, she emphasises the relationship between storyteller and audience, however she also demonstrates the various responses to the audience presence on the part of testifiers, and how this impacted orality depending on the testifier and the story she told.[81] According to Oboe, 'truth accounts' cannot always be easily 'authenticated' by a community, which can act to the detriment of the storyteller.[82] Overall, Oboe provides a compelling account of performance and protest at the heart of the women's hearings: she acknowledges both the inherent performativity of the women's hearings, as well as their 'incoherence.' Through this, she establishes new ways of analysing silences in women's accounts that do not 'impose meaning and order on what is unspeakable.'[83] Instead, these silences are framed as 'critiques' of the 'overarching narratives' of the TRC and the 'new South Africa'[84] recognising that, the persistence of silence lies in subcultural codes of gender-behaviour.[85] This notion of performative silence provides an ideal segue into the final section of this literature report.

[74] Goodman, "Performing a "new" nation", 180.
[75] Ibid., 181.
[76] Ibid., 183.
[77] Ibid., 185.
[78] Annalisa Oboe, "The TRC Women's Hearings as Performance and Protest in the New South Africa," *Research in African Literatures* 38, no. 3 (2007), 64.
[79] Ibid., 67.
[80] Ibid., 68.
[81] Ibid., 69-70.
[82] Ibid., 70.
[83] Ibid., 66.
[84] Ibid., 66.
[85] Ibid., 67.

1.3.3 Spectrality, trauma and the TRC's legacy

While there is certainly a gap in literature in terms of analyses of haunting or its related themes at the TRC, the works of Nthabiseng Motsemme (2004), Daniel Herwitz (2005), Berber Bevernage (2010) and Rosemary Jolly (2004) provide significant insight into the potentials of this theoretical approach when analysing the TRC.

Motsemme focuses on women's silences at the TRC. In her article, she suggests that silences can be reinterpreted as 'another language' through which 'women speak volumes.'[86] She proposes that these silences can be read as 'speech and action', and allow us to explore and reveal the hidden meanings implicit in the 'struggle to live under apartheid.' Her article highlights how silences form a part of 'collective narrative' , and how the women's testimonies of the TRC are 'less about nation, and more to do with a wholeness of self' that was 'breached in ways that left victims bereft.' Fundamentally, her article rejects dominant western 'hierarchies of silence and speech' and instead 'adopts frameworks where words, silences, dreams, gestures, [and] tears' all exist within the same interpretive field.[87] Although not stated outright, these ideas can be related to the ideas of haunting found in this thesis. Indeed, silence exists in the space between presence and absence, thus embodying the 'seething presence' of violent histories. She achieves her novel framework through analysing the limits of verbal language, as well as suggesting ways to 'reinterpret silence.'[88] She analyses the hearings of the TRC in support of these claims, particularly focusing on 'silence as resistance and courage'[89], 'silence as illusion of stability'[90], and 'silence as a site for coping and the reconstitution of self.'[91]Through this analysis, she produces a compelling argument that silences can be used as a 'means to further our understanding of... women's subjectivities and agency during apartheid.'[92]

Herwitz specifically focuses on the potential legacy of the TRC in its wake, with a particular emphasis on its relevance in the future. He emphasises how the TRC in post-apartheid South Africa provides a means of 'recognition' of the past through collective memory.[93] He notes how the public nature of the TRC has the potential to 'keep the past in consciousness so that it might live a life in the future.'[94] However, he goes on highlight the obstacles to this legacy. He suggests that the TRC's political dimension 'constrains the possibilities and the forms of appropriateness memorialisation may take', noting the core of the TRC's historical and reconciliatory discourse, which 'eschewed violence and

[86] Motsemme, "The Mute Always Speak", 910.
[87] Ibid.
[88] Ibid., 916.
[89] Ibid., 917.
[90] Ibid., 920.
[91] Ibid., 923.
[92] Ibid., 926.
[93] Daniel Herwitz, "The Future of the Past in South Africa: On the Legacy of the TRC", *Social Research: An International Quarterly* 72, no. 3 (2005), 533.
[94] Ibid., 534.

urged reconciliation.'[95] He thus emphasises a dilemma of the transition, 'the need to strengthen the new state while also freeing it from the remnants of the past', leaving post-apartheid South Africa not with a legacy of collective memory, but a 'liability of demands' as the society 'veers forward' into the future.[96] Indeed, as he suggested at the time of writing his article in 2005, the TRC was 'hardly spoken about in public culture.'[97] He concludes by suggesting that the legacy of the TRC should be a 'perpetual duty of remembrance,' and that the state cannot produce justice 'without these lessons of public memory.'[98]

Conversely, Bevernage claims that truth commissions turn to 'modern historical discourse' in their production of history.[99] He contends that the modernist approach to history stresses a 'qualitative break between past, present and future' due to modernity's orientation towards the future.[100] However, trauma and memory 'blur' this divide between past and present at the root of modern historical discourse. This is the effect of the 'haunting past' that remains present within truth commissions, generating a paradox.[101] The 'will to modernity'[102] within truth commissions is juxtaposed by the presence of the 'haunting past.'[103] In the case of South Africa, he points to how African National Congress (ANC) leadership wanted the TRC to free the new government 'from the burden of the past by concluding its work as quickly as possible', perceiving that, without such a commission, the 'new' South Africa would not 'succeed in breaking with the past.'[104] This is also related to notions of national unity and historical simultaneity, as the language of truth commissions 'supported' nation building by 'insisting on the modernist rupture between past and present.'[105] Thus, a major goal of modern historical discourse in truth commissions is to induce a present 'freed from any ghosts of the past', often preoccupied with 'chronology and periodization.'[106] However, as is abundantly clear, this seems wholly incompatible with the nature of the testimonies of the TRC, which are, as this thesis will explore, chronologically disjointed, traumatically incoherent, and marked by the 'seething presence' of the past.

Much like Motsemme, Jolly suggests that the TRC was 'unable to register the stories of women' in many senses.[107] She relates this to the unspeakable 'incoherence' of certain testimonies, and views this as a 'failure of the TRC to recognise women in their own right.'[108] She highlights that women were

[95] Herwitz, "The Future of the Past", 536
[96] Ibid., 540.
[97] Ibid., 546.
[98] Ibid., 546.
[99] Bevernage, "Writing the Past Out of the Present", 113.
[100] Ibid., 115.
[101] Ibid., 116.
[102] Ibid., 118.
[103] Ibid., 116.
[104] Ibid, 119.
[105] Ibid., 121.
[106] Ibid., 124.
[107] Rosemary Jolly, "Spectral Presences: Narrating Women in the Context of South Africa's Truth and Reconciliation Commission," *Canadian Journal of African Studies* 38, no. 3 (2004), 622.
[108] Ibid., 624.

testifying under a kind of 'censorship' as the 'personal costs' to testifying may have been high, largely due to the role of patriarchal gender roles that were maintained. Here censorship is not the direct censoring of speech, but rather a Butlarian notion of censorship – the ways in which society 'decides who is and who is not constituted a person.'[109] Women comprise not only a state of 'non-status'[110] in society at large, but also within the confines of the TRC. This lack of subjectivity, of non-personhood, is the spectrality that Jolly highlights, as women were 'considered immaterial' in the TRC, existing 'outside the domain of speakability.' She emphasises the ways in which inhabiting such a space – between absence and presence – can lead the subject to 'feel insane', which contributes further to the haunting incoherence of many testimonies.[111] In her conclusion, she suggests that, in order for the institutional 'listening' of the TRC to have been successful, it would have required women to be 'imagined as subjects.' However, she also suggests that women performed their subjecthood through their testimonies despite the constraints placed upon them.[112]

Thus, there have been several developments in academic discourse surrounding the TRC. For the most part, its proceedings have been criticised not only for their general lack of scope, but also their gender blindness. That said, there have also been meaningful analyses of what was conveyed in the testimonies of the hearings themselves. Furthermore, some analyses consider the temporality of the commission, and how it constructed particular historical discourses in post-apartheid society. What is missing from many analyses is the legacy left behind by the TRC on South African sociocultural life, particularly with regards to discourses on women. While there has been a growing focus on the women's hearings of the TRC, this thesis provides a perspective that takes into account not only the constructions of narrative during the hearings, but also what effects these constructions had on discourses of GBV in the post-apartheid era. This focus is incredibly relevant in South Africa's socio-political climate today. South Africa is colloquially referred to as 'the rape capital of the world' by the media and public alike.[113] GBV is an everyday nightmare that, although extremely visible, is often swept under the rug or ignored. It is this ebb and flow from the public's attention that, in many ways, echoes the contradictions and paradoxes that were seen in the narrative constructions of GBV within the TRC. Thus, although this thesis is firmly grounded in a historical context, it also contributes to understanding narrative constructions of GBV in South Africa today.

[109] Jolly, "Spectral Presences", 626.
[110] Ibid., 636.
[111] Ibid., 633.
[112] Ibid., 636.
[113] Pumla Gqola, *Rape: A South African Nightmare* (Johannesburg: MFBooks Joburg, 2015), 19.

1.4 Sources

This thesis draws on several primary sources for analysis. In Chapters 2 and 3, transcripts of the women's hearings act as the main sources of inquiry. As well as this, first-hand accounts and video footage of the hearings are also taken into account. In chapter 4, the official TRC report is examined. Finally, in chapter 5, a combination of media articles, biographies, videos, and photographs are analysed. In this section, I outline the usage and limitations of these sources in detail.

1.4.1 Chapter 2 and 3: Transcripts, partial recordings, and first-hand accounts

This research will analyse transcripts of the women's hearings of the TRC that took place in July 1997.[114] These hearings formed a part of the special hearings, those special cases that were separated from the Human Rights Violations (HRV) hearings. Each hearing is introduced with the name of the victim, the date of the hearing, the location of the hearing, and the case number. Following this, verbatim transcriptions of the spoken elements of the testimonies, including victims' testimonies as well as commissioners' and interpreters' interjections are included. It is further indicated when prayers are delivered, and in the case of the spoken word poems read between testimonies, the way in which the poems are delivered (such as 'sung').[115] In terms of selecting relevant testimonies, this thesis will only consider testimonies that include GBV inflicted upon the victim testifying, with the testifier as the primary rather than secondary victim. Furthermore, this thesis takes into account other aspects of the hearings that contribute to their overall 'performance' – such as Gcina Mhlope's spoken word poems that were read or sung between testimonies, as well as the introductory testimony of the head of the Gender Commission, Thenjiwe Mtsitso, and Dr. Sheila Meintjie's testimony that covers the research into GBV made by the Gender Research Project of the Centre for Applied Legal Studies. All these elements contribute to narrativity and provide significant insight into the conceptualisations of GBV at the hearings, in relation to their historical and social approximation.

During the writing of this thesis, I was unable to access the full recordings of the women's hearings due to the present climate of COVID-19. However, the South African Broadcasting Corporation (SABC) produced an 87 episode documentary series on the TRC while the hearings were ongoing between 1996 and 1998.[116] This documentary series is readily available online, and Episode 64, which originally aired on the 7th of September 1997, includes a few extracts from testimonies of the women's hearings.[117] Although brief, these extracts provide insight into the performative setting of the women's hearings, and the social prevalence of the TRC during the late 1990s. It should be noted that there were a few

[114] "Special Hearings", Truth and Reconciliation Commission of South Africa, accessed November 10 2020, https://www.justice.gov.za/trc/special/index.htm.
[115] "Special Hearings"
[116] "Truth Commission: Special Report", *SABC*, accessed January 17, 2021, https://sabctrc.saha.org.za/episodes.htm.
[117] "TRC Special Report: Episode 64", *SABC*, accessed January 17, 2021, https://www.youtube.com/watch?v=nF9n_HjJp4Q.

other challenges I faced when interpreting these sources. The transcribed estimonies were inevitably transformed from their original performative form. For example, some of the testimonies in the official transcripts differ greatly from Antjie Krog's first-hand accounts and translations in *Country of My Skull*. A glaring example is in Lita Mazibuko's testimony. Krog's account includes Mazibuko's graphic descriptions of how she was sexually assaulted with a pipe[118], however the official transcript of her testimony simply states that she was assaulted.[119] While these discrepancies do present a problem, they are also revealing, as it suggests the power of these testimonies in evoking intersecting systems of historical meaning. With this in mind, additional sources are employed to gain a more complete understanding of these intersections and discrepancies.

There is only so much one can gauge about the mood or feeling of testimony from transcripts alone. To gain a more complete understanding of these testimonies without extensive audio or visual recordings, other first-hand accounts of the testimonies and settings of will be taken into account. This will include Antjie Krog's first-hand accounts of the hearings in *Country of My Skull*[120], and articles from newspapers that formed a part of the South African Press Association news agency at the time.[121] Unfortunately, other first-hand accounts of the hearings, such as those of TRC chairpersons Alex Boraine in *A Country Unmasked*[122] and Desmond Tutu in *No Future Without Forgiveness*[123] do not contain extensive reflections or accounts of the women's hearings. It is this general lack of engagement with gender that is a key weakness of most first-hand accounts.

Indeed, even those that do engage with women are inherently limited. Not every testimony is reported upon in these texts. The media placed emphasis on testimonies that caused a political stir, such as those that covered violence committed against victims by members of the ruling ANC party.[124] Generally, they did not report extensively on testimonies that were less politically controversial. As well as this, Krog's work has come under criticism for her appropriation of the TRC's testimonies, as some testifiers felt that she took unauthorised ownership of their stories.[125] Nevertheless, when combined with the transcripts of the testimonies, these first-hand accounts do provide additional context that would be otherwise uninterpretable, especially with regards to affective elements that cannot be gauged through the spoken aspects of the hearings alone.

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[118] Antjie Krog, *Country of My Skull* (Cape Town: Penguin Books, 2002), 16.
[119] "Special Hearings"
[120] Krog, *Country of My Skull*
[121] "SAPA News Reports – 1997", *Truth and Reconciliation Commission of South Africa*, accessed January 17, 2021, https://www.justice.gov.za/trc/media/sapa97.htm
[122] Alex Boraine, *A Country Unmasked: Inside South Africa's Truth and Reconciliation Commission* (Oxford: Oxford University Press, 2000)
[123] Desmond Tutu, *No Future Without Forgiveness* (New York: Random House, 1999)
[124] "Mazibuko's Attack on Phosa During TRC Hearing a Ploy, Says ANC", *SAPA*, accessed January 17, 2021, https://www.justice.gov.za/trc/media/1997/9707/s970729a.htm.
[125] Ross, "On Having Voice and Being Heard", 335.

1.4.2 Chapter 4: Selected volumes of the TRC Report

The TRC report forms the backbone of the fourth chapter, and is analysed in relation to the hearings themselves and broader discourses of post-apartheid South Africa. Comprised of seven volumes published between 1998 and 2003, this thesis will take into account volumes deemed relevant for their inclusion of gendered issues or their provision of general contextual information about the commission and its mandate.

For the most part, this thesis examines the chapter on the women's hearings, which forms a part of the fourth volume of the report, published in October 1998. This chapter is divided thematically, focusing on various key elements of the testimonies. Extracts from the first volume are also considered in relation to the main discourses of the commission and its mandate, and the impact that this had on the narrativization of GBV. Furthermore, the fifth volume contains conclusions about the various proceedings, and is thus also of relevance. The seventh volume is also taken into account due to its inclusion of summaries of victim testimonies. The second and third volumes are not used in this thesis, as they do not deal primarily with the special hearings, and thus are not relevant to the analysis at hand. The report is limited in many respects, but it is these limitations that are considered in depth in Chapter 4.

1.4.3 Chapter 5: Mixed media

Chapter 5, which considers the legacy left by the women's hearings on post-apartheid South Africa, considers three case studies of GBV that occurred in the 21st century: Jacob Zuma's acquittal of the rape of Fezekile Kuzwayo in 2006, the rape and murder of high schooler Anene Booysen in 2013, and the rape and murder of University of Cape Town (UCT) student Uyinene Mrwetyana in 2019. These cases were selected for their infamy and social impact, whether in the moment of the case itself, or in the long-term. In order to gauge an understanding of the present sociopolitical mood that existed at the time of each case, existing statistics from the South African Social Attitudes Surveys and other secondary sources are considered. Pumla Dineo Gqola's 2015 book, *Rape: A South African Nightmare*, is also used as a source due to her highly informative analysis of developments in GBV discourse in post-apartheid South Africa.[126] Furthermore, in all three cases, media articles are considered. However, since the reactions to each of these cases differed depending on a range of social or political aspects, the narrative representations of them also took different forms. With this in mind, each case also draws upon sources that are unique to their narrative representations.

In the case of the Jacob Zuma rape trial, Redi Thlabi's biography of Fezekile Kuzwayo's life, with her own first-hand accounts of her vilification at the trial, is taken into account.[127] Furthermore, the publicly

[126] Gqola, *Rape*
[127] Redi Thlabi, *Khwezi: The remarkable story of Fezekile Ntsukela Kuzwayo* (Johannesburg: Jonathan Ball Publishers, 2017)

available Final Judgement by the presiding judge is considered.[128] In the cases of Anene Booysen and Uyinene Mrwetyana, video evidence was gathered – including the recordings of statements made by former-president Jacob Zuma and current-president Cyril Ramaphosa on GBV prompted by these cases in 2013 and 2019 respectively. This kind of presidential response did not occur in the 2006 trial, for reasons that are examined in Chapter 5. Furthermore, unlike the cases of Kuzwayo and Booysen, the Uyinene Mrwetyana case saw an enormous public reaction, with protest action taken not only in South Africa but also internationally. These protests were loaded with narrativity, and thus are also taken into account in this case. This is especially true for the use of language as expressed through protest placards, which portray a very strong narrative of GBV that I deem relevant not only in South Africa today, but also in relation to the prevalence of GBV historically.

A limitation in this chapter lies with its broad range in sources, however, it should be noted that these sources were chosen as most representative of the cases of GBV captured in this thesis, and it does not attempt to provide a meta-analysis of a broad spectrum of GBV cases. Instead, it seeks to position the narrativization of a few GBV cases in relation to the discourses generated by the TRC, and this narrativization happens to be slightly different in each case, something that is examined in the fifth chapter. It is also worth acknowledging that I have vivid personal memories of the case of Uyinene Mrwetyana, as at the time I both lived in the suburb where she was murdered, as well as attended the same university as her. My affective closeness to this case - the fear, horror, and anger it instilled within me - cannot be understated, although I did not know the victim personally. Due to its recency, I attempt to separate my own memories from the evidence I have gathered in an attempt to analyse the response of South Africa from a self-reflexive perspective.

1.5 Methodology

In order to operationalise the concepts of sociological haunting employed in this thesis, I make use of a mixed methodology consisting of narrative analysis and discourse analysis. Elements of these methodologies are used to varying degrees throughout this thesis, depending on their relevance to the sub-question of each chapter. For example, structural analysis is used throughout the thesis, while performative analysis is used in the first analytical chapter, thematic analysis in the second analytical chapter, and discourse analysis in the final two analytical chapters. In this section, I outline my specific use of these methods, relating to the main theoretical concerns outlined in section 1.2 of this chapter.

Generally speaking, narrative analysis is used in this thesis to trace the broad strokes of conceptual concerns, employing a mixed methodology of thematic, structural, and performative analysis. In particular, I draw upon the methods of narrative analysis presented by Catherine Riessman's book, *Narrative Methods for the Human Sciences*, although I do tweak this methodology to suit the conceptual

[128] "Final Judgement: State v. Jacob Zuma", South African Legal Information Institute, accessed August 20, 2021, http://www.saflii.org/za/cases/ZAGPHC/2006/45.pdf.

concerns in this thesis. Considering the range of narratives exemplified throughout the sources made use of – such as, for example, life stories, historical narratives, or even literary narratives in the form of poetry – I broadly consider narrative as constituting bounded segments of various speakers, whether that be those generated at the hearings themselves, within the TRC report, or during the post-apartheid era.[129]

Thematic analysis denotes 'what' is being portrayed in a text, rather than 'how' it is told.[130] Thematic analysis is largely used in this thesis to gauge the major, identifiable narratives of GBV produced, finding common elements that can be traced between various – and at times intersecting - narratives. I consider conceptualisations of haunting as a 'unit of analysis', and as 'theory-saturated' thematic concerns.[131] Thus, I do not structure my analysis around each of the three major concepts employed, but rather around key shared thematic elements that can be analysed *through* or in *relation to* these concepts. For example, in Chapter 3 I thematically analyse *themes* of trauma, memory and signs of haunting *relative* to structures of feeling, haunting recognition, and rememory. An analysis and consideration of theme is used as a means to unpack the various complexities encountered in the narratives of GBV, using theories to understand the manifestation of these thematic elements, allowing for a consideration of what they might textually or contextually represent.

Conversely, structural analysis concerns the ways in which a story is told, with an emphasis placed on the narrative devices and linguistic tools employed in conveying a particular narrative.[132] In this thesis, this is at times inseparable from thematic analysis, as structure informs theme and vice versa. However, I do believe it is worth emphasising structural analysis as its own analytical component, as it is only employed when most relevant to the topic at hand. As Riessman highlights, typically structural analysis is most appropriate in 'detailed case studies' rather than 'large samples', and so in the case of this thesis, it is employed only when it reveals greater systems of meaning generated by particular segments of text or speech.[133] With this in mind, the structural analysis undertaken in this thesis has largely developed from my background in English literature, with an emphasis placed on the usage and effects of figurative language rather than other prosodic elements.[134] I chose figurative speech as a focus for its emphasis on affectivity and multimodal meaning, and thus, its capability in revealing hidden or deeper meanings characteristic of structures of feeling or other conceptual emphases. This is a framework through which the elusive constructions of haunting can be interpreted, providing tools that can reveal obfuscated meanings hidden behind certain linguistic choices. In many regards, structural analysis also generated

[129] Catherine Kohler Riessman, *Narrative Methods for the Human Sciences* (London: Sage Publications, 2008), 96.
[130] Ibid., 2.
[131] Ibid., 85.
[132] Ibid., 2.
[133] Ibid., 124.
[134] Ibid., 124.

a ‘bridge’ between narrative and discourse analysis due to its emphasis on how a particular speaker constructs a history, a self-narrative, or a political position through figurative speech.

Considering the highly performative context of the TRC hearings, performative analysis is also of relevance to this thesis. I am most interested in examining dialogic or interactional performative elements, in particular, the effects of interactional co-construction. ‘Co-construction’, in the context of performative analysis, refers to the interactive ways in which stories are constructed.[135] The environment of the public court provides a unique variety of interactions – not only between victims and commissioners, but also victims and the public. As suggested by Kashyap, this co-construction can transform a testimony from a ‘telling about shame and humiliation to a portrayal of dignity and virtue.’[136] To locate the storyteller as co-constructor reveals the relationship between individual and social worlds, between the self and culture. At the same time, the interactional nature of these testimonies can also result in a kind of *de*construction, wherein the social environment of the public testimony can act to the detriment of a victim’s storytelling, through the public unknowability of certain experiences. In both cases, this analysis is interested in ‘scenes of entanglement’[137] – the social, interactional way in which the staging of these narratives ‘proliferate visibilities’[138] of the immaterial, haunting forces that characterise traumatic narratives of GBV.

Another analytical concern is discourse analysis. Discourse analysis is broad in its definitions and methods. For the purposes of this thesis, I consider discourse according to Stephanie Taylor’s definition: the systemic yet fluid constructions of language that are produced by particular social or power structures.[139] Discourse analysis takes two forms in this thesis, in which both the *construction* and *effects* of particular discourses are taken into account. For the most part, Chapters 2 and 3 are most concerned with demonstrating how particular discourses of gender were *constructed* at the TRC through narrative analysis, whereas Chapters 4 and 5 consider the effects of dominant post-apartheid identity discourses on understandings and portrayals of GBV in a post-TRC context, taking into account the dissonance generated by the discourses generated by the TRC’s mandate and constructions of gender as evidenced not only in the hearings themselves, but also in the post-apartheid context. Embedded within this is a transition of power, with interactions between the legitimisation of the post-apartheid government and the forces of ‘forgetting’ that characterises gendered issues taken into account. With regards to the latter, this thesis is further concerned with more ‘hidden’ discourses that make themselves known through the disruption of dominant discourses. It is within this notion that the concepts presented by sociological

[135] Riessman, *Narrative Methods*, 125.
[136] Kashyap, “A feminist critique”, 457.
[137] Lisa Blackman, “Researching Affect and Embodied Hauntologies: Exploring an Analytics of Experimentation,” in *Affective Methodologies: Developing Cultural Research Strategies for the Study of Affect*, ed. by Britta Timm Knudsen and Carsten Stage (London and New York: Palgrave Macmillan, 2015), 38.
[138] Ibid., 39.
[139] Stephanie Taylor, *What is Discourse Analysis?* (London: Bloomsbury Academic, 2013), 27.

haunting are of relevance, particularly providing a means of understanding the disruption of the temporal and cultural 'security' provided by national identity discourse.[140]

This chapter outlined the theoretical and methodological concerns of this thesis, positioning it in relation to existing academic analyses. In the following chapters, I analyse the hearings, the report, and the legacy of the commission. I begin in Chapter 2 by analysing the affective staging of the women's hearings, and the effects thereof. In Chapter 3, I examine the narratives produced during the hearings, and how these narratives were constructed within a structure of feeling. Following this, Chapter 4 examines the narratives and discourses produced by the TRC report, and critically compares this to the contents of the hearings. Finally, Chapter 5 examines the legacy left behind by the TRC in post-transitional South Africa.

[140] Gordon, *Ghostly Matters*, 166

2. Affective Staging

The *Promotion of National Unity and Reconciliation Act* of 1995 established the TRC, and charged the commission with 'investigating and documenting gross human rights violations committed within or outside South Africa in the period 1960-1994.'[1] It was, at the time, unique in the sphere of post-conflict tribunals due to its 'open and transparent nature', operating in the public domain.[2] Hearings were aired on national radio and at times, national television, bringing apartheid-era abuses starkly to light in the public consciousness.

The mandate of the commission, which was to 'promote national unity and reconciliation in the spirit of understanding which transcends the conflicts and divisions of the past', outlined several objectives and functions of the commission (Appendix A).[3] The emphasis on reconciliation played a significant role in its processes and effects. This included establishing a 'complete picture' of the 'causes, nature and extent of the gross violations of human rights' committed during the period in question, 'facilitating the granting of amnesty to persons who make full disclosure' of violations associated with political objectives, restoring the human dignity of victims by establishing the whereabouts of the missing and recommending reparations, and compiling a report that provides 'as comprehensive an account as possible' of its activities and findings.[4] Of most relevance in this research is the mandate's definitions of gross human rights violations, which were defined under various categories, namely torture and abduction, killing, and severe ill-treatment. GBV was defined as a form of 'severe ill-treatment', with the specific definitions used by the commission included in Appendix B.[5] That being said, the women's hearings were not initially included in the commission's mandate, and came into being as a result of shortcomings brought to light by activists and researchers. This chapter begins by outlining this context, as this process informed the staging, narratives and discourses presented at the hearings themselves.

It further seeks to examine the ways in which the hearings were staged through affect, and the potential effects that this had on narrative production. I begin with staging as a focus as it pertains not only to influencing the performative production of women's testimonies, but also the major discourses of both the commission as a whole and the women's hearings specifically. With this in mind, this chapter seeks to answer the following research question: *How were narratives generated, staged, and influenced during these hearings, and what made them so affective in a quasi-legal setting*? This chapter explores how histories of GBV were staged through affect in the specific context of not only the TRC, but South Africa as a whole.

[1] Truth and Reconciliation Commission of South Africa, *Volume One: Truth and Reconciliation Commission of South Africa Report* (Cape Town: Truth and Reconciliation Commission, 1998), 24.
[2] Ibid., 1.
[3] Ibid., 55.
[4] Ibid., 55.
[5] Ibid., 81.

2.1 The context of the women's hearings

On the 28th and 29th of July 1997, a committee of the TRC heard various testimonies of women who had suffered severe human rights abuses under the apartheid regime. This special committee was, for all intents and purposes, an *ad hoc* addition to the proceedings of the commission.[6] Indeed, the women's hearings were the culmination of a variety of organisations that lobbied for their inclusion, including 'women's organisations, victim-support groups, legal groups and the media.'[7]

A notable submission was made to the commission in May 1996 by academics Beth Goldblatt and Sheila Meintjies, a month after the commencement of the HRV hearings.[8] The document was compiled as a part of the Gender Research Project, hosted at the Centre for Applied Legal Studies (CALS) at Johannesburg's University of the Witwatersrand.[9] The submission not only highlighted the importance of the commission in reshaping harmful gender norms in South African society, but also in bringing to light the various violations faced by women under apartheid.[10] A major shortcoming highlighted by this submission, as well as other groups, was how women rarely disclosed violations committed against themselves in the HRV hearings, and instead only spoke of what had happened to family members or the wider community.[11]

As a result, in August 1996 the TRC announced that hearings for women would be held during the reconciliation process, with the intention of addressing these shortcomings.[12] Thenjiwe Mtsintso, head of the TRC's appointed gender committee, made the purpose of the women's hearings clear in her opening statement on the 28th of July 1997:

> 'I also want to take this opportunity to salute the people that are going to be presenting here today. Especially the women that are coming forward to speak for themselves; to speak as actors, as active participants and direct survivors of the violation of human rights. Not as relatives, not as spouses, not as wives, but as themselves; those that directly suffered.'[13]

Hence, the hearings were intended to provide women with a space to speak as direct survivors of human rights violations, as primary rather than secondary victims. Another aim of the women's hearings was to bring GBV and gender inequality to the fore as a significant human rights abuse under apartheid.

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[6] TRC, *Volume One*, 81.
[7] Ibid.
[8] Beth Goldblatt and Sheila Meintjies, "Gender and the Truth and Reconciliation Commission: A submission to the Truth and Reconciliation Commission," Truth *and Reconciliation Commission,* May 1996, https://www.justice.gov.za/trc/hrvtrans/submit/gender.htm#A.
[9] Ibid.
[10] Goldblatt and Meintjies, "Gender and the Truth and Reconciliation Commission"
[11] Annalisa Oboe, "The TRC Women's Hearings as Performance and Protest in the New South Africa," *Research in African Literatures* 38, no. 3 (2007), 61.
[12] Russell, "A Self Defining Universe", 50.
[13] "Special Hearings," Truth and Reconciliation Commission of South Africa, accessed November 10 2020, https://www.justice.gov.za/trc/special/index.htm, 35.

Mtsintso further emphasised that the process of the hearings could contribute to the conscious eradication of gender injustice in South African society:

> 'Democracy, reconciliation and nation-building remained threatened so long as patriarchy in all its forms and all the forms of patriarchy, Chairperson, are violent forms of patriarchy. They are actually a violation of human rights. We cannot limit human rights to what is in the act. Gender inequality and gender injustice is a violation of human rights. It does not necessarily mean that we must have the hearings, but it means we must have the process of eradicating that.'[14]

Thus, in the hearings we see an attempt to consolidate the public consciousness of gender inequality and patriarchy with the trauma that women experienced, which is in many regards reflective of the feminist lean of those who rallied for their inclusion. Fundamentally, this represents the intentional injection of the traumatic experience of gender injustice into political and public consciousness. Indeed, this was emphasised in Sheila Meintjies' submission to the commission on behalf of the Gender Research Project: "in our research… we suggest that there is a systematic undermining of women's sense of their self, of their sexuality in order to undermine their sense of political commitment, their sense of belonging to a community."[15]

2.1.1 A selective process

Embedded within this was a certain representation of the widespread victimisation that women experienced under apartheid. Although approximately sixty women appeared before the TRC during this process, only a small percentage were heard publicly.[16] Thus, the women who did appear publicly were selected as those who were most 'representative' of the sufferings experienced by women under apartheid.[17] This selective process indicates the practical way in which the commission intentionally staged certain representations of GBV for public viewing or listening.

That being said, tracing exactly *what* these selective criteria were is something that is more closely related to the 'official' narrative of GBV presented within the TRC report, which was inherently selective in character. One can assume that it is related to how the commission itself mediated women's testimonies in pursuit of a particular narrative agenda. However, this is also related to the fact that it was only in the public hearings that women were filmed and recorded for the purpose of public engagement. Even though, due to a lack of funds, most hearings were not broadcast on television and were instead broadcast on the radio, cameras were nevertheless present, with footage maintained in

[14] "Special Hearings", 40.
[15] Ibid., 103.
[16] Russell, "A Self-defining Universe", 54.
[17] Ibid.

archives and used in documentaries in the years following the proceedings.[18] The presence of cameras in the public hearings - and the watching public audience they implied – will be considered in greater depth later in this chapter in reference to the role of the public.

However, one element that did seem to influence the selection of public testimonies was the intentional inclusion of women from diverse backgrounds, with some women being well-known figures, and others being ordinary citizens or lesser-known activists. Furthermore, women came from different areas of South Africa to give their testimonies in the public hearings, describing the violations they experienced both within South Africa's borders, and in exile in neighbouring countries, such as Mozambique and Botswana.[19] Of the testimonies under consideration in this thesis, notable testifiers included activist-journalist Joyce Sikhakhane Ranken[20], activist Deborah Matshoba[21], and Sheila Masote, daughter of musician Matlhaela Masote.[22] The remaining testimonies were given by lesser-known political activists: Lita Mazibuko, Thandi Shezi, Joyce Marubini and Nozibonelo Mxathule; or ordinary citizens: Kedeboni Dube, Gloria Mahlope, Winnie Makhubela, and Thandi Mavuso. My analysis also features speakers at the hearings who did not testify, or testified on behalf of greater organisational bodies - including the prolific Gcina Mhlope, who was not only an activist, but also a poet, playwright, author and actress, Sheila Meintjies, who was at the time professor in political and gender studies at the University of the Witwatersrand, as well as submissions made on behalf of the Federation of Transvaal Women (FEDTRAW) by Nomvula Mokonyane and Tokyo Sexwale.

2.1.2 Victim-friendly approach

Much like the other committees of the TRC, the women's hearings undertook a so-called 'victim-friendly' approach.[23] Testimonies followed a particular structure, beginning with an introduction, followed by the testifier's monologue, followed by cross examination by the commissions, and finally a conclusion and/or press conference. Described in such a way, this does not seem different from an ordinary court case. However, a closer examination reveals how this structure was reframed to suit the atypical context of the hearings.

For example, unlike traditional court settings, 'pride of place' was reserved for witnesses, and so there were no raised platforms.[24] Contributing to this was the fact that all of the hearings of the TRC took

[18] Tutu, *No Future Without Forgiveness*, 86.
[19] "Special Hearings"
[20] "Joyce Sikhakhane Ranken," SA History Online, last modified February 4. 2021, https://www.sahistory.org.za/people/joyce-sikhakhane-rankin.
[21] "Nikiwe Deborah Matshoba,' SA History Online, last modified October 26,2020, https://www.sahistory.org.za/people/nikiwe-deborah-matshoba.
[22] Chris Barron, "Obituary: Michael Masote, violin maestro who helped spread popularity of classical music," *Sunday Times*, June 4, 2017, https://www.timeslive.co.za/sunday-times/opinion-and-analysis/2017-06-04-obituary-michael-masote-violin-maestro-who-helped-spread-popularity-of-classical-music/.
[23] Tutu, *No Future Without Forgiveness*, 84.
[24] Ibid., 85

place in environments of cultural or social significance, including 'town halls, civic centres, and especially church halls.'[25] Although this is relevant, it is unclear exactly which of these venues the women's hearings specifically took place in, although we do know that they took place in the Johannesburg area.[26] Furthermore, the commission employed professional 'comforters' whose 'job it was to look after those who came to testify.'[27] In recordings of the women's hearings, comforters are seen gently embracing victims as they recount their most traumatic memories, while making sure that tissues and water were readily available.[28]

Another notable difference between the women's hearings and traditional legal settings is that perpetrators were not present. This was an ordinary occurrence for the human rights violations and special hearings of the TRC - the commission reported that there was 'limited overlap' between victim applications and amnesty applications, and thus it was exceedingly rare for perpetrators to request amnesty for violations that were exposed during victim hearings.[29] Indeed, although some perpetrators were named by women during the hearings, more often than not perpetrators remained unidentified.[30]

2.2 Affective co-construction and structures of feeling

The TRC has been extensively analysed as ritual in previous literature, with several scholars emphasising its role as a 'ritual of performance.'[31] The performativity of the TRC cannot be emphasised enough, however what is of more interest to me are the *means* through which it was performative. Performativity has been often defined as the 'power of language to effect change on the world' as a form of social action.[32] In this case, however, performativity moved beyond this into affectivity in the formation of a structure of feeling, encapsulating the formation of identity in relation to past-present ideologies. It is undeniable that patterns and similarities are found across testimonies, especially with regards to how they were ritualistically staged. Indeed, this performative tendency is not found in the narrative *shape* of each testimony, but their practical narrative *setup*. Here I am less concerned with the contents of the testimonies, but rather with the structural confines within which each testimony took place.

[25] Tutu, *No Future Without Forgiveness*, 86.
[26] "Special Hearings"
[27] Jillian Edelstein, *Truth and Lies: Stories from the Truth and Reconciliation Commission in South Africa* (London: Granta Publications, 2001), 756.
[28] "TRC Special Report: Episode 64", SABC, accessed January 17, 2021, https://www.youtube.com/watch?v=nF9n_HjJp4Q, 05:39.
[29] Truth and Reconciliation Commission of South Africa, *Volume Seven: Truth and Reconciliation Commission of South Africa Report* (Cape Town: Truth and Reconciliation Commission, 2002), 3.
[30] "Special Hearings"
[31] Cole, "Performance, Transitional Justice, and the Law", 176.
[32] Jillian R. Cavanaugh, "Performativity", *Oxford Bibliographies*, accessed December 25, 2020.

2.2.1 Commissioners and the imagination of reality

The process of interactional co-construction between commissioners and victims contributed greatly to the ways in which women's narratives were contextualised within a greater discourse of violence. When one examines the hearings, the explicit role of the commissioner was to probe for additional details in a victim's story. This is evident across a variety of testimonies, where victims are asked for more details: 'can you tell me what the witness actually saw?'[33], 'can you tell us how were these three children related?'[34], 'can you tell us as to how you executed your duties?'[35], 'Can you tell me how long you were actually held in prison?'[36] Embedded within this, however, was a significantly different kind of affective relationship than is typical in legal settings. This is largely due to the field of transference that existed between commissioners and victims.

By 'transference' I am not merely referring to the transferring of ideas and narratives between individuals, but rather the meeting of the real and what is *imagined* to exist or have existed.[37] According to Gordon, transference is the 'process of fixation' that results in a reality being imagined or enacted, whether deliberately or on accident.[38] In this context, it is a means through which the past is contextualised as a present-day experience within a particular structure of feeling. This can manifest in a myriad of ways, but in the case of the women's hearings, transference is noticeable in commissioners' imaginations of *politics* as gendered, effectively *making* political motivations 'real', present, and actively perceivable in the stories that women told. Indeed, it were often the commissioners who guided women's narratives from the personal to the political, reconstructing them within a particular imagination. By politicising trauma, commissioners effectively generated a structure in which stories were made more tragic or socially relevant through political semantics. This is indicative of an intentional awareness of the *typologies* of present-day, politicised truths the commission wanted women to tell about their past experiences. For example, after relaying their stories, victims were often asked if they had any political involvement if it was not already made clear (Table 1).

Hearing	**Commissioner's question**
Kedeboni Dube	MS. SEROKE: Were you a comrade in Swanieville? Were you involved in politics?[39]
Joyce Marubini	MS. MKHIZE: Now as you relate the story, can you please tell us what sort of life you led? Were you

[33] "Special Hearings", 8.
[34] Ibid., 18.
[35] Ibid., 91.
[36] Ibid., 135.
[37] Gordon, *Ghostly Matters*, 43
[38] Ibid., 43
[39] "Special Hearings", 3.

	involved in politics or were you just an ordinary citizen?[40]
Sheila Masote	MS. MKHIZE: …Were you at that time politically active yourself, in your own right?[41]
Gloria Mahlope	MS. MKHIZE: Can you just tell the Commission a little bit about Tembe. Was she politically active or whatever memories that you might think of, anything that will help us to have a vivid picture of her.[42]
Nozibonelo Maria Mxathule	CHAIRPERSON: Did you say you were a member of any political position? If so, did you hold any position?[43]
Lephina Zodwa Thobela	MS. SOOKA: Mama, I am going to just ask you a few questions. Firstly, your daughters, were they also members of a political organisation?[44]

Table 1: Political transference in extracts from the special hearings (Source: TRC Women's Hearings)

No matter whether the answer was an affirmative or not, this had the effect of linking victim's experiences to a wider socio-political context. For example, in Joyce Marubini's hearing, an image of a senseless political motivation for violence by the South African police force is implied through interactional co-construction. She had just described how she was viciously beaten with *sjamboks* to the point that her under garments were exposed and torn while detained in police custody. The commissioner turns her attention back to her role as a youth organiser, and questions whether her actions could have been seen as a threat:

> 'MS MKHIZE: What were your duties? What was expected of you as a youth organiser? Just tell us briefly the list of duties that you had to discharge.
>
> MS MARUBINI: In Phalaborwa there's a certain project that makes T-shirts as well as pens and papers and I was supposed to organise the youth to help with that project.
>
> MS MKHIZE: Maybe if you organised there's something in particular that you used to do that was perceived by the police as a threat?
>
> MS MARUBINI: There was nothing that I was doing and I do not understand as to why the police perceived me as a threat or my actions as being threats.'[45]

[40] "Special Hearings", 28.
[41] Ibid., 52.
[42] Ibid., 17.
[43] Ibid., 115.
[44] Ibid., 144.
[45] Ibid., 28.

The commissioner pushed Marubini to emphasise the nature of her duties as a Youth organiser, even though they were rather innocuous. Initially, this may come across as the commissioner transferring blame onto the victim, but a consideration of transference reveals a different angle. Here Mkhize is not attempting to blame the victim for the acts committed against her, but establish how the crime *could have* been politically motivated, even if this was not the case. This is essentially an imagined idea separate from the story that Marubini told, but it acts to construct Marubini's deeply personal and traumatic narrative into a broader political discourse as a shared social reality.

A similar creation of meaning through transference is found in Kedeboni Dube's hearing. She describes how an Inkatha Freedom Party (IFP) member kidnapped and raped her in 1992. She is asked about her political involvement twice, allowing her to emphasise that she was not involved in politics at all. In particular, the commissioner asked if she was an African National Congress (ANC) comrade:

> 'MS SEROKE: Were you a comrade in Swanieville?
>
> MS DUBE: No, I wasn't a comrade.
>
> MS SEROKE: Were you not involved in politics?
>
> MS DUBE: No, not at all.'[46]

Dube's testimony is thus another example of the ways in which commissioners would intentionally relate GBV to an imagined political motive, even if this motive is not explicitly stated or conveyed by a victim. Indeed, in this case, since Dube was an ordinary civilian, they return to the perpetrator, highlighting his political position as the motive for his crime:

> 'MS MKHIZE: The one you say you know, took you and raped you; what is he? Is he a comrade? What right did he have to fight you and accuse you of searching the dead corpses?
>
> MS DUBE: At that time he was a comrade, but now he's not a comrade any more. He's just a thing. He's just an alcoholic, drinking all the time. But during that time they were scared of him. That's why I also even could not report him, because he was quite a popular guy and for me - the people were scared of him and I was also scared that he was going to kill them.
>
> MS MKHIZE: You say when he was a very known comrade; what was he? Was he an organiser? Was he a secretary?
>
> MS DUBE: I wasn't very much involved in politics. So I don't know. But I do know that the big - he was popular, was highly known.'[47]

[46] "Special Hearings", 3.
[47] Ibid., 7.

Thus, even if the organisation of the TRC 'determined that rape is not a political act,'[48] the commissioners of the women's hearings were determined to politicise GBV in public memory, whether this political dimension was imagined or not. Transference naturally occurs within an affective field, as it produces stories that are an affective consequence of dynamics of reality and imagination – in this case, ensuring that stories were made more tragic and more relevant through the naturally social, albeit vague, semantics of 'politics.' In this case, transference generated narratives through past-present political concerns, essentially revealing gendered trauma as something fluid in temporal meaning and positionality.

The notion of transference is not without contentions in this context, however. Indeed, the TRC has been criticised in the past for its individualism, which led to the 'obliteration' of the central characteristic of apartheid: systematic racial and ethnic oppression.[49] As Mamdani highlighted, the commission acknowledged 'individual violations' while leaving the 'institutionalised discrimination' of racial and ethnic cleansing largely unacknowledged.[50] Indeed, it is challenging to trace race as being a central component of apartheid in the transcripts of the women's hearings, in which the violations described were rarely contextualised in a wider context of racial oppression. How then, did the women's hearings so frequently and deliberately imagine gender as political? Race was never established as a feature in the purpose of the hearings, which is perhaps a weakness of the feminism that underscored the proceedings. The imagined political motivation behind GBV during the commission was far more influenced by ideas of the patriarchy than by apartheid itself. Indeed, as Mtsintso, the head of the gender commission, highlighted:

> 'Part of the violence against women and children, is because of that war, but part of that is operation of patriarchy itself, because when male control and authority is in any way challenged or threatened as it is getting challenged and threatened every day in our country, it turns itself to the most violent forms and with women and children, their bodies being used as… the terrain of anger and struggle.'[51]

If the commission imagined that only 'part' of the violence experienced by women was due to apartheid (here referred to as a 'war'), then what we are left with is a conflation of patriarchy and apartheid politics, without a critical consideration of the intersectionality between race and gender. This explains why there was such a frequent transference of a decidedly vague imagination of political motivations into the narratives that women produced. Regardless of the oddities of this transference, the 'imagined' politics continually emphasised by the commission manifested as integral elements of victims' stories, transferring personal experiences into a social realm. This is, in many senses, representative of South

[48] Kashyap, "Narrative and Truth", 459.
[49] Mamdani, "Amnesty or Impunity?", 34.
[50] Ibid., 42.
[51] "Special Hearings", 40.

Africa's affective historical culture: these notions of 'politics' were used as acts of remembrance, and yet they remain strangely vague, indistinct and untraceable to this day.

2.2.2 The chairperson as affective director

Another significant act of structural co-construction is the role that the Chairperson's statements played in 'directing' each hearing. Testimonies began with a statement from the Chairperson, which most often served the purpose of calling the court to order and calling the next witness to the stand. The exceptions to this were found at the start of proceedings on each day, in which the statement would provide additional context to the women's hearings as a whole – and more significantly, stage those who had been selected for public testimonies in a particular way. A major performative feature of these statements is found in their affective language. An analysis of this is made possible using English as the language of expression at the hearings. This means that there are several naturally recurring figurative expressions unique to English patterned throughout statements made on behalf of the commission. One of the best examples of this use of affective language occurred during Sheila Masote's hearing, in which the Chairperson states:

> 'The women who will be appearing today, come from different walks of life and come from the different parts of our country, which is served by the office in the Gauteng region.
>
> They will be telling stories of their pain and suffering. However the way we want to remember them, is not as victims, but as people who have survived the 300 years of turbulence, pain and suffering in our country…
>
> … The commission has often been called a Kleenex Commission, a Commission of Tears. Today I think, as we share the pain of the women who are coming to tell their stories, I would like to remind us that there's healing in tears and that there's no shame in crying.'[52]

These emphatic statements gave an affective context to the hearings. Of course, the contents of these statements are embedded with emotional vocabulary, with weighty words such as 'pain', 'suffering', 'turbulence', 'healing' and 'crying' used. However, of more interest is the deliberate use of affective metaphor, idiom, and hyperbole. Idiom is used to emphasise the intended diversity of the TRC, with women coming from 'different walks of life.' Testifiers are said to have 'survived 300 years' of pain, implying transgenerational trauma through hyperbole. This emphasises a plane of suffering across time: by specifically highlighting the past 300 years, the Chairperson deliberately refers to the first European settlers who colonised South Africa in the 17th century.[53] The suffering women experienced under

[52] "Special Hearings," 32.
[53] "The Arrival of Jan Van Riebeeck in the Cape - 6 April 1652", SA History Online, last modified August 27, 2019, https://www.sahistory.org.za/article/arrival-jan-van-riebeeck-cape-6-april-1652

apartheid is thus causally linked to South Africa's colonial history, tracing the roots of trauma to Jan van Riebeeck's landing in the Cape in 1652.[54]

The commission is further described as 'a Commission of tears', a metaphor that demonstrates the ways in which the hearings were staged as an emotional space for healing. This is not the only instance in which such emphatic language was used in introducing the context of the hearings. Even in some shorter opening statements, the audience is often intentionally 'reminded' of the emotionality of the setting. For example, in the statement preceding Joyce Sikhakhane Ranken's testimony on the 29th of July, the Chairperson emphasises:

> '…I would just like to remind the audience that what you are going to talk about also takes us back to what we have been talking about, the torture of women and many other experiences which, although have been experienced by men, but they tend to take a different perspective when it comes to women.'[55]

The same degree of affectivity is also found in the conclusions to many hearings, which in many ways mirror the introductions in their form and content. Take, for example, the Chairperson's concluding remarks in Kedeboni Dube's hearing:

> 'I would like to say that we have heard the experiences of very many different women. Women in all kinds of walks of life, but what is very, very clear is that this conspiracy of silence that exists, in fact allows abuse to carry on and unless our society begins to talk freely about this, unless we begin to bring the people who do this to book, unless we do something about exposing them; we will never be free of this. Because at the end of the day, women seem to be objects which can be used by any side and they're the ones who are usually at the forefront of receiving violence.'[56]

In this instance, we see a similar use of emphatic language. While the use of emotional vocabulary and idiom is once again of interest, perhaps the most notable element of this particular extract is the use of a tricolon in the repetition of 'unless' phrases. A tricolon acts as a form of parallelism, and suggests that the repetition of a particular word or phrase three times is more effective than other numeric repetitions.[57] This is sometimes colloquially referred to as the 'rule of three', especially with reference to the persuasive quotability of political speeches or slogans.[58] Whether intentional or unintentional, in this case the rhythmic brevity generated by this trio of phrases contributes to the emphatic effects of the statement. This use of phrasing is not unique to this concluding statement. Another clear example of

[54] "The Arrival of Jan Van Riebeeck"
[55] "Special Hearings", 119.
[56] Ibid., 9.
[57] J.A. Cuddon, *Dictionary of Literary Terms* (London: Penguin Books, 2014), 511.
[58] Max Atkinson, *Our Masters Voices* (London: Methuen & Co, 1984), 124.

this is found in the concluding remarks of Thandi Mavuso's hearing, in which the Chairperson once again makes use of the rule of three: 'I mean women have shared about rape, women have shared about torture, women have shared about psychological torture and, especially, the moral degration that they have experienced.'[59] This is once again evidence of the affective performative voice that defined the statements by Chairpersons throughout the course of the hearings.

The affectivity generated by the Chairperson's statements is incredibly relevant in understanding the narrative space of the hearings. By holding a position of authority, the Chairperson acted as a 'director' of sorts, guiding the process of the hearings towards a structure of feeling and emotion. The Chairperson's statements reveal two significant elements. Firstly, it indicates that the space was created to be *deliberately* emotional in character, and secondly, that *ideas* about trauma were used to encourage the emotionality of this space. Such ideas of trauma paint a rather monolithic picture of the 'traumatized victim' with great affective effect.

2.2.3 The public as emotive decoders

Another affective mediator in the production of narrative within the context of the TRC is the role that the general public played as an audience. How did the South African public engage with the commission? Desmond Tutu described the proceedings as having 'saturation coverage' through the media.[60] Indeed, he points to the widespread outcry when the 'SABC live radio broadcasts of the proceedings in the eleven official languages stopped for a lack of funds' as evidence of public engagement.[61] Antje Krog also reflected on the public's engagement with the TRC:

> 'Now that people are able to tell their stories, the lid of the Pandora's box is lifted; for the first time, these individual truths sound unhindered in the ears of all South Africans. The black people in the audience are seldom upset. They have known the truth for years. The whites are often disconcerted: they didn't realize the magnitude of the outrage, the "depth of depravity," as Tutu calls it.'[62]

Of course, this engagement is difficult to trace beyond media articles. Journalists were often present at the hearings in person, however, if one was an ordinary citizen, one may have only engaged with the TRC on a cursory level. That being said, what is more significant in the case of understanding narrative construction is recognising that there was a *perceived* larger audience watching and listening beyond the courtroom. This is partially a result of the physical staging of the public hearings, in which cameras formed a part of the environment. Indeed, it is not the fact that real people would be tuning into television or radio broadcasts that acted as a mediator, but rather the *idea* that an audience exists out

[59] "Special Hearings", 73.
[60] Tutu, *No Future Without Forgiveness*, 86.
[61] "Special Hearings", 86.
[62] Krog, *Country of My Skull*, 45.

there, somewhere beyond the courtroom. Krog describes this as experiencing an 'imagined audience on the horizon somewhere—the narrator's family, colleagues, the new government.'[63] This means that the audience was both imagined to some degree *and* real, depending on the public response (or lack thereof). By virtue of this fact, testimonies were staged with a watching public in mind. What is most notable here is understanding that the hearings did not exist in a vacuum, and much like any story expressed on a public forum, there is inevitable multiplicity in the eventual narrative that is formed.

Take, for example, the hearing of Lita Mazibuko. She alleged that several ANC members had subjected her to torture, physical and sexual assault while in exile. In her hearing, she was not afraid to drop names and describe how these men had treated her. She was put in what she describes as a 'hole' for months:

> 'I hadn't been given any blankets and they would pour water into that hole. When I tried to sleep I could feel the whole area drenched in water. And when I sit on top of the stairs that I used to use to descend they could actually sense it that I was sitting on the stairs, then [they] would come and put some stick through, a thorn, actually a very long thorn through the keyhole and prick me to move away from the stairs so that I should go down to the area that was drenched in water. I stayed there from December up till March.'[64]

She expresses how she believes that the motives for this torture were misogynistic. She had refused to have sex with one of the men involved, and so there was 'hatred because [she] did not want to get intimately involved'[65] with him or the other men who psychologically and physically abused her. She also names other ANC comrades when she describes being sexually abused while in exile:

> 'But it did happen that at that Sun City one Desmond raped me nine times. He was raping me.'[66]

> 'Mdu raped me the whole night at gunpoint. He said he lost me in Zambia and I wasn't going to get away on that particular night. This was his house. He had bought the house. And should I dare scream he was just going to kill me and go and dump me far away. He raped me for the whole night and the following day he took me to Shell House.'[67]

She expressed how, when reporting the rapes, she was referred to one of her assailants, and how she had been silenced by members of the ANC regarding the abuse she experienced as recently as two weeks before her testimony, naming the premier of Mpumalanga at the time, Matthews Phosa:

> 'One other aspect is that after I had submitted the statement to the Commission about two weeks ago, I received a telephone call from Matthews Phosa, the Premier of Mpumalanga, who said to me whatever I was going to say before the Truth Commission about the members of the ANC

[63] Krog, *Country of My Skull*, 85.
[64] "Special Hearings", 87.
[65] Ibid., 87.
[66] Ibid., 89.
[67] Ibid., 90.

> he has a right to protect them against whatever I was going to say, and that I was powerless, there was nothing I could do.'[68]

Due to the high-profile nature of Mazibuko's testimony, it was heavily reported on in the media, and her narrative was twisted by those she had accused. Media articles with sensational headlines such as 'Mazibuko's attack on Phosa during the TRC hearing a ploy, says ANC' served to discredit and change the narrative generated within the confines of the hearing itself. 'I was shocked and surprised after hearing what she had said,' Phosa was quoted as saying, 'I do not know this woman, either as Mazibuko or as Mumsy Khuzwayo, and reject with contempt her claims about a conversation with me.'[69] In fact, the media reported that the ANC was ready to take legal action against Mazibuko for her statements[70], although I have found little evidence to suggest that this ever actually happened. In *Country of My Skull*, Antje Krog frames Mazibuko's narrative from an entirely different perspective, going as far as labelling Mazibuko a 'prostitute':

> 'It is strange testimony. Is this woman with the good-natured face, who speaks of rape as if it is water, who emphasizes the youth of her rapists, nothing more than a prostitute? And is her sexual history perhaps the reason why Phosa says afterward that he has never heard of Lita Mazibuko or "Mumsy Khuswayo"—her code name in the ANC?'[71]

The implication here is that the way that she told the story, speaking of rape in a comparatively unemotional way, *discredits* her narrative. This represents a form of secondary victimisation, in which the victim is automatically considered a liar or uncredible if they are not what society deems a worthy victim. What this indicates is a scenario in which an imagined audience response may prevent victims from coming forward. Mazibuko had nothing to gain politically or socially by coming forward, and indeed was faced with the inevitable backlash that comes with accusations of GBV.

Many will not have heard Mazibuko's story as told in the hearings, and may only know it from articles they read, or indeed, Krog's book. Lita Mazibuko's case revealed how public opinions can so easily mediate narrative even after a story has already been told – in this case, public opinion acted to deconstruct narrative, changing its form, and stripping away much of the trauma at its core. Thus, even though the staging of the hearings was essentially intended to evoke emotion, the responses to it were not always driven by emotions of empathy or sadness, but sometimes vehement anger and derision. Each listener decodes a story in a different way, based on a myriad of potential (mis)interpretations.

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[68] "Special Hearings", 91.
[69] "Mazibuko's attack on Phosa during the TRC hearing a ploy, says ANC," *SAPA News Agency*, July 29, 1997, https://www.justice.gov.za/trc/media/1997/9707/s970729a.htm.
[70] Ibid.
[71] Krog, *Country of My Skull*, 184.

The ‘diverse and agonising narratives of suffering’ that emerged necessitated a variety of emotional responses and mediations at the time, through ‘awfulness’, ‘pain’ and ‘degradation.’[72]

This is arguably representative of a manifestation of the interactional forces of rememory. The stories and memories expressed by victims were experienced in a variety of ways by a variety of people. To trace individual threads of memory about the TRC all leads to the same point, however: the experience of encountering a memory that is not one’s own, disrupting preconceived ideas through affective responses.[73] The general public were outsiders looking in, and sometimes insiders looking in, but all experienced the collective reanimation of history characteristic of a shared structure of feeling.

2.3 Affective intertextuality

This generation of a structure of feeling was made even more affective by other performative elements, including prayer readings, song performances and poetry readings. In many cases, these elements were not transcribed. In some hearings, it is merely stated that a ‘song and opening prayer’ were included following the Chairperson’s statement.[74] In others, it is stated that a ‘choir sings’ between spoken elements.[75] This lack of transcription does pose limitations in terms of an analysis of affective language, however, this section is more concerned with the emotive power of these elements in relation to the greater context of South Africa. In many ways, these elements acted as a form of intertextuality, in which meaning was created through the intersection of various performance of oral mediums, creating a field of social connection unique to this quasi-legal setting.

2.3.1 Religion and spirituality

The South African TRC defied many conventions of conflict resolution by ‘incorporating elements of Christianity’ into its processes.[76] Indeed, the TRC used ‘religious thought, symbol and ritual’ as mechanisms of reconciliation.[77] The reasons for this approach lie in the deep culture of Christianity in South African society at the time.[78] If one merely considers statistics, the 1996 census revealed that Christianity was the dominant religion in South Africa at the time, with approximately 30 million people holding Christian beliefs.[79] This number would increase to 35,8 million in 2001.[80] Thus, at the time of

[72] Krog, *Country of My Skull*, 184.
[73] Gordon, *Ghostly Matters*, 166.
[74] “Special Hearings”, 100.
[75] Ibid., 33.
[76] Megan Shore, “Christianity and Justice in the South African Truth and Reconciliation Commission: A Case Study in Religious Conflict Resolution”, *Political Theology* 9, no. 2 (2008), 162.
[77] Ibid., 166.
[78] Megan Shore and Scott Klime, “The Ambiguous Role of Religion in the South African Truth and Reconciliation Commission,” *Peace and Change* 31, no 3 (2006), 310.
[79] Statistics South Africa*, Primary tables South Africa: Census ’96 and 2001 compared* (Pretoria: Statistics South Africa, 2004), 24.
[80] Ibid.

the TRC, around 73% of South Africa's population was Christian, and this increased to nearly 80% by the early 2000s.

Christianity also holds historical significance in the South African context. Black churches often provided 'institutional protection for opponents of the apartheid regime', thus playing a significant role in the liberation struggle[81], while certain churches such as the Dutch Reformed Church openly supported the apartheid government.[82] Thus, as a shared religion across opposing sides, Christianity was a clear means to encourage unity in the post-apartheid era, in the pursuit of a 'world community.'[83] Many of those who fought for liberation were religious figures, including Archbishop Desmond Tutu, who played an integral role not only in the liberation from apartheid, but also during the transition period as the Chairman of the TRC.[84]

Concurrent to the Christianity of the TRC is the notion of *ubuntu*. While not a religious concept by any means, *ubuntu* shares many parallels with Christian ideals of forgiveness. *Ubuntu* represents the spiritual 'essence of being human' through shared social harmony.[85] This social harmony is 'corroded' by 'anger, resentment [and] lust for revenge', the visceral reactions one feels when confronted with the horrific crimes that were committed during the apartheid era.[86] Thus, according to *ubuntu*, the maintenance and restoration of social harmony lies in forgiveness rather than resentment for the past, as the 'best form of self-interest' for all.[87]

Notions of *ubuntu* are most visible in the amnesty hearings, in which perpetrators could be granted impunity and forgiveness for their crimes. Comparatively speaking, *ubuntu* is less explicit in the victim-centred special hearings, largely due to the lack of perpetrators. In the women's hearings, forgiveness is rarely mentioned. One example that comes to mind is when Nozibonelo Mxathule stated that she felt she could forgive her perpetrator if he only came and asked her forgiveness: 'I can forgive him. I know you can forgive somebody even though they had, they might have hurt you in the past. I so wish he could come to me, where I stay and ask for forgiveness.'[88] However, since *ubuntu* is generally less traceable, for the purposes of examining spirituality in this thesis, Christianity seems to have played a far more integral role in the women's hearings.

Part of this Christian presence lies in intentional religious expressions encouraged by the commission itself, such as through prayer readings. Although prayers were rarely transcribed, when they were, their contents reflected both Christian ideals as well as the emotional context of the hearings. For example,

[81] Shore and Klime," The Ambiguous Role of Religion", 310.
[82] Ibid.
[83] Tutu, *No Future Without Forgiveness*, 212
[84] Ibid., 1.
[85] Ibid., 29.
[86] Ibid.
[87] Ibid.
[88] "Special Hearings", 115.

on the first day of the women's hearings, Reverend Vanessa McKenzie opened with a prayer. First, we see her emphasise the process of reconciliation as one that has its foundations in Christianity:

> 'God our Father, God our Mother, we give You thanks for this day that You have given to us. We give You thanks for the gift of life, for freedom, for healing, for reconciliation which You have already initiated long time ago.'[89]

This is then followed by a contextualisation of the women's hearings through a Christian lens:

> 'We give You thanks today for women without whom we would not be at this place where we are today. And so we ask, Lord, that You enable all of us today to weep with them, to share with them their pain, so that we can move together, so that we can move together to wholeness and to freedom and to liberty in the truest sense of the word. Thank you for Your presence with us. Thank you for Your love for us.'[90]

This prayer is not only marked by affective vocabulary in its rhythmic emphasis on the trio of 'wholeness', 'freedom' and 'liberty', but is also representative of the intertextual blend of the secular context of the hearings and religion. If we consider the greater context of Christianity in South African society as aforementioned, we can surmise the social power of these prayers on those that were religious, both in attendance at the hearings themselves, and listening at home. Indeed, evidence of this deeply Christian culture is also found in certain testimonies in the women's hearings. For example, Sheila Masote demonstrates her deep spirituality as she describes how she survived years of violence:

> 'The worst of military forces, the worst of detention, genocide and if you are a woman and to tell yourself; my God is there. I'm not going to give up. I'm not going to give up. Those people are not my Maker. I'm not going - and the bus should stop here.'[91]

Thandi Mavuso also expresses her connection to God, expressing how He 'gave [her] the wisdom to be intelligent', to have agency.[92] Lita Mazibuko refers to her spirituality too, stating how she 'kept on praying to God to take [her] and take my soul because [she] just wanted to die' due to her immense suffering.[93] These instances reveal that some women not only believed in a higher power, but also believed that God played a significant role in giving them agency and purpose during the abuses they suffered, which moves beyond belief and into identity. Spirituality is an intangible, untraceable force, grounded in a structure of feeling, and one does not typically see it play a strong role in other legal settings. Thus, the fact that women were able to weave spirituality into their narratives suggests that the

[89] Special Hearings", 32.
[90] Ibid.
[91] Ibid., 48.
[92] Ibid., 67.
[93] Ibid., 89.

intertextual presence of Christianity in the hearings allowed for the legitimisation of personal, spiritual experiences, which tend towards this structure of feeling, and by proxy, affect.[94]

2.3.2 Song

Commissioners also invited the singing of hymns, traditional lullabies, and the national anthem, all of which had the potential to inspire affectivity.[95] Firstly, they acted to emotionally *soften* the relatively unnatural and occasionally uncomfortable court environment to 'quell tensions.'[96] Secondly, songs had inherent emphatic and social *power* not only for victims, but the nation at large. In the South African context, song has often been used as a form of protest, both during apartheid and after it.[97]

During the apartheid era, many songs expressed 'political aspirations, feelings, convictions, frustrations, and challenges' faced by communities, creating a natural sense of unity among the oppressed through orality.[98] Many of these protest songs became 'freedom songs' in the post-apartheid era, hence the tradition of singing these songs to this day.[99] Even songs that were not intended as protest songs often took on a quintessential South African social identity. Indeed, South Africa possesses one of the richest musical traditions in the world.[100] Thus, music is an inherently social experience, developed through a 'reciprocal passage of information' between singer, song, and audience.[101] This is referred to as the triptych model by Makgoba and Mamaleka, who suggest that in oral music both singer and audience give and take meaning from songs (Figure 2).[102] An excellent example of this in the South African context is the song *Paradise Road* (1980). Although never written as a protest song, this song went on to become an 'unofficial South African anthem' for the way that its lyrics affectively 'resonated' with the South African public at the time.[103]

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[94] Shore and Klime, "The Ambiguous Role of Religion", 322.
[95] "Special Hearings", 174.
[96] Ibid., 174.
[97] Mokgale Makgopa and Mmaphuti Mamaleka, "The psychodynamics of orality: Reflecting on protest songs during and after apartheid in South Africa," *South African Journal of African Languages* 39, no. 3 (2019), 305.
[98] Ibid., 310.
[99] Ibid., 307.
[100] Max Mojapelo, *Beyond Memory: Recording the History, Moments and Memories of South African Music* (Somerset West: African Minds, 2008), xi.
[101] Makgopa and Mamaleka, "Reflecting on protest songs", 307.
[102] Ibid., 307.
[103] Therese Owen, "Joy of Jazz pays tribute to SA pioneers," *IOL*, September 5, 2014, https://www.iol.co.za/entertainment/music/joy-of-jazz-pays-tribute-to-sa-pioneers-1746650#.VOZ5qPmsV7s.

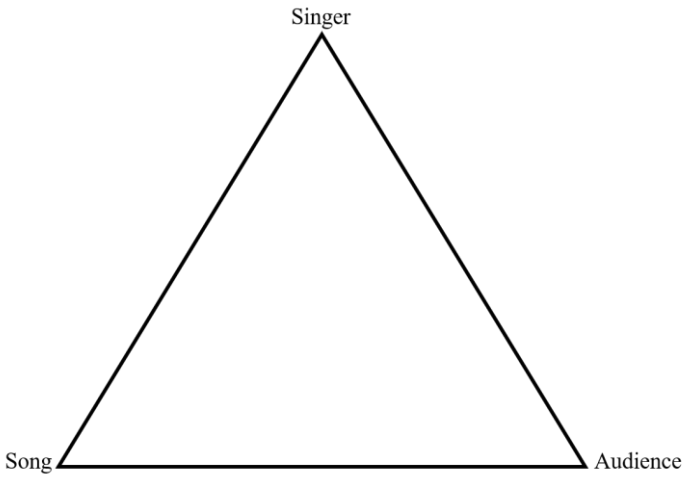

Figure 1: The triptych model of oral music (Source: Makgoba and Mamaleka, 2019)

This inherently reciprocal relationship means that song played a significant role in the creation and resonation of *mood* in the women's hearings, and the commission. The effect is sometimes directly palpable, when those who testified made direct reference to the power of song at the hearings. For example, in Mtintso's submission to the commission, she relates the emphatic power of the songs sung at the hearings to her own memories of music, creating a layer of intertextuality:

> 'In this audience, Chairperson, there's a young woman who I met when she was 17. I did not meet her, I heard her voice. There were many of them, they were under Section 6 of the Terrorism Act, we're all at number four, you could hear us talking and laughing and sharing jokes and singing, as Mhlope was singing here.
>
> I remembered our songs; we laughed, they were 17. They had spent a lot of time behind those bars. They are not here today, Chairperson. They're not ready, because since 1990, since the unbanning of the organisations, Chairperson, nobody has gone back to those children, to allow them to open up and today, we hope that they can come forward and sit in public and tell you how they were raped and tell you how they were tortured and tell you the pain and tell you their loss of childhood.'[104]

She effectively juxtaposes the social power of song with the fracturing of social life caused by the regime. This carries a double meaning in the context of the hearings. It is both indicative of how meaningful song was for social life under apartheid, and also of the intertextual connection between the songs sung at the hearings ('as Mhlope was singing here') and the production of narrative.

[104] "Special Hearings", 37.

Evidence of the reciprocal power of song is also found in Krog's first-hand accounts of the hearings. While this instance was by no means unique to the women's hearings, her description of the experience of singing the national anthem in the context of the commission is particularly poignant, and reveals the power of song to inspire affectivity:

> 'The song leader opens the melody to us. The sopranos envelop; the bass voices support. And I wonder: God. Does He hear us? Does He know what our hearts are yearning for? That we all just want to be human—some with more color, some with less, but all with air and sun. And I wade into song—in a language that is not mine, in a tongue I do not know. It is fragrant inside the song, and among the keynotes of sorrow and suffering, there are soft silences where we who belong to this landscape, all of us, can come to rest. Sometimes the times we live in overflow with light.'[105]

The national anthem of South Africa effectively combines the apartheid anthem (*Die Stem van Suid-Afrika*) with a 19th century Xhosa hymn that became a banned protest song under apartheid (*Nkosi Sikelel' iAfrika*). The final version of the anthem includes an additional verse, and is sung in five of South Africa's eleven official languages: Xhosa, Zulu, Sesotho, Afrikaans, and English. Krog is describing the experience of singing *Nkosi Sikelel' iAfrika*' in the context of the commission, which of course held enormous meaning. This song was not only an anthem of resistance movements under the regime, it is also a prayer. Thus, it not only represents freedom and strength, but also acts as yet another example of the strong Christian influence at the commission, as is evidenced in Krog's own reference to God in the context of the song.

If we once again return to the idea of the triptych model, it is clear how the strength and brevity of this song lies in the gradual reciprocal exchange of its meaning over time, from a Xhosa hymn to an anti-apartheid protest song, and now in a national anthem intended to unify a fractured nation. Songs thus not only created meaning at the commission, but also enacted a *mood* for social change, or even nation building. As Krog emphasised, the act of singing the anthem at the commission not only filled her with 'sorrow', but also with 'light.' These instances of musical intertextuality are thus essentially affective – they not only draw on emotion but are produced through emotion.

2.3.3 Poetry

Much like song, protest literature played an integral role during apartheid.[106] In particular, the 1960s to 1980s saw a rise of 'radical poetics.'[107] Arising from the everyday realities of apartheid life, protest poems broke with traditional western modernist traditions in poetic form and content, by being

[105] Krog, *Country of My Skull*, 216-217.
[106] Michelle Decker, "Entangled Poetics: Apartheid South African Poetry between Politics and Form," *Research in African Literatures* 47, no. 4 (2016), 71.
[107] Ibid., 71.

'political, direct, [and using] everyday diction.'[108] Gcina Mhlope, the poet present at the TRC's women's hearings, was part of a 'new generation' of women poets that rose to prominence in the late-apartheid years.[109] Mhlope's poetry is unique in the realm of protest and performance poetry for its exploration of gender issues[110], and thus the spoken and sung poems that she performed during the women's hearings were deeply connected to the stories of GBV that were brought to light. Her poems were featured between a select number of testimonies, particularly on the first day of the women's hearings, and acted as an affective means of introducing women's issues in this context. For the purposes of this thesis, I will draw on two examples that I believe best represent their affective intertextuality with the hearings.

The poem *Sitting alone, thinking* was written in the 1980s. Mhlope imagines whether the 'president would be a better man' if he were a woman with children.[111] This poem was written in response to both President P.W. Botha's state of emergency of the mid 1980s, as well as the experiences of one of Mhlope's female friends who was unable to take her three-week-old baby to jail when she was detained:[112]

> 'I find myself sitting alone, thinking, would Mr President be a better man if he had a womb and breasts full of milk? Would he be impressed by the number of children jailed all in the name of peace, law and order? If he had just one 10-year-old in detention? Would the smell of teargas and the sight of bloody bullet wounds be so appetising as to bring that strange smile on the President's face; if he had a womb and breasts full of milk? These are the kinds of visions that come up to me as I sit alone, thinking, yhinking of my very best friend, as she sits in a jail cell longing for her little baby, her painful breasts so full of milk.'[113]

This poem mirrors stories that women told at the hearings. In the women's hearings, Joyce Sikhakhane Ranken described the agony of being separated from her baby as 'untenable torture' when she was detained[114], while Gloria Mahlope described the pain of losing her daughter to violence.[115] In the HRV hearings, many other women spoke of losing their children, such as the mothers who testified in the Gugulethu Seven case in April 1996.[116] All of these experiences are marked by pain and suffering, and thus the inclusion of this poem reflects the unique traumas experienced by black women under apartheid. While this is a form intertextuality, as we see the intersection of different textual forms in

[108] Decker, "Entangled Poetics", 73.
[109] Cecily Lockett, "South African Women's Poetry: A Gynocritical Perspective," *Tulsa Studies in Women's Literature* 11, no 1. (1992), 59.
[110] Ibid., 59.
[111] "Special Hearings", 43.
[112] Ibid.
[113] Ibid.
[114] Ibid., 122.
[115] Ibid., 16.
[116] Krog, *Country of my Skull*, 191.

poetry and testimony, what is more interesting is the sharing of *experience*, of feeling, and of memory, as an intersubjective relationship is formed between the poet, the world that she is describing and her audience. Thus, as an act of oral performance, it contributes to the seething presence of affectivity in the women's hearings, both through the emotive oral medium of spoken word poetry, and through its direct connection to the stories that women told.

One of the most poignant reflections of the natural affectivity of women's experiences is found in another poem read by Mhlope at the hearings. *The Bones of Memory* highlights functions of memory in 'situations that we are experiencing now'[117], that is, the transitional era in South African history. This is a rare example of a cognizant awareness of the haunting experience of rememory at the commission and is the only 'visible' acknowledgement of these invisible forces at the women's hearings. This poem was read during Thandi Shezi's hearing, and warrants full inclusion here:

> 'Where do they come from, Tell me, tell me, where do they come from. Tales so brave, tales so strong, Tell me, where do they come from, Tales so brave, tales so strong. Some are so funny, so crazy, unbelievable, some are so funny, so crazy, unbelievable. They come from the bones of memory. Watch my eyes, hear my voice, I tell you true. These tales are from the bones of memory. These tales are from the bones of memory, of memory, of memory, of memory, from the bones of memory, from the bones of memory, from the bones of memory, from the bones of memory.'[118]

The metaphor of the 'bones of memory' is representative of the permanence of memory, implying that memories do not disappear with the dead, and instead linger on. This is the act of rememory, of remembering or *feeling* a memory that is not one's own.[119] What makes this poem so significant is its greater context. Firstly, since this poem was written during the transition period, it shares a direct intertextual relationship structure and form of the commission itself. Secondly, Mhlope read this poem in an environment in which personal memories were made into public, shared memories.

Thus, much like song, these poems certainly contributed to the mood, this time one marked by the unique female subjectivity and femininity of the women's hearings. However, due to their intensely personal contents, these poems also revealed a great deal about how women contextualise their experiences through affective language. This act of expression becomes more relevant in the third chapter of this thesis, in which the contents of the testimonies themselves are considered in greater depth.

[117] "Special Hearings", 127.
[118] Ibid.
[119] Gordon, *Ghostly Matters*, 198.

2.4 Conclusion

This chapter sought to answer the following sub-question: *How were narratives generated, staged, and influenced during the women's hearings, and what made them so affective in its quasi-legal setting?* I began with a general contextualisation of the hearings in their greater context. Following this, I examined the ways in which the hearings were affectively co-constructed, focusing on the role of commissioners, the chairperson, and the public in generating and decoding narratives through emotion. Finally, I considered aspects of affective intertextuality in the hearings, in which oral expressions of religion, song and poetry contributed to the creation of moods felt not only by those in attendance, but also the nation at large.

Thus, affectivity was present in the very structure of the hearings themselves, in which meaning was generated through what I would deem *affective staging*, a unique kind of performativity in which ideas of trauma are intentionally or unintentionally staged in the production of narrative. As this chapter demonstrated, understanding how affectivity produces knowledge of GBV means encountering various 'structures of feeling' that defined the uncanny, liminal space that the commission produced.[120] It is uncanny because its production of history consisted of keeping trauma 'alive.' As Gordon highlights 'affective recognition… is distinctive to haunting.'[121]

From my analysis, I conclude that affective staging is defined by three key features. Firstly, affective staging cannot occur without the exchange of emotions, or a structure of feeling, between different parties involved in a particular performative space. This may be through interactional co-construction, but it also may constitute the intertextuality between different affective mediums. Secondly, it is characterised by the creation of reality, defined by imaginations of what constitutes trauma in a certain context. This is particularly evident in the ways in which commissioners and the chairperson denoted certain boundaries of expression in the commission in line with imaginations or ideas of trauma and the source of trauma. Finally, affective staging is representative of a particular *act* of rememory in a performative context. By this, I mean that affective staging allows for personal, emotional, and spiritual memories to become social memories, due to the shared structure of feeling as its core function.

This analysis of affective staging reveals that the women who testified at the hearings were encouraged to *act* on their trauma, in the sense that the commission deliberately accommodated for and encouraged emotionality. This provides a segue into the next chapter, in which the subjectivity and contents of the women's hearings will be analysed in greater depth. Fundamentally, however, the affective staging of the women's hearings is representative of the historical culture that I have come to know so well in South Africa. Representations of the past rarely come without a structure of feeling, or what one may colloquially refer to as emotional baggage. Whether intentional or not, the affective staging of the

[120] Gordon, *Ghostly Matters*, 198.
[121] Ibid., 102.

women's hearings of the TRC facilitated this experience, not only for those in attendance, but also South Africa at large.

3. Memory, trauma and haunting

To interpret and analyse the narrativization of GBV produced at the TRC requires not only a consideration of how they were staged from a performative perspective, but also how women conveyed themselves and their stories thematically and structurally. This consisted of a multitude of intersecting forces, including memory, identity, and trauma, with women approximating and anchoring their narratives in relation to various signs and signals of their pain in the wake of apartheid.

It is this multiplicity that provides the most significant challenge in the analysis and interpretation of the women's hearings. This chapter hopes to demonstrate the ways in which these intersections can be detangled through a framework of haunting. Haunting is 'receptive, close, perceptual, embodied, incarnate,' allowing for the sensation of that which meaningfully affects one.[1] In this chapter, I will trace how haunting manifested through structures of feeling during the women's hearings of the TRC by tracing meanings inherent to the context of violence that was continually resisted and confronted by the women who testified, with an emphasis placed on answering the following research question: *How did haunting affect the construction of memory and identity narratively during the women's hearings*?

3.1 Signs of haunting

To engage with haunting as a construct constitutes tracing the evidence of its existence. This evidence – that can be broadly understood as constituting haunting recognition - may consist of that which is ordinarily overlooked but animated by affect, atmosphere, loss, disappearance, or an array of other subjective experiences that indicate the presence of the 'not there.' These signs indicate the reality of past trauma through the apparitional, 'only when the missing or the lost or the not there shine through… where it might not have been expected.'[2] They generate the 'profane illumination' that allows for a sensuous engagement with the world.[3] In this section, I seek to trace signs and signals that women narratively employed during the women's hearings, with an emphasis placed on constructions of (1) things and (2) bodies.

3.1.1 Things: Secrets and the red carbolic soap

How did women disclose things 'not seen, neglected and banished'?[4] It is a question that is riddled with complications in meaning, feeling and sensation. The word 'things' is used here for its multiple meanings. A thing can be an object, a belonging, an action, a thought, or an utterance. For the purposes of studying signs of a violent modernity, the 'thing' is defined as a material or immaterial sign external to oneself, generating 'structures of feeling' that 'articulate presence.'[5] The externality of things is not

[1] Gordon, *Ghostly Matters*, 205.
[2] Ibid., 102.
[3] Ibid., 204.
[4] Ibid., 203.
[5] Ibid., 200.

to say that they do not influence identity, quite the opposite in fact. The notion marks the 'capacity of people to make meaning out of things'[6], in an act of transformation and transportation from the unseen or peripheral to the disrupting or disturbing. The core feature of the thing is its capability to not only tell narratives, but also to transport one to a realm between present and past that generates awareness of the ache of recent history. As Gordon suggests, such things form from 'the debris of a system barely thinkable and yet abounding in excessive significations.'[7]

A significant manifestation of this in the case of the women's hearings is the ways in which women framed acts of violence as 'things' external to themselves, as disembodied signs that tell and transport. In several instances, GBV was 'objectified', not in the sense of literal materialisation, but rather as a particular demarcation of violence as a perceivable thing. Take, for example, Kedeboni Dube, who framed her rape as a 'thing' throughout her testimony:

> 'So I've realised that this whole thing is very painful.'[8]
>
> 'My husband says this thing is just a disgrace, a shameful thing, just keep quiet, do not relate anything.'[9]
>
> 'We also realised that this thing happened a long time ago. The police would no longer take this thing up.'[10]

By framing rape in this way, Dube not only demonstrates the difficulties in verbally expressing the depth of experience embedded in GBV, but also how the reproduction of traumatic experiences as 'things' act as perceivable *signs* of this depth. Indeed, there are silences embedded in calling rape a 'thing' as it effectively detaches the act of violence from the narrative. Yet, as a 'thing' it becomes an inanimate memento or reminder of the rape, separating her identity as a woman from her experience of victimisation. This could simultaneously be perceived as a coping mechanism for trauma, by which a recognition of being haunted by a traumatic experience allows for a more comfortable approximation of present-day identity for the victim. Fundamentally, this use of an inanimate memento of trauma is a common *thematic* thread that assembles a coherent narrative expression of the affective themes that Dube most associates with the GBV she experienced: shame, pain, and silence. These thematic elements are facilitated through Dube's own haunting recognition of the signals that she most associates with her trauma. A similar incidence of this is found in Thandi Shezi's hearing, in which she frames her rape as a 'secret', as something that has remained unspoken until this moment:

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[6] Gordon, *Ghostly Matters*, 202.
[7] Ibid., 90.
[8] "Special Hearings," 3.
[9] Ibid., 4.
[10] Ibid.

> ‘I was very deeply hurt. As a result, there's nobody I've been able to relate the story to. My mom is hearing this for the first time. Other people might have only known this through counselling, because I've been going through counselling at Wits[11], because I wasn't able to speak about this. I just kept it in myself. I thought it was going to be my secret. I thought I'd done something that I deserved to be treated like that.’[12]

> ‘I was not able to tell this to the doctor, because I felt I will be revealing the secret I was keeping inside me. All along I had thought I could keep this inside myself and just retain it up until I die.’[13]

Unlike Dube, Shezi relates the experience of rape to a much more specific ‘thing’, in this case, a secret. The notion of a secret is loaded with an array of implications as something hidden or unspoken, and yet something that *can* be revealed or unobscured. It is ‘kept’, and yet by speaking at length about the ‘secret’ of her rape, Shezi effectively revealed the depth of her experience through a newly ‘unkept’ secret. Once again, we see how the thing, the secret, is a sign and recognition of the depth and density of that which is unseen. More significantly, the narrativity of GBV is revealed as something both spoken while simultaneously feeling or remaining unspeakable.

In both instances, we see Gordon’s notion of haunting recognition captured: when things become animated, ‘the over and done with comes alive’ and ‘the blind field comes into view’.[14] The notion of ‘things’ also manifested as material objects that developed immense meaning for women. In several instances, these objects were signs of particular subjective experiences not outright stated but nevertheless given semiotic credence. A notable manifestation of this is found in the notion of reminders of traumatic experiences. For example, Deborah Matshoba relates the indignity she experienced due to a lack of ablution facilities at the police station where she was imprisoned to things and objects. She says that she was ‘not tortured’ at this location, and yet she lingers on the things that remind her of the indignity she suffered: the tap, the red carbolic soap, and the piece of cloth.

> ‘While at the police station, not where I was tortured, where I was supposedly going to recuperate, the only means, the only ablution facilities I had was a tap outside and if I needed to wash, I had to do it very early in the morning. Ask the SAP's to open for me very early in the morning, because if I could go after eight there would be me working on a building outside there in Pietermaritzburg and they would be watching me. The first day I did not realise until I starting hearing them laughing and I quickly ran back to the cell. So that was the only place where I could wash, outside in a tap and I was sickly, but I had no choice except to wash there

[11] ‘Wits’ is a nickname for the University of the Witwatersrand, located in Johannesburg, Gauteng.
[12] Ibid., 132.
[13] “Special Hearings”, 132.
[14] Gordon, *Ghostly Matters*., 197.

> with a bar of red carbolic soap that they had given me and a piece of cloth that they had given me, because my washing rags were… left at the prison. I had to use the same cloth for the teeth as well.'[15]

Her specific mention of these objects indicates how they still linger in her memories of what she endured, as tangible signs and markers of her suffering. The imagery she creates allows for an animation and narrativization of the densities of her memories through strong visualisations. These objects are effectively transformed from the ordinary and mundane to meaningful thematic threads through her narrative. She places repetitive, rhythmic emphasis on the fact *'they had given'* her the soap and the cloth. In this way, she anchors her narrative of trauma in relation to the 'things' given to her by the South African Police Service (SAPs), her abusers. By framing such items as 'given' - a verb with the gentle connotations of a 'gift' - she juxtaposes her humiliation against the banal nature of these objects. This indicates a polysemic quality to her narrative, with multiple intersecting meanings embedded within. The tap, the red carbolic soap, and the piece of cloth create the 'luminous presence of the seemingly invisible' aspects of her identity - the memory, the indignity, the pain.[16] Sheila Masote also placed emphasis on her material surroundings while imprisoned:

> 'But then I got kicked. I was put in a cell. It was about this big. Halfway is the cell where I stay, halfway is the yard; the yard which had no ceiling, but just barbed wire and burglar proofing and here was the cell and down there was a toilet… and it went on day in and day out.
>
> It was very high, a small light there and there was this mat where I could sleep. The room was filthy, full of lice. The walls - as I was thrown in that wall, it had all the graffiti of blood, whatever. Some were saying, **** *Jesus* or some was saying *God saves* or *I was in here and left*. There was no date.'[17]

She brings material things to our attention: the barbed wire, the light, the mat, the lice, the graffiti on the walls. What makes this extract particularly interesting is the credence she gives to describing the space in which she was kicked, as opposed to the experience of violence itself. Unlike the 'ordinary' objects that Matshoba focuses on, these have particularly sinister and discomforting connotations, especially when paired with the other descriptors associated with them: filthy, bloody, barbed. These 'things' are thus narrativized as animated signals of the violence she endured without knowing exactly what that violence entailed. This once again indicates a kind of polysemic form of narrativisation, in which the violence she experienced can be gauged through affective, sensuous, objectified *representations* of suffering.

[15] "Special Hearings", 60.
[16] Gordon, *Ghostly Matters*, 205.
[17] "Special Hearings", 50.

A final manifestation of the idea of 'things' is found in testimonies where women express the loss of material things of importance to them, often as a direct result of abuses they suffered. The thing itself is now an apparition of something missing, lost, sold, or disappeared. This demonstrates the capability for things to act as signs of some forgotten past, from the tangible to the intangible. After explaining the grievous abuses she suffered in exile as an ex-ANC member, Lita Mazibuko expresses her sadness at the loss of her home, almost as an extension of the self:

> 'They lied and said that I had asked them to sell the house on my behalf. They sold it for R20000 and they took the contents of the house. Ever since I have come back from exile I saw my bedroom suite in another comrade's house by the name of Mike. And this woman is from Mamba. She is sleeping in my bed and using my bedroom suite.'[18]

The loss of her home initially seems unrelated to the GBV she experienced, and yet she lingers on the feeling of detachment she felt when returning from exile to find her things sold and used by others, with emphasis placed on her bedroom suite. This is an essentially intimate image, as the bedroom is one of the most private areas in a home. Her missing things are thus a reminder of the comforts of her life before she endured severe GBV, with the physical connection to this past life now severed. Thus, her things signify what she lost as a result of the violence she endured. Similarly, Kedeboni Dube also relates the loss of her property to the depths of despair she feels:

> 'I've realised that this whole thing is very painful. They took my things. They took my dinner set. And when I want my property back that they had taken, they kept threatening that they're going to kill me.'[19]

She relates her rape ('this whole thing') to the loss of her material belongings at the hands of her perpetrator's associates. Much like Mazibuko, she specifically mentions a belonging of importance to her: the dinner set. The dinner set represents ordinary domestic life, something that carries utility, everyday usage, and normality. Dube's testimony is notable for her emphasis on how her life has been irrevocably changed by her rape, and thus her dinner set is a reminder of the 'normal' life she has lost. Once again then, we see her things carry narrative weight, used by women to express further the depths of their suffering as encompassing all aspects of their lives.

3.1.2 Bodies: Jackals and the sticky blood

Scholars have frequently demonstrated how the black female body was determined by colonial discourse as animalistic, 'grotesque, uncivilised and crudely sexual' in opposition to civilised whiteness.[20] This image acts as a reminder and marker of the colonial past, and indeed, those who

[18] "Special Hearings", 90.
[19] Ibid., 3.
[20] Desiree Lewis, "Representing African Sexualities" in *African Sexualities: A Reader*, ed. Sylvia Tamale (Cape Town: Pambazuka Press, 2011), 199.

testified at the women's hearings indicated how this manifested as a bodily experience during the apartheid era. If the 'thing' is that which is external to one, the 'body' is that which is personified, absorbed, or embodied. It constitutes both that which is a bodily experience, but also that which is *perceived* as bodily. Much like the 'thing,' the body acts to signify and articulate presences of that which may ordinarily be overlooked, hidden, or decayed. The difference lies in the corporeal character of the body, in which our senses can act to transplant meaning to things in bodily form.[21]

In the submission on behalf of the *Federation of Transvaal Women* (FEDTRAW), Nomvula Mokonyane described the ways in which the female body was weaponised against women who were incarcerated:

> 'Not only were those who knew why they were detained being victims of the State of Emergency and solitary confinement. Young girls at the age of 12 coming from Kagiso, coming from Alexandria, were victims of detention without trial, but not only were they victims of detention without trial, but they were also victims of abuse, victims of rape during interrogation, victims of unwanted pregnancies from the security forces who were taking them in and out of detention. Not only were they only, but even prominent leaders today who occupy senior leadership positions in Government, were subjected to torture where you had to strip naked, where you had your menstruations without any pad, where you had to stand in front of very conservative Afrikaner males without a single cloth over your body and your menstruations dripping and you being expected to tell nothing else, but the truth.'[22]

Not only were women sexualised by the white supremacist system, but the Black female body was also framed as grotesque and uncivilised, as the natural experience of menstruation was made humiliating and degrading. The naked, female body framed in such a way is a signal of the ways in which the 'sexualised and degenerate female body… threaten[ed] to pollute or weaken the healthy national body politic.'[23] The Black female body thus acts to signal, unveil, and render the notion of civilised whiteness unsustainable. Indeed, Joyce Sikhakhane Ranken also described her experience while incarcerated, emphasising how her womanhood was weaponised against her and others:

> 'In the clutches of the Special Branch I had to suffer indignity in order to survive. For example, as a woman you dreaded the commencement of your menstrual period, because it became so public under the notice of your interrogator, who were all Afrikaner males. You had to ask them for sanitary pads. With your menstrual flow they made you stand untenably as punishment. The

[21] Gordon, *Ghostly Matters*, 76
[22] "Special Hearings", 112.
[23] Lewis, "Representing African Sexualities", 206.

> feel and smell of the sticky blood as a reminder of eminent slaughter at the hands of your torturers.'[24]

The final sentence of Ranken's extract is one of the most impactful for its imagery, as she alliterates in the first part of the phrase ('smell of the sticky blood') and uses this description of blood to symbolise 'slaughter', visually and olfactorily. The sticky blood is a sign brimming with potential meanings in a complex structure of feeling. For Ranken menstruation is a reminder of the indignities she once suffered, a bodily signal of trauma and utter degradation. Much like Mokonyane, Ranken reveals how menstruation, a seemingly ordinary female bodily experience, signifies the density of humiliation that women experienced during the apartheid era.

Another interesting aspect of this extract is the way in which the Special Branch itself is personified as it held Ranken in its 'clutches.' Throughout the rest of her testimony, she portrays the Special Branch through both personification and zoomorphism, effectively transplanting a bodily form to the systems of apartheid:

> 'It was during the course of interrogation that I learnt that the Special Branch not only monitored the press and prisoners' correspondence, but had informers and applied censorship on information. They were not satisfied with the draconian powers they had of controlling information. Like jackals hunting at daybreak they had to claim a pound of flesh on those of us who were determined to expose the naked brutality of the apartheid system. By pouncing on you in a deep sleep they meant to deprive you of a vital orderly function. They started the anxiety machine immediately and your trauma began at two a.m.'[25]

> 'I think earlier on I said, you know, people who fell, it was not just a question of falling and dying at the hands of the enemy, it was also at what they turned you to become later on. Others have become monsters, okay. That is part of falling and that is what the enemy enjoyed and that is what they are enjoying today.'[26]

She not only granted the system of apartheid a 'live' bodily form, but also emphasised its animalistic character. The Special Branch was framed as a pack of 'jackals', while perpetrators of the apartheid system were framed as 'monsters.' This zoomorphism acted to apply the vision of the Black body as animalistic to the system that determined it as such. In essence, Ranken made use of bodily forms to signal the injustices of apartheid, interpreting her experiences through symbols that defined and developed a post-apartheid vision of the past. Ranken was not the only woman who personified the

[24] "Special Hearings", 122.
[25] "Special Hearings", 121.
[26] Ibid., 126.

apartheid system into a bodily form. For example, Deborah Matshoba frames her victimisation under apartheid as a personified 'system' that followed and intimidated herself and others:

> 'Invariably the only thing that followed one after that was the victimisation, the White victimisation each time you get a job and the system would still follow you and intimidates your employers, but, ultimately, one is proud to say that there are success stories, there have been strengths that we drew from the past.'[27]

By personifying white victimisation, Matshoba grants it a bodily form, and yet she also emphasises its spectrality as a shadow that *follows* and *intimidates* even if it does not directly act against one in explicitly violent forms. Embedded within this is the depth of social scarring of the apartheid era: the system was always 'alive' and felt, with its implicit presence a constant threat to the non-white population. This extract perfectly exemplifies the idea of everyday life being charged with a structure of feeling through a 'phantom reality' with the notion of a bodily shadow of white victimisation signalling this.[28]

In essence, the body can facilitate narrativization through haunted recognition. It can be one's own body, or bodily experiences. It can be a body external to one, or something ascribed bodily features. In all cases, however, the body solidifies, reveals, and brings attention to the effects and affects of the violent systems of apartheid. The body allows for a uniquely sensory experience, as something alive, interactive, and thus present.

3.2 Memory fragments and the act of (re)memorialisation

In Chapter 1, the notion of 'rememory' was briefly mentioned in reference to the experience of remembering something that one never experienced oneself, one outside of the 'security that historical context provides.'[29] How do such rememories form, and what role does this play in the way that stories are told? In this section, I attempt to trace this phenomenon, placing an emphasis on the ways in which victims' memories served to mediate their narratives. I call memory a mediator not in the traditional sense of the word, but as indicative of the ways in which memory can create deeply social memories out of gestures of personal experience and forces of psychological memorialisation. This force effectively inverted silence, fragments, and missing pieces from an immaterial personal experience to a deeply felt, deeply present narrative experience, *generating* as opposed to *remembering* memories. In this section, I will trace how this manifested during the women's hearings through four key case studies.

[27] "Special Hearings", 63.
[28] Gordon, *Ghostly Matters*, 124.
[29] Ibid., 166.

3.2.1 Creating memories from silences

Firstly, it is important to demonstrate the role that silence played in women's testimonies of GBV. By silence, I do not necessarily mean literal syntactical gaps or pauses, but rather the presence of *unsayability* in testimonies. Some women built their narratives on unsayable fragments unique to memories of trauma, where details may have been hazy, or fragments may have been missing. This consolidation of the unspoken and the spoken was the means through which women psychologically memorialised their experiences on a public forum, even if their recollections were formed from fragments.

Deborah Matshoba's testimony is one of the clearest examples of this. She gave her testimony in a calm, coherent manner.[30] Yet, at times her narrative was formed through recollections of experiences that were fragmentary at best. However, these fragmentary moments did not serve to retract from the narrative she told, and instead represent how the act of vocalising unsayable elements contributed to the psychological mediation of narrative. Take, for example, this extract from her testimony in which she describes the psychological and physical torture she experienced at the hands of the police when she was detained in 1976:

> 'I wrote a brief history of myself. It was Saturday. Sunday I continued the same thing. They kept on tearing the papers and telling me to write. The third night I started becoming delirious and my legs were swelling. I think that was on a Monday. By Thursday, no, Tuesday, by the Tuesday I was counting nights and this man started beating me up. He held a towel, strangelled me with a towel and started bashing my head against the wall.
>
> Obviously, I was very, very weak. I was being given food, but I was not made to sit down. I could not sit down and when I collapsed they kicked me. Eventually I must have passed out. I was bleeding. I must have passed out, because when I came to I was lying on the floor, all wet. They must have poured water over me and he threw a packet of sanitary pads at me, got to the bathroom and I could see that I was menstruating and I was just wondering how he realised that.'[31]

Matshoba traces the fragments that she does remember on a timeline but admits her delirium and eventually assumes that she 'must have passed out.' Yet, even in this gap in her memory during which she was either unconscious or to some degree unaware of her abuse, she still places emphasis on how she was violated. This is particularly clear in the recording of her testimony, in which she pauses before the final line, and then emphasises 'and I was just wondering how he realised *that*.'[32] This effectively demonstrates how Matshoba constructed her narrative to include lapses in memory as a part of the

[30] "TRC Special Report: Episode 64", 02:10.
[31] "Special Hearings", 59.
[32] "TRC Special Report: Episode 64", 02:28.

violation itself – in this case, implying that she was at the very least stripped of her dignity and at worst sexually violated. In terms of a greater understanding of psychological memory as a mediator, this demonstrates how Matshoba did not merely recall her memories, but reflected on what she *did not* remember and what this may have meant. This is a quintessential act in rememory: remembering a memory from a different perspective to proliferate visibilities of something that was or is fragmentary. In this sense, her rememory of the events acts to mediate her narrative through voicing an unsayable gap in her knowledge.

3.2.2 Remembering somebody else's memory

Another interesting example of memory mediating narrative is found in the hearing of Gloria Mahlope and Winnie Makhubela. Mahlope's recollection is multi-layered in a different way from Matshoba's testimony: she speaks not only of the traumatic experiences of the daughter she lost, but also her personal pain. Inherently, she has gaps in her knowledge of what happened to her daughter, as she did not witness it. Yet, she consolidates her personal memories with rememories of the event. She described the violent death her daughter experienced in a hostel in 1993 committed at the hands of a group of men who lived in a hostel in Thokoza, an area that was experiencing increased violence at the time. She speaks in the third person:

> 'They went to this meeting in Thokoza. When they arrived in Thokoza, they were put inside the hostel. They started undressing them, taking of their clothes. After they've undressed them, they raped them. After they raped them, they took them and threw them outside the hostel, at the back of the hostel and they started shooting at them. They were trying to chop them with some huge bush knives and two of them died, and the other one managed to escape through the window. Out of this, Tembe died and here Winnie remained that didn't die. Whilst they were still there, the other two died, Winnie survived. Winnie said a police car arrived and took the other two who had died and they took her to the hospital.'[33]

The description from a secondary perspective generates narrative clarity, especially through the mediation of rememory. Mahlope was not present, and yet, through learning the details from her niece, she is able to memorialise the events on behalf of her daughter. This kind of secondary re-memorialisation influences and mediates the narrative that is conveyed. Indeed, Mahlope's rememory of these events provides the commission with more details than the primary victim's testimony, at least without cross-examination. Mahlope's version of events is supported in Makhubela's testimony, but Mahlope was able to recall or embellish her niece's story with additional details. Makhubela describes her experience as follows:

[33] "Special hearings", 16.

> ‘When we arrived at Thokoza, they put us through the windows. After that they undressed us and they raped us. After they had raped us, they threw us out of the window and they started shooting at us. They started chopping us up with knives and some police came and the police asked us where do we live? I told them I lived at 12th. They phoned for an ambulance and the ambulance took me to the hospital.’[34]

Thus, memory here is used as a different mediator when compared to Matshoba’s case. In this case, it is not only the primary victim’s engagement with memory, but also Mahlope’s act of reflecting on and proliferating visibilities through a secondary rememory of a particular event. Once again it is clear that psychological memorialisation is more than a means of expressing a particular set of events. Memory acts not only as a source from which stories are drawn, but a mediator, a traceable *force* that contributes to narrative meaning.

3.2.3 Sensory memories

Sometimes this act of mediation was based within sensory memories, in which a woman generated a narrative from sensory fragments: sounds, sensations, and feelings. A notable example of this effect is found in Joyce Sikhakhane Ranken’s testimony. She describes in detail the sounds associated with imprisonment:

> ‘The ghostly solitude of the night would be broken by the hallow clacking sound of galvanised iron chamber pots falling on cement floors. The loudness of that noise would be intermingled by agonising screams of women and babies. Minutes later you would hear gruelling bark of dogs, grunting as if they were tearing someone into pieces. The shuddering noise would gradually die down. You would hear the sjambokking, the hard rendering scream of the women. Again, these women, the women's section in Pretoria Central, was very much alike to what the male prisoners tell us when they tell you of the singing of men going to the gallows. With the women's section it was women who were being beaten, babies screaming. This was happening all the time at night.’[35]

Ranken effectively uses her sensory memories of prison life to reinforce the narrative that women suffered just as grievously as men did in prison. In this extract, she places emphasis on what she heard as opposed to what she saw, noting the ‘clacking sounds, the ‘screams’, the ‘gruelling bark[s]’, the ‘grunting’, the ‘shuddering noise’ and the ‘sjambokking.’ She thus pieces together and memorialises a narrative of prison violence from a purely sensory, essentially fragmentary perspective.

[34] Ibid., 18.
[35] “Special Hearings”, 123.

In this way, her sensory memories mediate the narrative she tells, proliferating visibilities of that which was unseen from the walls of the cell she was confined in. Hence, we once again see that the act of reflection on memory fragments has the capability of generating visibilities of a certain moment in time.

3.2.4 What was lost

Another of memory mediation of significance is the use of memories in the demonstration of the depths of suffering that resulted from the loss of normal life. For example, Sheila Masote spends a great deal of her testimony emphasising the loss that she felt as her family life disintegrated. She first emphasises that her family was defined by 'home and togetherness.'[36] Following this, she notes how the regime acted to destroy her family life, with a continual emphasis on the notion of her world 'crumbling':

> 'All that crumbled, because the special branch had to come in and tell people; these are terrorists. You dare be seen associated. And then my family, that is my whole family. Then my father got dismissed. When they did the introduction of Bantu Education, joblessness came and my mother had to follow suit, losing her teaching post, because she can't go and work for the system when my husband has been imprisoned. My extended family; they started fearing us. My brother went into exile. There was loneliness. There was non-stop harassment of the special branch. There was a series of imprisonments.
>
> '…There was other things, traumas that I had. My home was now very cold, very needy, very - no friends. Except a few friends, later on, that did come onto the scene. I went to school with her, among other things. And she was supportive to me in many ways. I'm not saying everybody moved out, but I'm saying the world crumbled.'[37]

Masote grounds her narrative within a sense of what she lost because of the regime, focusing specifically on domestic life, which forms a significant part of female identity.[38] While there is no explicit mention of acts of violence in this section of her testimony, this nostalgic memorialisation of *what was lost* acts to emphasise the depth and breadth of her suffering. Domesticity has an essential quality of being representative of the everyday, of normalcy, and the loss of this reflects 'the loss of control in [women's] lives.'[39] Thus, by beginning with her memories of the lost stability of domesticity, Masote effectively mediates the remainder of her narrative as an accumulation of this loss, with the haunting presence of *what was lost*, the 'crumbling world', forming its foundation. Indeed, when she describes the violence she experienced during her own imprisonment, she relates it back to her sense of loss, noting how she struggled to believe that this was her 'real world':

[36] "Special Hearings", 45.
[37] Ibid., 46.
[38] Motsemme, "The Mute Always Speak", 924.
[39] Ibid., 924.

> ‘But then I got kicked… It was the first time I ever got into a cell. I've been a teacher, I've been a mother, I've been a musician, I know my father has been here, but is this the real world? I went through all. But then what was worse, behind the cell was a little road I couldn't see, but I could judge. And then passed that wall was a big building, the post office of Pietermaritzburg and as I was kicked and I lost my pregnancy. I was left there and I said, but I was all bleeding. The lady was talking of blood, oozing down your legs and drying up there. That is what I went through and I called please call a doctor then. Please help me, I'm dying. I shall die.’[40]

She relates this traumatic experience back to being a mother, being a teacher, and what her normal life could have been. For Masote, memories of domesticity effectively allowed her to ‘map out the insertion of extreme violence into [her] daily life.’[41] Thus, we see how the notion of loss adds enormous depth to narrative, generating a memorialisation that proliferates visibilities of the depth of suffering endured by women - beyond GBV and into their everyday lives and identities.

3.3 Tracing trauma as textual expression

What sets trauma apart from other experiences of pain or suffering is not intensity, it is the way in which it lingers and persists, making its presence known long after suffering has ended. This thesis is by no means psychoanalytical in character. Rather, it seeks to understand trauma as both a historical and present experience. To write about trauma is by no means a simple task. It is a contentious concept, especially in legal settings. Indeed, diagnoses of post-traumatic stress disorder (PTSD) have been used to discredit victim’s testimonies, largely due to the ‘unfortunate side-effects’ of trauma research.[42] Not only do conceptualisations of trauma pathologize victims’ experiences by generating ‘monolithic identities’ of victimisation, but also call into question the validity of the memories of traumatised individuals.[43]

Thus, definitions (or ideas) of trauma can lead to victims’ narratives being discredited. In the case of the TRC, this is particularly interesting to consider, as this context was, as I have already argued in Chapter 2, affectively staged to encourage expressions of trauma. For the purposes of understanding the hearings themselves, it is important to consider how trauma was used by victims as a means of textual expression. As much as the hearings were affectively staged through *ideas* of trauma by the commission, it was the victims themselves that created textual meaning through their own trauma.

When speaking of GBV, there was great variance in the degree to which invisible and visible trauma was described during the women’s hearings. What is most notable is that expressions of trauma often

[40] “Special Hearings”, 50.
[41] Motsemme, “The Mute Always Speak”, 924.
[42] Nicola Henry, “The Impossibility of Bearing Witness: Wartime Rape and the Promise of Justice,” *Violence Against Women* 16, vol. 10 (2010), 1103.
[43] Ibid., 1103.

constituted far more of the narrative than the act of violence itself. There are two major categories in the use of invisible trauma as textual expression in the case of the women's hearings. Either (1) descriptions of violence were kept to only a few sentences, and women would instead linger on how the violence made them feel after the experience, or (2) women would describe in greater detail how they were mistreated, with expressions of trauma embedded in these descriptions of violence.

3.3.1 Trauma as an after-effect

In a few cases, women would first describe the violence they experienced, followed by expressions of trauma. Two notable examples of this are found in the testimonies of Kedeboni Dube, Winnie Makhubela and Thandi Shezi. Dube described how she was raped at the hands of an IFP member in 1992, but limited her description of rape to only three sentences:

> '…He raped me. He raped me in different positions. I tried to fight him at that stage until in the morning and he was raping me.'[44]

What is revealing in this description is the lack of adjective use, with emphasis instead placed on action verbs. However, she describes the emotional after-effects of the rape in far greater detail, using a variety of adjectives across the course of several statements:

> 'So, I've realised that this whole thing is very painful.'[45]

> 'During that time there were a lot of people who had been killed in that area, I was scared that he was going to kill me.'[46]

> 'I have been suffering from syphilis since this boy raped me.'[47]

> 'I think it's most painful this. I think even now I feel very ashamed and I feel very disgraced.'[48]

> 'Most of the time I feel so sad. I feel like taking a rope and hanging myself, but sometimes I feel maybe this thing will come to an end, because we're now attending church. I think through the church and God this thing will come to an end.'[49]

> 'I am afraid of relating this issue to other people.'[50]

> 'Whenever I see him, my heart is sore. My heart bleeds.'[51]

[44] "Special Hearings", 2.
[45] Ibid., 3.
[46] Ibid., 3.
[47] Ibid., 3.
[48] Ibid., 5.
[49] Ibid., 5.
[50] Ibid., 6.
[51] Ibid., 6.

She feels that 'this whole thing is very painful', she feels 'ashamed', 'disgraced', 'afraid' and 'so sad.' She even uses metaphor to describe her trauma, expressing how her heart 'bleeds' and 'is very sore.' She also emphasises the physical trauma she still suffers from, as the rape resulted in a diagnosis of syphilis. Due to her illness, she is not only unable to 'conceive' children, but her relationships have been irreversibly altered as people often 'shout [at] and insult'[52] her. Perhaps most heart-wrenchingly, she describes the depth of her sadness by stating that she feels 'like taking a rope and hanging [herself].'[53] Thus, in Dube's case we see trauma used to express the long-term effects of the rape, thus adding significant depth to her narrative. Similarly, Makhubela also limited her descriptions of the violence to a few short sentences, once again using verbs rather than adjectives to describe her experiences:

> '…They undressed us, and they raped us. After they had raped us, they threw us out of the window and they started shooting at us. They started chopping us up with knives.'[54]

She is prompted to give more details of the attack by the commissioners, however, much like Dube, the emotional and physical depth of her experience is revealed in statements following these descriptions. Her aunt, Gloria Mahlope, also indicates her physical scarring.

> 'I'm not able to cope with things. There's nothing I am feeling.'[55]
>
> 'When I read, I can't even read books. I am not able to see properly.'[56]
>
> 'She's got scars on her head and her neck and the operation on the throat her whole stomach they shot her in the stomach.'[57]

She emphasises how she is 'not able to cope with things' and how the experience has numbed her, as there is 'nothing [she] is feeling.' The visible traumas that she experiences are also emphasised: she not only has scars, but also suffers from impaired vision, as she is 'not able to see properly.' She still feels 'very sad' and 'pained' by what happened to her.[58] Thus, much like Dube, we see expressions of both the lingering physical and psychological after-effects of the violence she experienced. Thandi Shezi also described how she was physically and sexually assaulted while in police custody with an emphasis placed on action rather than emotion. A key difference is that her description is significantly longer than that of Dube and Makhubela. Nevertheless, the way that she describes her experiences, with an emphasis on action verbs as opposed to adjectives, is similar:

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[52] Ibid., 6.
[53] "Special Hearings", 5.
[54] Ibid., 18.
[55] Ibid., 20.
[56] Ibid., 20.
[57] Ibid., 22.
[58] Ibid., 22.

> ‘They choked me until I bit my tongue, because I was trying to breathe with my mouth, because my nostrils weres closed by the sack. They choked me until I bit my tongue and my tongue got torn.
>
> …And one of them, one of them said, we must just humiliate her and show her that this ANC can't do anything for her; if we do this humiliation act on her, she will speak the truth. Then the four of them started raping me, the four of them. The whole four of them started raping me whilst they were insulting me and using vulgar words and said I must tell them the truth. They said if I don't tell them the truth about where the guns are and where is this other person they're looking for, they will do their utmost worst.’[59]

These descriptions are shocking to say the least, and yet she avoids embedding trauma into her narrative. She is thus prompted to describe how she felt as a result of her experience by a commissioner, and it is within this description that her trauma is revealed:

> ‘Within myself it was very painful. It was very painful. Even now I'm suffering from a womb. It's as if there's something jumping inside my womb, and I still have those physical pains. Even other people tell you you're just cold. Even if I get involved with relationships, they say to me I'm frigid and I'm just cold. Because if I get involved with a man I get very scared. I can't allow myself to be involved and love the person.
>
> … I wasn't coping, because when this whole thing had started - when I started feeling this anger inside me, I would beat up my children. I'd be angry with my children. Even with my mother, I used to fight with my father, because deep down within me I was trying to grapple with this painful experiences, going through.’[60]

She not only repeats how ‘painful’ her experience was, but also emphasises how she feels this pain in her body in the form of physical discomfort. It is unclear whether this is the result of her injuries, or a metaphorical, embodied feeling of emptiness and pain. Regardless, her emphasis on her ‘womb’ is notable, as it indicates a uniquely female experience of physical violation. Much like Dube, she also places emphasis on how her interpersonal relationships have also been greatly affected by her experience, as she struggled to ‘love’ and even began to physically abuse her children. Thus, we once again see the ways in which the expression of trauma as an after-effect adds depth to her experience, indicating the ways in which GBV lingers, persists and haunts long after the act itself.

I argue that these expressions of trauma are narratively impactful, particularly due to the contrast between adjectives and action verbs. I would argue that the reason for this kind of storytelling is multifaceted. It is not just that GBV was an awful experience in the moment – it is the horrific emotional

[59] “Special Hearings”, 131.
[60] Ibid., 132.

and physical scars that haunt the victim that emphasise how truly terrible it was. This is essentially a manifestation of haunting recognition, in which the imperceivable aspects of violence are expressed through an affective dimension. In this way, past violence is not temporally fixed, as it is continually disrupted by the affective after-effects that continue to haunt victims, with GBV as ever-present, or perhaps even omnipresent. These instances may also reveal how challenging it is for victims of severe GBV to verbalise or describe the actual violence that they experience – but for the purposes of this argument, expressions of traumas are representative of the power of the past to make its presence known, especially in the case of acts of violence.

3.3.2 Embedded expressions of trauma

In other cases, violence was described in greater detail. with trauma embedded within this. To demonstrate this, I will draw on examples from the hearings of Lita Mazibuko and Joyce Sikhakhane Ranken. Mazibuko's testimony of rape, physical assault, and torture is brimming with such expressions of trauma. For the purposes of this argument, I will focus on one short extract, in which she describes how she was tortured by two ANC comrades:

> 'It was a very painful situation for me. It was a do or die situation. I told him I wasn't going to be able to tell him lies. That's when he started assaulting me. The two of them they made me sit on a chair. The other one was standing at the back of the chair and the other one was standing in front of me and they were assaulting me until such time as I fell onto the ground. Then they started kicking me. They klapped me several times across my face. I was severely assaulted. I was just treated like a donkey.'[61]

Unlike the aforementioned cases, Mazibuko embeds expressions of trauma into her descriptions of what happened to her. Indeed, she not only uses action verbs to describe how she was assaulted, kicked, and *klapped*[62], but she also makes use of adjectives and figurative expressions to emphasise her trauma. It was a 'painful situation' for her, and the assault was 'severe.' She also uses the hyperbole of a 'do or die' situation, and a simile to express how she was 'treated like a donkey.' Similarly, Ranken also extensively describes her suffering whilst detained through figurative expressions of trauma. For example, she describes the psychological abuse that she experienced while interrogated in prison:

> 'As the five Special Branch officers, at gun point, whisked me away at dawn from my mother's house to the solitary cell via the death row cell in Pretoria Central, I was convinced that I would die in their hands leaving my three-year-old, Nkosinatie, an orphan. Commissioners, it is very rare that you hear that in Pretoria Central there was a death cell for women. Black women were hung at Pretoria Central. I think the Commissioners can pursue that aspect of the death row.

[61] "Special Hearings", 87.
[62] "Klap" is an Afrikaans word that has been adopted as a South African slang word. It refers to the act of hitting or slapping someone.

> We hear a lot about the males who were on death row. A month before my detention I had become engaged to Kenneth Ranken, a Scottish doctor. Since the Immorality and Mixed Marriage Act made living in South Africa impossible, I was to follow Kenneth out of the country. Detention put paid to that dream. The Special Branch was determined to separate those whose private lives did not fit in with the details of apartheid and their victims had to suffer the unbearable pains of separation.
>
> Being forced to abandon my baby son, Nkosinatie, was untenable torture. To crown it all, during a torturous interrogation session at Compol Building, a three year old Afrikaner toddler was brought in to remind me of Nkosinatie. They thought I would break down and accept their communist conspiracy interpretation of what I was involved in. They also wanted me to accept the offer of being turned into a State witness. Despite the agonising presence of a toddler I refused to be chiselled into an instrument of apartheid's evils, intelligence and security design. True, I was longing to be with my son, just to cuddle him, but the price to pay for that was worth our cruel separation. It was worth the strains to gain freedom for all South Africans, but then just opposed with the will to survive, torture by mind breaking wormed itself within me, enveloping me with feelings of guilt.'[63]

Ranken's testimony not only stands out for how well-spoken she is, but for her determination to describe the depth of trauma that she and many other women suffered whilst detained. Each statement she makes is embedded with emotive descriptions of this trauma. In this instance, she described the psychological torture she experienced during her arrest and interrogation, while continually relating her personal experiences to the greater context of apartheid. She not only embedded emotive adjectives into her descriptions ('unbearable, 'torturous', 'agonising', 'cruel'), she also used several figurative statements, from phrases ('put paid to', 'to crown it all', 'die in their hands'), to metaphors ('an instrument of apartheid's evils'), to idioms ('the price to pay'), to personification ('torture… wormed itself within me'). These intricately woven linguistic elements act to embellish her narrative with immense clarity, indicating the potential for trauma to be used as an impactful narrative tool of expression.

These cases thus reveal the power of trauma to embellish descriptions of violence with great textual and affective effect. While this differs from cases where trauma is described as an after-effect, I argue that neither textual expression is more effective than the other. Both reveal an essential facet of the women's hearings: that narratives of GBV were not always built on descriptions of violence, but rather of trauma and feelings that linger. This was the power of trauma as its own affective textual device in the production of narratives of GBV at the women's hearings. This of course reflects the notion of 'haunting memories' at the core of this thesis – women did not shy away from the hauntings of their pasts. Instead,

[63] "Special Hearings", 123.

they expressed them, solidifying their trauma as an essential aspect of the sociological memory of apartheid that the TRC generated.

3.4 Conclusion

This chapter sought to examine various expressions of memory and haunting present in the testimonies of the women's hearings in answering the following research question: *How did haunting affect the construction of memory and identity narratively during the women's hearings?* I began with an examination of signs of haunting, with an emphasis placed on the way that things and bodies act to signal and proliferate invisible fragments of identity, memory, and history. Following this, I examined how women's memories proliferated and mediated narrative by examining four distinct case studies in psychological (re)memorialisation. Finally, this chapter considered how women used their trauma as a means of textual expression, indicating the ways in which affective elements linger and generate depth of narrative in descriptions of the GBV.

This chapter thus revealed how women narrativized their experiences of GBV through a lens of personal and social haunting. I argue that this lens indicates the ways in which women can be framed as hauntological subjects, continually faced with the negotiation of the agonies of their personal and social histories in a world that continually subjects the female body to destruction. Indeed, we see how the women of the TRC related their experiences to signals of a violent history, formulated their narratives through rememories, and emphasised the lingering effects of past traumas on their present.

In Chapter 2, I concluded by emphasising the ways in which the commission itself ensured the structure of feeling at the core of the hearings. In this chapter, I extend upon this conclusion, and emphasise that this structure of feeling developed through the personal and social experience of violence under apartheid, as is evidenced by the ways in which women employed their haunted recognitions in the expression of narrative during these proceedings. This is once again representative of the way that South Africa tends to engage with its past through affect. More significantly it indicates that this engagement was grounded firmly in how *people* came to understand and feel history, as opposed to the greater organisational body of the TRC.

4. Seven Volumes, One Chapter: Women in the TRC Report

'Many a time when stories are being told about struggling, the stories of the women's struggles are forgotten. They are hidden. Even when they are told, they're told as a postscript; incidentally there were women. But the essence of this history, is a history of men. It is not herstory, as other people would say; it is the story of the man.'[1]

- Thenjiwe Mtsinsto, head of the Gender Commission

The women's hearings were an ambitious attempt to break away from the norm of women as a postscript in history. If the preceding chapters of this thesis are taken into account, the hearings did indeed bring to light several dimensions of GBV within a performative, affective context, allowing women the narrative agency to imagine and produce their own life histories.

That being said, while the women's hearings were the space in which GBV was publicly narrativized for the first time in post-apartheid South Africa, it was the TRC report that solidified the first 'official' account of apartheid history. Published in seven volumes between 1998 and 2003, the aim of the report was outlined in its first volume as a resource intended to offer a 'road map to those who wish to travel into our past', presenting itself as means through which South Africans can become 'engaged in the process of helping our nation to come to terms with its past and, in doing so, reach out to a new future.'[2] This chapter seeks to examine how narratives of GBV were integrated into South African history in the form of the TRC report, in answering the following research question: *How was GBV narrativized in the TRC Report, and how did this differ from the narrativization of the hearings?*

4.1 Narrative and the TRC Report

Most proceedings of the TRC concluded in 1998, just over two years after its first hearings took place. This process was eventually extended in length, largely due to its amnesty decisions, which concluded in 2003. The structure of the report reflects this extension, with the first five volumes of the report published in October 1998, and the sixth volume and seventh volumes published much later, between 2002 and 2003. The report was compiled and written by the 17 commissioners who guided and facilitated the hearings, resulting in a distinct form of narrativity when compared to the external sources that covered the proceedings as they happened.

4.1.1 Contents and reception of the report

Each volume placed emphasis on different aspects of the hearings. Volume One introduced broader practical issues surrounding the commission itself, highlighting the reasons for conducting the hearings, and the approaches undertaken during the proceedings. In effect, it outlined the commission's mandate.

[1] "Special Hearings", 37.
[2] TRC, *Volume One*, 2.

Volume Two concerned the commission of gross violations of human rights violations, divided chronologically between two periods: 1960 to 1990, and the tumultuous transition years, between 1990 and 1994. Volume Three also focused on the gross human rights violation hearings, but shifted its focus to victim perspectives, with emphasis placed on different regional and geographical circumstances that influenced the experience of these violations. Volume Four addressed the special hearings of the commission, including chapters on compulsory military service, children and youth, and women. Volume Five, the final volume of the originally published series, presents the conclusions and findings of the commission, outlining its recommendations for reparations and reconciliation beyond the commission. Volume Six consisted of independent reports made by the various committees of the commission: The Amnesty Committee, the Reparation and Rehabilitation Committee, and the Human Rights Violations Committee. Finally, Volume Seven was dedicated to the victims who testified during the hearings and contained brief summaries of each victim's story.

The chapters that contained the main summaries of the victim hearings thus consisted of a few major plotlines, including a chronological account of the human rights violations committed during apartheid in Volume Two, a more thematic account of victim's perspectives and experiences in relation to geography in Volume Three, and finally the more specific focus on so-called 'special cases' in Volume Four. The chapter on women forms a part of this fourth volume of the report. Outside of this chapter, women are only occasionally reported upon in reference to GBV or the specific narratives of the women's hearings. An exception to this is found in the fifth volume, in which the findings of the chapter on women are summarised, and in the seventh volume, in which some victim stories included mentions of GBV. Before analysing the limitation of women's history to this single chapter, it is important to examine the contextual environment in which the commissioners produced the report, as well as its general reception.

All five volumes of the first series were produced while hearings were still ongoing in 1997 and 1998. According to the fifth volume of the report, the writing 'commenced during 1997 after full discussion and agreement was reached within the Commission' and that 'as much time as circumstances permitted was allowed and allocated to the report writing process.'[3] It is admitted that commissioners had 'extremely busy schedules', but were 'compelled to create sufficient time' to engage in the writing process.[4] Drafts were brought forward to the commission and served a 'basis for discussion' in which they were at times 'substantially re-worked' in light of debates.[5] That said, one commissioner, Wynand Malan, held a minority position that concerned the production of the report, in which he noted that he felt that 'drafts became final documents by default' even if 'commissioners had serious reservations on

[3] Truth and Reconciliation Commission of South Africa, *Volume Five: Truth and Reconciliation Commission of South Africa Report* (Cape Town: Truth and Reconciliation Commission, 1998), 459.
[4] Ibid.
[5] Ibid.

some of them.'[6] This is acknowledged as a biased perspective by the commission in its response, with criticism levied at Malan's withdrawal 'midway through the process of discussion and drafting of the Commission's report', and his 'total lack of appreciation of or sensitivity to the situation of victims of gross violations of human rights or the duties of the Commission.'[7] Nevertheless, this minority position indicates potential limitations in the form of time constraints and disagreements between commissioners regarding the fulfilment of the mandate during the co-authorship of the report. Indeed, feminist scholars have noted how the shortfalls of the chapter on women were 'reinforced by the combination of limited time and resources.'[8] This undoubtedly exacerbated the limitations that the commission's mandate placed upon its authors, which I will return to later in this chapter.

The reception of the report is also interesting to consider. Unlike other truth commissions, the hearings of the South African TRC were conducted in the public domain. As is highlighted in its first volume, the commission operated in 'the full glare of publicity', meaning that 'some of the information contained in [the] report [was] already in the public domain.'[9] The approach taken by the report thus sought to summarise these highly publicised findings from the perspective of the commission itself, while also providing 'significant and new insights' into the contents of the hearings, largely for an audience of 'scholars, journalists and others researching [South Africa's] history for generations to come.'[10] The report was thus far more geared towards academics for the purpose of research than public consumption. Although it was made available to the general public, there is little coverage of a public reception of the report, especially when compared to the hearings themselves, which elicited more extensive public involvement. As vice-Chairperson of the TRC, Alex Borraine highlighted in his reflections of the proceedings, the openness of the hearings themselves led to extensive 'media coverage, particularly radio' which enabled 'the illiterate and people living in rural areas to participate in its work so that it was truly a national experience rather than restricted to a small handful of selected commissioners.'[11]

Considering the specific academic audience the report had in mind, it is understandable that most of the reception of the report is found in various academic papers. Much of this reception was negative. Mahmood Mamdani's 2002 critique of the TRC report is one of the most frequently cited. He highlighted how the way in which the report limited the 'the definition of harm and remedy to individuals' resulted in 'centre-stag[ing] political activists as victims of apartheid' rather than the general populace.[12] He noted that this narrowed the perspective of the TRC as a whole to one of

[6] TRC, *Volume Five*, 438.
[7] Ibid., 459.
[8] Ayumi Kusafuka, "Truth commissions and gender: A South African case study," *African Journal on Conflict Resolution* 9, no. 2 (2009), 45.
[9] "Volume 1", 1.
[10] Ibid.
[11] Boraine, *A Country Unmasked*, 89.
[12] Mamdani, "Amnesty or Impunity?", 34.

'political reconciliation between state agents and political activists' rather than the notion of national reconciliation posited by the commission.[13] Similarly, Deborah Posel also criticised the first five volumes of report in 1999, noting how despite the report's façade of an 'objective, authorised version of the country's recent past', the report instead contains 'a version of the past which has been actively crafted according to particular strategies of inclusion and exclusion, borne of the complexities the TRC's mandate,' which led to an unevenness in 'discernment of detail' and indifference to 'the complexities of social causation.'[14] In essence, she suggested that the report lacked depth despite its length and the materials accessible during its creation. Feminist scholars have also generally criticised the chapter on women specifically, especially with regards to the effects of the commission's 'gender-blind' mandate.[15]The generally negative perception of the report in academic circles is at times maintained in the public consciousness in South Africa today, especially for those who did not live through the hearings themselves. According to a 2018 article, youth tend to perceive the commission and its report as 'an exercise that served to maintain existing power imbalances with only cosmetic changes.'[16] The history produced within the report is thus decidedly contested in South Africa's historical consciousness.

That said, its value as the first written history of apartheid in South Africa, produced from the stories of some of those who endured its oppressions, cannot be understated. Indeed, much like the transcripts of the hearings, it is publicly and freely available online for consumption. Thus, in the sense of formally documenting histories once hidden or obscured by the apartheid government, it set a historical precedent. The same can be said for its chapter on women, which was at the time of its publication the first 'official' history of women's lives under apartheid. Before relating this chapter to the hearings themselves, it is important to examine how the authors chose to portray and historicise GBV and its effects on women in narrative form.

4.1.2 To break with the past

The language used in the chapter on women is particularly interesting to consider in reference to the notion that the workings of the TRC operated within a framework of a decisive 'break' between past and present, or a form of modern historical discourse. As highlighted by Bevernage, the discourse perpetuated by the TRC's mandate was 'preoccupied with issues of chronology and periodisation' in

[13] Mamdani, "Amnesty or Impunity?", 34.
[14] Deborah Posel, "The TRC Report: What kind of History? What kind of Truth?" *The TRC: Commissioning the Past* (1999), 3.
[15] Kusafuka, "Truth commissions and gender", 45; Beth Goldblatt and Sheila Meintjies, "Women: One chapter in the history of South Africa? A critique of the Truth and Reconciliation Report," *The TRC: Commissioning the Past* (1999), 136.
[16] Eleanor du Plooy, "Why talking about the TRC is still important 20 years later", *News24*, July 24, 2018, https://www.news24.com/news24/columnists/eleanorduplooy/why-talking-about-the-trc-is-still-important-20-years-later-20180724.

the creation of a 'new national timeline.'[17] This is certainly evident in the report, most notably in Volume 2, which relies heavily on chronology and the demarcation and periodisation of the perpetration of apartheid violence. There is an emphasis placed on 'mapping' apartheid violence both thematically and chronologically. Chapters in Volume 2 focus on 'The state outside South Africa (1960-1990)', 'The state inside South Africa (1960-1990)', 'The Liberation Movements from 1960 to 1990,' 'The Homelands from 1960-1990', and 'Political Violence in the Era of Negotiations and Transition (1990-1994).'[18] The language used in this chapter certainly reflects this historicism, with a distinct separation made between not only periods, but the 'former state' and new South Africa:

> 'The former state was reputed to have one of the highest rates of judicial execution in the world. In the period covered by the Commission's mandate, over 2 500 people were hanged, 1 154 between 1976 and 1985. Some 95 per cent of all people executed were African. Studies have noted that the death penalty was far more likely to be imposed if the victim of a capital offence was white and the perpetrator black.'[19]

In this sense, the report appears to break with the lingering past in its portrayal of history, separating apartheid South Africa from the present. Conversely, the chapter on women appears to grapple with the fact that gendered differentials still linger in the 'new South Africa' to a greater extent than other volumes of the report. There is a degree of emphasis placed on gender issues in the present tense, thus framing them as something ongoing, lingering and ever-present:

> 'While a person's sex is determined by biology, gender is a social construct. It is determined by the relationships between women and men and by the roles they play. One of the more important divisions in terms of gender analysis is that between the public and private spheres. Men are more commonly 'active' in roles in the public sphere, while women predominate in roles in the private sphere. Politics as usually understood pertains primarily to the public sphere. The public-private distinction played itself out in the Commission hearings to the extent that women were often constructed – and constructed themselves — as wives, mothers, sisters and daughters of the active (mainly male) players on the public political stage.'[20]

> 'Ms Thenjiwe Mtintso suggested that men use sexual abuse to show the weakness of the men on the opposing side "because women are supposed to be these people that are protected by these men". She suggested that sexual violence is also used by those in power to destroy the

[17] Bevernage, "Writing the Past Out of the Present", 124.
[18] Truth and Reconciliation Commission of South Africa, *Volume Two: Truth and Reconciliation Commission of South Africa Report* (Cape Town: Truth and Reconciliation Commission, 1998), 1.
[19] Ibid., 169.
[20] TRC, *Volume Four*, 291.

> identity of women who have rejected traditional roles, for example by engaging in 'masculine' roles in the struggle.'[21]

In these instances, women and men are framed as currently experiencing gendered differentials. Men and women's roles 'are' as opposed to 'were' a certain way, and men 'use' sexual violence to particular ends. This may very well be a consequence of the haunted recognition within the women's hearings, where women expressed their pain as presently and affectively felt, something that still affects them in social or bodily forms. An example that comes to mind from Chapter three is the way that Kedeboni Dube expressed how her life is still tainted by her rape, in the sense that she still suffers its social consequences in the form of shame, disgrace and judgement from others.[22] Thus, the chapter on women does appear to recognise this ever-presence of gendered issues, particularly with regards to gender as a social construct. That said, the 'break' between past and present is still made known in the chapter, especially with regards to the contextualisation of acts of abuse as firmly grounded in an apartheid past.

> 'Many of the stories indicated the way in which physical abuse was exacerbated by psychological. Many also showed how physical abuse was used to humiliate the victims.'[23]
>
> 'Several women spoke about how their femaleness affected how they were treated, and how they themselves behaved when tortured.'[24]
>
> 'The limited evidence available confirms the fact that women were active in all roles – as perpetrators, and in the full range of different primary and secondary victim roles. It also indicates ways in which women's experience of abuse might have differed from that of men.'[25]

This double-acknowledgement of both the presence of gendered issues in the 'new South Africa' while still contextualising GBV as a prevalent feature of the former state is indicative of the inherent difficulty in understanding and interpreting something that is both grounded in the past while simultaneously evident in the present. Whether this contradicts the heavy periodisation of other sections of the report is certainly up for debate and is perhaps more related to the inherent contradictions between the commission's mandate and the way that gender was framed within the women's hearings. This is something that I will return to later in this chapter, but for the sake of this section, it is important to acknowledge the authors' attempts to consolidate historicism – the grounding of events in temporally fixed past - with the lingering presences or traumas of GBV made known in the hearings.[26]

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[21] TRC, *Volume Four*, 297.
[22] "Special Hearings", 4.
[23] TRC, *Volume Four*, 305.
[24] Ibid., 302.
[25] Ibid., 318.
[26] Bevernage, "Writing the Past Out of the Present", 124.

4.1.3 Representational strategies in the chapter on women: Causes, nature, extent

As demonstrated in previous chapters, in the women's hearings narrative manifested in textual and performative elements that were grounded in affect and symbolism. The hearings themselves essentially defied historicism and periodisation in their haunted character. Thus, the uncomfortable present-day hauntings of the violence described resulted in a representational strategy that relied on gendered themes that are experienced 'then and now' rather than a definitive break between past, present, and future.

To further understand this 'different way' in which the chapter on women was written, it is important to contextualise its contents in relation to the commission's mandate. The commission's duty was to fulfil this mandate, and thus it played a significant role in the writing of the report. Most relevant to understanding the narrative and knowledge structure of the chapter on women is the following section of the mandate (Appendix A), which states that:

> 'The objectives of the Commission shall be 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 I March 1960 to the cut-off date, including the antecedents, circumstances, factors and context of such violations, as well as the perspectives of the victims and the motives and perspectives of the persons responsible for the commission of the violations, by conducting investigations and holding hearings.'[27]

Of most significance in this extract is the emphasis placed on the 'causes, nature and extent' of gross human rights violations committed during the apartheid regime. This undoubtedly informed the structural and narrative choices made in the chapter on women. Unlike Volume Two of the Report, which consists of a chronological narrative organised by time-period, the chapter on women takes an expository thematic approach, organising its contents through various gendered themes intended to demonstrate their causes, nature, and extent. Thus, it does not focus on historizing gender into a singular narrative, but rather on highlighting how prevalent gender issues manifested during the apartheid era while simultaneously acknowledging the ongoing social consequences of these gender constructs. This suggests that the task of the commissioners in writing the report was to identify shared thematic links between different victim statements, thus revealing the nature of gendered human rights abuses.

The chapter begins with several sections that introduce the how the women's hearings came to be, the definitions of gross human rights violations contained within the commission's mandate, and statistics pertaining to these definitions. Emphasis is placed upon the requirements of the mandate of the commission, particularly with regards to its definitions of gross human rights violations.

[27] TRC, *Volume One*, 55.

> ‘The Act states that
>
> ‘gross violation of human rights’ means the violation of human rights through – (a) the killing, abduction, torture or severe ill treatment of any person; or (b) any attempt, conspiracy, incitement, instigation, command or procurement to commit an act referred to in paragraph (a).’[28]

The authors acknowledge the inherent gender-bias of the commission’s mandate, but still use these definitions to lay the groundwork for how they chose to define gendered issues in the report. In particular, the remainder of the chapter is divided into several representations of gendered experiences in relation to these definitions of gross human rights violations: Gendered Roles and Socialisation, Silences, Sexual Abuse, Other Physical Abuse, Psychological Abuse, Non-Prison Experiences, and Relationships. These categories are indicative of the typology constructed by the commission in interpreting and presenting its results, largely through how each section is structured. In many ways, each of these sections is structured in such a way that demonstrates the ‘cause, nature and extent’ of gendered issues.

Take, for example, the section on Sexual Abuse. It begins with a thesis statement that places emphasis on the ‘facts’, or, in another sense, that the ‘cause, nature and extent’ of sexual violence was inherently gendered:

> ‘Given the close relationship between sex and gender, one of the more obvious differences in the way women and men might experience gross human rights violations is the **extent** to which they suffered from sexual violations, and the **nature** of those sexual violations. Of the 446 statements that were coded as involving sexual abuse, 398 specified the sex of the victim. Of these 158, or 40 per cent, were women. Rape was explicitly mentioned in over 140 cases.
>
> The Commission regarded rape as ‘severe ill treatment’ regardless of the circumstances under which it occurred. Solitary confinement was the other abuse categorised in this way. The women who described how they had been raped while in detention were, in effect, often describing a double experience of those abuses regarded as most severe.’[29]

Following this, the report presents examples from the hearings in support of this, in which the ‘nature and extent’ of this sexual violence is contextualised under this broader category of ‘Sexual Abuse.’ Examples are typically presented in two different formats: through short descriptions of what was reported during the hearings, or through block quotes lifted verbatim from the transcripts themselves (Table 2).

[28] TRC, *Volume Four*, 290.
[29] Ibid., 298.

Evidence presented	
Short descriptions	'Ms Phyllis Naidoo reported that, in 1976, when assisting child detainees, she came across several young women who had been raped and impregnated by the officers who detained them. Despite her offer of assistance, "they wouldn't (abort). They feared the special branch."'[30]
Direct quotations	'Ms Funzani Joyce Marubini was a member of the Youth Congress in the Northern Province at the time of her detention in 1986. She and five other women were arrested. *They did not give us food, they did not give us water, they shut the toilets so that we could not go in there to relieve ourselves… that night, they came and woke us up and they switched off the lights and said we should lie on our stomachs. They started assaulting us with* sjamboks [whips] *… assaulting us on our buttocks up to the time that our panties were torn and our undergarments were exposed.* '[31]

Table 2: Typologies of quotation in the chapter on women (Source: TRC Report)

This approach reoccurs in most other sections of the chapter. The following table lifts some significant examples of this from the text:

Section	'Causes'	'Nature and extent'
Gendered Roles and Socialisation	'While a person's sex is determined by biology, gender is a social construct. It is determined by the relationships between women and men and by the roles they play. One of the more important divisions in terms of gender analysis is that between the public and private spheres. Men are more commonly 'active' in roles in the public sphere, while women predominate in roles in the private sphere. Politics as usually understood pertains primarily to the public	• 'In some cases, it was clear that men actively prevented women from engaging in politics. In one of the general hearings, Ms Ncediwe Euphamia Mfeti remarked: *"We are not allowed to ask our husbands about politics in my culture"*

[30] TRC, *Volume Four*, 298.
[31] Ibid., 299.

	sphere. The public-private distinction played itself out in the Commission hearings to the extent that women were often constructed – and constructed themselves — as wives, mothers, sisters and daughters of the active (mainly male) players on the public political stage.'[32]	Her observation was confirmed by nods and laughter in the audience.'[33] • 'Ms Sheila Masote, daughter of Pan Africanist Congress (PAC) leader Mr Zeph Mothopeng, said that they had a similar policy that: "*women should stay at home, should not participate. It was all by way of trying to say when we go out to jail, when we go out and be killed, you look after the children… The husbands wouldn't share much."*'[34]
Relationships	'…women's relationships were often used against them to weaken them and extract information. In their testimony, women also related how their experiences had affected those close to them, and their relationships with them.'[35]	• 'Ms Deborah Matshoba, too, lost her husband because of her political involvement. Her husband "grew impatient" when Ms Matshoba was restricted to Krugersdorp by a banning order. He objected to the restrictions placed on her, which he saw as offending him and his "man's pride"'[36] • 'Many women tried to protect their families. Ms Thandi Shezi, active in the ANC Youth and Women's Leagues, recalled how, when she told her mother that she suspected she would be detained, her mother told her to run away. *"I said: 'No, if I run away, they're going to beat all of you here in the house and even the children. I don't want you to get hurt."*[37]

[32] TRC, *Volume Four*, 291.
[33] Ibid.
[34] Ibid.
[35] Ibid., 311.
[36] Ibid., 312.
[37] Ibid., 313.

Psychological abuse	'It is often difficult to distinguish between physical and psychological abuse. Many of the stories indicated the way in which physical abuse was exacerbated by psychological. Many also showed how physical abuse was used to humiliate the victims. Women, more than men, were prepared to talk about psychological aspects of their experience. Women were also more likely than men to talk about the psychosomatic and psychological problems experienced afterwards… One possibility is that women were more affected than men psychologically. Another possibility is that men had more need, because of socialisation, to see the abuse as a test of their strength. If this is true, by listening to women we can also learn something about men's unacknowledged suffering.'[38]	• 'Ms Thenjiwe Mtintso described taunts that women combatants had joined because they had failed to find a husband, to look after their children, or because they were unpaid prostitutes: *"This consistency of drawing away from your own activism, from your own commitment as an actor, was perhaps worse than torture, was worse than the physical assault… when even what you have stood for is reduced to prostitution, unpaid prostitution."'*[39] • 'Ms Deborah Matshoba recounted how she had only broken down and cried when she was eventually allowed to see her son and family: *'You can go very strong when they beat you up and you become stubborn and you stand your ground, but once they start being kind to you it can, it is a very, very delicate spot.'*[40] • 'Ms Thandi Shezi was told that her children had been handed over to welfare, "and if I didn't tell them the truth, they would kill my children."'[41]

Table 3: General thematic structure of the chapter on women (Source: TRC Report)

The thematic sequence of the chapter thus relies on several threads of information that support particular statements made by the authors. These statements centre around problematising gender as the main focus of causation in understanding women's issues, which is of course the logical conclusion to draw

[38] TRC, *Volume Four*, 305-306.
[39] Ibid., 306
[40] Ibid., 307.
[41] Ibid.

given the evidence presented. Embedded within this focus on gendered causation is the mandate's requirement to determine the 'causes, nature and extent' of gross human rights violations, in this case, those specifically committed against women. The narrative of gender of most significance reads as a categorical list of gendered issues uncovered during the hearings, with supporting evidence selectively lifted from the hearings in order to support claims made. This approach is decidedly pragmatic in its classification and is stylistically reminiscent of modern expository texts in which a level of 'impartiality' is intended to be portrayed by the authors in the presentation of their evidence.[42]

Indeed, despite the lack of definitive chronology in the chapter or the normative modern historical discourse of other volumes in the report, the chapter still took on a categorical knowledge structure in interpreting the complex interactions between past and present in the hearings, with an emphasis placed on categorising different gendered experiences and their main causes. The 'causes' are as such not necessarily framed as consequences of apartheid, but rather consequences of the social constructs of gender. This is not to say that a link between the apartheid state and gender is undefined, but that gender is framed as an ever-existent construct that was *exacerbated* by apartheid politics. The summary of the findings of the chapter on women in the fifth volume of the report reinforces this focus on highlighting the causes of human rights abuses committed against women as specifically gendered:

> 'Women too suffered direct gross violations of human rights, many of which were gender specific in their exploitative and humiliating nature.
>
> The commission thus finds that:
>
> The state was responsible for the severe ill treatment of women in custody in the form of harassment and the deliberate withholding of medical attention, food and water.
>
> Women were abused by the security forces in ways which specifically exploited their vulnerabilities as women, for example rape or threats of rape and other forms of sexual abuse, threats against family and children, removal of children from their care, false stories about illness and/or death of family members and children, and humiliation and abuse around biological functions such as menstruation and childbirth.
>
> Women in exile, particularly those in camps, were subjected to various forms of sexual abuse and harassment, including rape.'[43]

The 'vulnerabilities of women' are thus framed as something that predated the apartheid state, and it was under the political severity of apartheid that these were further 'exploited.' Thus, the narrative generated around women's experiences in the report largely served to reinforce or problematise gender

[42] Carlota S. Smith, *Modes of Discourse: The Local Structure of Texts* (Cambridge: Cambridge University Press, 2003), 8.
[43] TRC, *Volume Five*, 256.

as a major cause of various forms or categories of female victimisation. This was created in accordance with the requirements of the mandate to uncover not only the nature of gross human rights violations, but also their causes.

The chapter was thus most concerned with presenting *what* was said at the hearings, as opposed to *how* or *why* women described injustices in this context. In other words, the report was less focused on a structural analysis of the hearings, and more focused on a thematic analysis in accordance with the definitions and requirements of its mandate. This is likely a consequence of the expository nature of the narrative presented by the report, which was less concerned with telling a 'story' of gender in South Africa, and more concerned with presenting the contents of the hearings through a representational strategy in which conceptual groupings were used in making meaning out of the causes, nature, and extent of gender issues.

4.2 Confronting the gender bias

In preceding chapters, this thesis has argued that structures of feeling – the emotive qualities of feeling the past in the present - informed the creation of narrative meaning during the women's hearings. Thus, it is important to compare this creation of meaning, the knowledge structure developed during the actual proceedings of the commission, with the knowledge structure purported by the commission's mandate. At first glance, the idea of affect and a structure of feeling appears notably different from the modern historical discourse at the core of the commission's mandate. As briefly aforementioned, the report was forced to content with these differing forms of meaning making. This is not a new idea - as suggested by Posel, the report 'had to contain the tensions between two different notions of historical knowledge', between subjective 'contending constructions and perspectives' and 'a procession of facts from the vantage point of the commission.'[44] The report has come to represent this incongruency between the way that the hearings actually played out, and the discourse perpetuated by the commission's mandate.

4.2.1 The mandate as a hindrance on the chapter on women

As highlighted in Chapter 2, the women's hearings came about in an *ad hoc* way because of the fundamental gender bias in the mandate of commission, which effectively failed to properly call attention to GBV and other women's issues in its initial proceedings. Thus, it is perhaps unsurprising that the report was structured in such a way that perpetuated this 'side-lining' of women. Take, for example, the way that the report acknowledges the fundamental absence of women in its volumes:

> 'The inclusion of a separate chapter on gender will be understood by some readers as sidelining, rather than mainstreaming, the issue. Women will again be seen as having been portrayed as a 'special interest group', rather than as 'normal' members of the society. To integrate gender

[44] Posel, "The TRC Report," 6.

> fully, however, would have required the Commission to amend its understanding of its mandate and how it defined gross human rights violations.'[45]

While this is a marked acknowledgement of limitations, it effectively acts to absolve the report of its own practices in side-lining women and places the burden of responsibility upon the flaws of the commission and its mandate. This reflects the report's attitude towards side-lining women as an unavoidable *inevitability* because of the mandate of the commission, as opposed to interpreting or presenting the hearings within a more accurate framework of GBV, or indeed the framework that facilitated narrative during the hearings. What this fails to recognise is the notable distinction between the mandate of the TRC and the way that its hearings played out in practice. This suggests that the report did not wholly rely on the unique ways that narrative manifested during the women's hearings in its understanding of GBV, but rather through trying to define these narratives in relation to how the commission initially understood gross human rights violations. As highlighted by Goldblatt and Meintjies, 'in the Report gender is considered in the narrowest possible terms.'[46] This reliance on mandate is evident in the introduction of the chapter on women:[47]

> 'This chapter, in focusing on [women's] stories, underlines the fact that there were many women who suffered from the full range of abuses which fell within the Commission's understanding of its ambit. It also, however, points out the particular ways in which these women might have experienced abuses.'[48]

Thus, narratives were effectively understood in relation to a set of definitions outlined by the commission, as opposed to seeking narrative meaning from within the testimonies themselves. As Mamdani highlighted in his critique of the TRC report, the limits under which the TRC produced its mandate 'defined the space available to the Commission to interpret its terms of reference and define its agenda.'[49] What this comes down to is a matter of a reliance on the mandate of the commission, generating an incongruency between what was voiced and created in the 'live' environment of the women's hearings in July 1997, and what would come to represent these proceedings in the fourth volume of the report. This reliance on mandate above narrative is found in many instances throughout the chapter on women and demonstrates the potential dissonance between the knowledge structures of the hearings themselves, and the ways that they were presented in the report.

[45] TRC, *Volume Four*, 289.
[46] Goldblatt and Meintjies, "Women: One chapter in the history of South Africa?", 136.
[47] TRC, *Volume Four*, 290.
[48] Ibid., 286.
[49] Mamdani, "Amnesty or Impunity?", 33.

For example, this is made clear in the incongruence between the statistical data and the categorisation of gender issues presented in the chapter on women. As briefly aforementioned, the chapter on women begins with a set of statistical data. To a large degree, these statistics are not made particularly relevant to the overarching narrative of the chapter itself. This, in many ways, represents some of the difficulties in translating the mandate into the gendered context that the chapter seeks to present. These statistics are given in reference to the categories of gross human rights violations outlined in the mandate, namely 'attempted killing, killing, severe ill treatment and torture.'[50] The following table presented in the report concerns the entire cohort of women that gave statements:[51]

		% REPORTS	SELF VICTIM/ WOMEN	WOMAN SELF VICTIM/ ALL SELF	TYPE/ WOMEN/S REPORTS
All Offices	Attempt to kill	43%	49%	32%	5%
	Killing	70%	0%		0%
	Severe ill treatment	48%	63%	42%	85%
	Torture	19%	58%	14%	9%
	TOTAL	**49%**	**37%**	**35%**	**100%**

Table 4: Categories of human rights violations extracted from the chapter on women (Source: TRC Report)[51]

Although these statistics do clearly show the under-representation of women in the victim hearings, they do not categorise or differentiate between gendered violence and non-gendered violence. This is interesting, because as aforementioned, the remainder of the chapter thematically differentiates between manifestations of gendered experiences. This incongruence between the statistical data presented and way in which the chapter itself is structured is likely related to the flaws of the commission's gender-blind mandate. The result of this is a lack of meaningful statistical data specifically pertaining to gender, which stands in contrast to the contents of the rest of the chapter and its attempts to problematise gender. These categories thus tend towards being arbitrary in reference to gendered experiences.

As mentioned in section 4.1., this perhaps hints towards the difficulties in relating the commission's mandate to the contents of the women's hearings. By beginning with the mandate on what constituted gross human rights violations, the chapter on women set itself up for the challenge of attempting to consolidate the narratives of the women's hearings within this framework. Instead of coming to understand elements unique to the female subjectivity as was evident in women's narratives, the report presented these elements in relation to the narrowly defined mandate at its core. Some of this is evident in the ways in which gendered experiences were made categorical and continually referred to in reference to the commission's definitions of gross human rights violations.

[50] TRC, *Volume Four*, 288.
[51] Ibid., 289.

For example, when describing non-prison experiences, there is a notable reliance on the commission's mandate. The report notes that torture 'as defined by the commission, occurs in prison or in custody – and is thus primarily perpetrated by agents of the state.'[52] However, the chapter goes on describes different, non-prison experiences in relation to this narrow definition of torture. This generates a confusing perspective, as the report attempts to consolidate the commission's mandate with what was *actually* narrativized in the hearings. A notable example of this is the report's description of Lita Mazibuko's experiences:

> 'Ms Lita Nombango Mazibuko had a long tale of her suffering at the hands of ANC colleagues while in exile… She was kidnapped, tortured and interrogated. Torture included hitting and kicking, as well as being forced to stay in holes for long periods.'[53]

The report uses the word 'torture' to describe her experiences at the hands of the ANC mere paragraphs after stating that torture is something that is perpetuated by the apartheid state. She was undoubtedly tortured by ANC comrades, but the issue is that there is a semantic incongruence between how the report chose to categorise and describe torture and what was described during the hearings. This demonstrates the potential dissonance between the narrative of the report and the way that the hearings developed narrative.

This kind of incongruency is also notable in certain structural inconsistencies between the mandate of the commission and the chapter on women. Take, for example, the category of 'sexual abuse.' According to the mandate outlined in the first volume of the report, rape was categorically separated from other forms of sexual abuse:

> 'By applying the above criteria, the following acts were regarded as constituting severe ill treatment:
>
> a) rape and punitive solitary confinement;
>
> b) sexual assault, abuse or harassment'[54]

In the chapter on women, these two categories are effectively combined under a heading of 'Sexual Abuse.' This is probably due to the way that the hearings themselves played out, in which rape was by no means portrayed as categorically separate from other forms of GBV. It thus seems an inevitability that rape would be described under the same 'category' as other forms of sexual abuse. Yet, the mandate deliberately separates rape from sexual assault, abuse, or harassment, which leads to a structural

[52] TRC, *Volume Four*, 308.
[53] Ibid., 309.
[54] TRC, *Volume One*, 81.

inconsistency in the chapter on women, in which the findings presented deviate from the mandate while still attempting to uphold it.

Indeed, the chapter still notes that the commission 'regarded rape as severe ill treatment', while providing no explanation as to how other forms of sexual abuse should also be understood as 'severe ill treatment.'[55] This means that other forms of sexual violence were not actually presented in reference to an encompassment of the range of sexual abuses present in the hearings as intended, but in reference the mandate's *separation* of rape from other types of sexual abuse. This leads to a narrative that separated rape from other forms of sexual violence while still attempting to consolidate these violations under one general category of 'Sexual Abuse.' Instead of seeing rape as a form of GBV, those that were 'raped' were separated from those that were 'not necessarily raped':

> 'Several women described how they had been sexually abused, although not necessarily raped, while in detention'.[56]

Thus, in the report there is a sense of a dichotomy between rape, in opposition to other types of sexual abuse, even though much of the section on sexual abuse deals with abuses other than rape. The report thus falls into a pitfall of attempting to consolidate the full encompassment of sexual abuse as narrativized at the hearings within the narrow framework of the mandate.

Another aspect of this is the contrast between the contents of the report and the ways that the hearings themselves played out. In many ways, this categorical expository discourse defies the way that the hearings themselves produced narrative through structures of feeling. Inherently, a structure of feeling acts to defy notions of fixed forms of knowledge and relies more on producing narratives 'not as cold knowledge, but as a transformative recognition.'[57] As demonstrated in previous chapters, in the women's hearings this manifested in a variety of textual and performative elements, but most notably constituted evidence that is 'barely visible or highly symbolised'[58], generating narratives that are continually unsettled by practices and manifestations of re-remembering and haunted recognition. Indeed, although affective staging was built upon ideas of trauma, violence and suffering, these ideas were by no means fixed in meaning or form. For example, there was evidence of multiple intersecting textualities from which an affective knowledge structure was generated, from those outlined by the commissioners, to those generated through interactional co-construction with the public or the victims themselves, or indeed the presence of symbolism, song, and poetry around gendered issues. Yet, in the chapter of women in the report, there is no distinction between different forms of meaning making, and instead a categorical distinction between a predetermined typology of human rights abuses. This will

[55] TRC, *Volume Four*, 298.
[56] Ibid., 298.
[57] Gordon, *Ghostly Matters*, 8.
[58] Ibid., 50.

become particularly relevant later in this chapter when narrative representation is reconsidered within the context of the report.

This is not to imply that categories or thematizations of gendered trauma were not present in the hearings at all. For example, head of the gender commission Thenjiwe Mtsinsto identified several iterations of gender injustice in her statement made at the women's hearings, explicitly noting how the commission 'cannot limit human rights to what is in the act.'[59] She emphasised sexual and physical abuse, gender-based police violence, as well as forced removals and the breaking of family structures as uniquely gendered traumas.[60] This is not so different from the categories chosen for the report. However, these categorical notions only form a small part of the range of knowledge about GBV perpetuated throughout the various mediums of expression that occurred during the hearings, where lines between gendered experiences were more ambiguous.

4.2.2 Categories as a necessity or a hindrance?

For much of this sub-section, I have focused on how the categorical knowledge structure developed in the report failed to completely represent narrativity present in the women's hearings. However, it must also be acknowledged that categorical understandings of GBV do provide a clear, intelligible means through which acts of violence can be interpreted. Indeed, if one considers the report from a perspective of genre and intended audience, one could certainly argue that categories are either a necessity or the most convenient means through which to compile and present findings from the hearings in a relatively objective way. As Posel suggested in her analysis of the Report, 'the legitimacy and credibility of the TRC as an official, authoritative account of the recent past rests profoundly on a demonstrable objectivity and impartiality.'[61]

That said, it also cannot be denied that this way of interpreting the hearings seems to have led to significant gaps, not only in narrative, but in meaning. The hearings were steeped in interpersonal subjectivity and structures of feeling, and yet the report strips all this way in its categorical narrativization of GBV. This is particularly interesting when considering the directive nature of the commission's mandate, as the way that the hearings are narrativized in the report still falls within a particular set of biases, stripping its categorical structure of the objectivity it seems to portray. Posel suggests that this may have been a result of the contentions between the nation building exercise – 'creating a shared national history' - and the 'individual, interpersonal and communal catharsis' validated during the hearings themselves.[62] Due to this emphasis placed on the mandate of the report, it becomes abundantly clear that the categorical understandings of GBV presented in the report were not

[59] "Special Hearings", 37.
[60] Ibid., 37.
[61] Posel, "The TRC Report", 5.
[62] "Special Hearings", 7.

only the result genre of the text, but also a particular set of expectations established by the commission's mandate. This stood in contrast to what happened in the hearings, and also had an inherent gender bias. In effect, the story told in the report is just so different from the hearings in structure and meaning making that it fails to condense women's testimonies into something that fully covers the scope of their experiences beyond categories of abuse and into trauma, affect and narrative agency.

4.3 Diminishment of narrative representation

As discussed in Chapters 2 and 3, the way that stories were produced had an enormous impact on narratives of GBV - from affective staging providing a framework of trauma in which women were encouraged to draw on emotion, to women actively using their memory fragments to mediate and enhance their narratives. Women were given the space to creatively reimagine and narrativize their experiences of GBV on a public forum. This was a distinct narrative representation, in which women had the capability to *actively* narrativize their experiences, in this case through the various narrative tools outlined in Chapter 3. In the report, these narratives were effectively transformed into new forms that fell in line with the categorical knowledge structure outlined in the previous section. Resulting from this a series of changes in narrative representation, ranging from selective erasure to an inability to fully convey the role of trauma and emotionality in producing meaning.

4.3.1 Selectivity and erasure

The report was incredibly selective in the stories that it chose to include in its narrative of the women's hearings. This was not only a matter of including only a select number of victims' stories, but also elements within those stories that fell most in line with the narrative agenda of the report. While most women who testified during the women's hearings were included in the report, the parts of their stories that were chosen to be narrativized were removed from their wider narrative context, with key expressions of GBV not included in the report at all, likely because of the mandate.

For example, the report placed great emphasis on sexual abuse that occurred at the hands of the apartheid state, especially in incidents where women experienced abuse while imprisoned. The section on 'non-prison experiences' contains almost no mention of sexual assaults that women experienced outside of incarceration. A notable example of this is Kedeboni Dube's testimony. In her hearing, she described at length how she was raped by an IFP member in 1992:

> 'And he beat me up the whole night until he raped me. He raped me in different positions. I tried to fight him at that stage until in the morning and he was raping me.'[63]

However, her rape is not prioritised as a significant example of how sexual abuses *were* perpetuated by individuals who were not a part of the apartheid state, and is instead described in reference to her

[63] "Special Hearings", 2.

relationship with her boyfriend, as an example of how GBV resulted in relationship and family problems for women:

> 'Ms Kedeboni Dube said that after being raped during the Inkatha-ANC conflict in Natal, she was not able to conceive, and that this had caused fights with her boyfriend.'[64]

While this is a significant point, it fails to highlight or place emphasis on a significant and traumatic part of her narrative. This is indicative of a highly selective determination of sexual abuse as largely perpetuated by the apartheid state, despite the many other experiences of sexual violence described that the hearings. Dube's case is not the only incidence of this. Similarly, Lita Mazibuko also described being raped by ANC comrades in her testimony:

> 'But it did happen that at that Sun City one Desmond raped me nine times. He was raping me.'[65]

> 'Mdu raped me the whole night at gunpoint. He said he lost me in Zambia and I wasn't going to get away on that particular night. This was his house. He had bought the house. And should I dare scream he was just going to kill me and go and dump me far away. He raped me for the whole night and the following day he took me to Shell House.'[66]

Unlike Dube's case, her sexual abuse *was* acknowledged in the report, however it was described in such a way that instead emphasised Mazibuko's claim that it was not a 'rule' for women to be violated in this way within the ANC, rather than the nature of her assaults:

> 'Ms Mazibuko acknowledged that "within the ANC there is no such rule that women should be violated in this manner. We used to be in camps and we would be told that men do not have a right to violate us. You could only get involved if you wanted to." Nevertheless, she reported being raped by at least three comrades.'[67]

This serves to diminish the severity of Mazibuko's experiences, in which the violence she experienced are not problematised as part of a larger issue of GBV within the ANC, but instead as black swan events that were uncharacteristic of an organisation that did not ordinarily allow for such offenses to take place. The problem with diminishing perpetrations of sexual violence outside of the context of incarceration is that the depth of violence committed against women is not accurately portrayed. This suggests that the TRC was politically driven in its mandate, in which the crimes of the ANC, the liberators, were narrativised as lesser offenses than those committed by the apartheid state. This generated a hierarchy of suffering, in which some forms of sexual and GBV were framed as 'more severe' than others, effectively changing the narrative representation of this violence.

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[64] TRC, *Volume Four*, 312.
[65] "Special Hearings", 89.
[66] Ibid., 90.
[67] TRC, *Volume Four*, 309

4.3.2 'Silences in the summaries'

While the chapter on women focused on the women's hearings an examination of the representation of these hearings would not be complete without considering the 7th and final volume of the Report in which victims' testimonies were summarised. The volume notes the following limitation about the ways in which the report summarised violations described in the victim hearings:

> 'These summaries cannot do justice to the magnitude of the violations experienced by victims. They do not always convey a sense of the lasting impact of the violations, nor do they describe the wider picture of abuse, discrimination and human rights violations that Apartheid wreaked primarily upon the black citizens of the country.'[68]

This notion of 'silences in the summaries' is particularly applicable to the women, in which several significant narrative elements were diminished, especially with regards to trauma and GBV. Although the report admits that certain violations were 'under-represented' in the summaries, there is no mention of gender issues being one of these enforced silences. Yet, experiences of GBV are not always made clear, especially in cases where victims' testimonies are not directly quoted. In the report, this lack of the translation of gendered trauma into a wider narrative form is for the most part evident in a lack of acknowledgement of GBV in some cases. This is once again related to the way that gross human rights violations were categorised without a full consideration of gender. Two notable examples of this silencing are found in the summaries of the testimonies of Joyce Sikhakhane Ranken and Lita Mazibuko:

Testifier	**Gendered traumas described in hearings**	**Victim summaries in the report**
Joyce Sikhakhane Ranken	• Gendered psychological abuse during interrogation. • Sexual abuse and humiliation while incarcerated. • Consistent fear of being raped by prison guards.	'An ANC member, was arrested and placed in solitary confinement in May 1969 in Soweto, Johannesburg.'[69]
Lita Mazibuko	• Rape by at least 3 different men. • Sexual assault and harassment. • Gendered physical abuse.	'An MK member, was detained on 23 July 1988 in Manzini, Swaziland, by ANC security after the killing of a number of MK operatives for whose transport into South Africa she was responsible. She was initially held in Mozambique and then in Zambia for over a year. During her incarceration, she was subjected to repeated severe

[68] TRC, *Volume Seven*, 6.
[69] Ibid., 806.

	• Discrediting of her story by men in power in the ANC.	ill-treatment and torture, including a staged execution.'[70]

Table 5 Narrative representations in the hearings vs the report (Source: TRC Special Hearings, TRC Report)

In Joyce Sikhakhane Ranken's case, the blatant lack of acknowledgement of any of the gendered abuse she suffered almost completely alters the narrative that she told. In the hearings, she not only described at length her own gendered trauma, but also the extent to which other women suffered GBV during incarceration. Similarly, in the summary of Lita Mazibuko's testimony, her experiences of rape, sexual harassment, assault, and isolation were omitted in the summary, in which these gendered experiences were confined to 'severe ill-treatment and torture.'

This kind of silencing transformed the narrative representations conveyed by the women who testified, and in doing so inaccurately the narratives of GBV produced at the hearings. The very core of the women's hearings – their purpose and what they revealed about gender injustice – was erased in these instances, effectively generalising the specificity of gender injustice.

4.3.3 Erasure of interrelatedness

This struggle in meaning making is also found in the way in which the report deliberately separated interrelated experiences of GBV. For example, the report explicitly divided its findings on abuse between physical, sexual, and psychological abuse. They are categorically separated and framed as three distinct manifestations of abuse, despite the enormous interrelatedness and overlaps that they share. The result is an odd separation between the psychological toll that physical and sexual abuse took on victims, which differs from the narratives produced by the hearings, in which the psychological effects of physical and sexual abuse were for the most part embedded into the narratives that women told through a structure of feeling, as was discussed in chapter 3. This results in the removal of women's agency in describing the multiple intersecting experiences they endured. Take, for example, the report's description of solitary confinement under the category of 'physical abuses':

> 'Most of those who were detained were kept in solitary confinement, which in itself was understood by the Commission to constitute severe ill treatment. Many were subjected to further physical abuse. Several of the women described in some detail the extent and nature of the physical abuse to which they were subjected.'[71]

The descriptions that follow are stripped of the psychological experience of solitary confinement. For example, when describing Deborah Matshoba's experiences, the report fails to include any mention of the way in which she was sexually violated, or how she felt like she was becoming psychologically delirious:

[70] TRC, *Volume Seven*, 365.
[71] TRC, *Volume Four*, 303.

TRC Report	'Ms Deborah Matshoba was strangled with a towel and had her head bashed against the wall: "The beating up lasted for a week. I was asthmatic and they refused to give me medication."'[72]
TRC Hearings	'The third night I started becoming delirious and my legs were swelling… Eventually I must have passed out. I was bleeding. I must have passed out, because when I came to I was lying on the floor, all wet. They must have poured water over me and he threw a packet of sanitary pads at me, got to the bathroom and I could see that I was menstruating and I was just wondering how he realised *that*. The beating up lasted for a week. I was asthmatic and they refused to give me medication.'[73]

Table 6 Comparison of Debora Matshoba's experiences in her testimony and the report (Source: TRC Special Hearings, TRC Report)

This attempt to separate psychological, physical, and sexual abuse thus has the effect of minimising the inherently complex, interrelated manifestations of various iterations of GBV that were narrativized during the hearings. A particular oddity of this is a repetitive description of what certain abuses should be categorised as. Indeed, although solitary confinement is described only in relation to physical abuse in one section of the report, in another it is stated that 'solitary confinement and detention are, in themselves, psychological abuses.'[74] Yet, there is a lack of narrative connection made between these two categories, as solitary confinement as physical abuse and solitary confinement as a psychological abuse are separated despite an explicit acknowledgement of the interrelatedness of psychological and physical abuse:

> 'It is often difficult to distinguish between physical and psychological abuse. Many of the stories indicated the way in which physical abuse was exacerbated by psychological. Many also showed how physical abuse was used to humiliate the victims.'[75]

Despite this, the report still goes on to deliberately distinguish between physical and psychological abuse in the way that it restructures women's narratives. There is little to no acknowledgement of the co-occurrence of multiple types of abuses within women's *actual* narratives, as in the case of Sheila Matshoba. This acknowledgement of the difficulties in distinguishing between physical and psychological abuse is thus not reflective of the way that the report actively chooses to present abuse to

[72] TRC, *Volume Four*, 303.
[73] "Special Hearings", 59.
[74] TRC, *Volume Four*, 306.
[75] Ibid., 305

its readers. In many ways, this is reminiscent of the contradictory way that the report acknowledges its practices in side-lining women while still acting to side-line women.

4.4 Conclusion

This chapter aimed to answer the following sub-question: *How was GBV narrated in the TRC Report, and how did this differ from the narration of the hearings?* It placed emphasis on the dissonance between the mandate at the core of the report with the knowledge produced at the hearings, as well as a consideration of diminished narrative agency. Firstly, the report was held back by the mandate of the commission, in which the specific gendered struggles of women were not problematised. This led to significant narrative and structural contradictions between the narrativization of GBV in the hearings when compared to the report. Reflecting on chapters 2 and 3, it was clear that women produced their narratives through a structure of feeling that placed a greater emphasis on subjectivity and individual agency. Conversely, the report not only side-lined women, but also defined their experiences in reference to categorical structures based upon the mandate of the commission, which can be criticised for its lack of gender awareness. This generated significant incongruencies between the narratives of the hearings and the report.

Secondly, the report altered narrative representations of GBV. This was partially due to the highly selective way in which forms of GBV were privileged as more severe than others, but also through the erasure of elements of gender injustice in the summation of victim's narratives, as well as the diminishment of interrelated, intersecting iterations of gendered trauma. Arguably, this diminishment of narrative representation is an extension upon the prerogative of the report to comply with the commission's mandate, particularly if one considers the lack of emphasis on subjectivity within a categorical model of narrative meaning making.

This stands in contrast to the conclusions that I came to regarding the hearings themselves. Indeed, in previous chapters I argued that the way that the commission – and by extension, South Africa - dealt with its sordid history in the years following apartheid was through interpersonal and subjective experiences of affect and collective trauma within a structure of feeling. Specifically, I noted not only the interactional ways in which this affective history was produced, but also the agency of women in defining their personal and social histories within these dimensions. However, the report – which was arguably the first *written* account of apartheid history – does not reflect this tendency towards affect and is instead representative of the failure to consolidate the affect of the hearings within a more objectivist framework.

This suggests the possible multiplicities of ways of knowing about the histories of GBV in post-apartheid South Africa. In the report, history is dealt with through by consolidating a discourse of breaking with the past with present day social structures, essentially from a retrospective viewpoint. On the other, history is kept 'alive' through collective trauma, in which the most horrific memories of the

past are marked by continual reminders in everyday life, particularly through the active, lived ways in which South Africa interacts with the remnants of its sordid history.

In the following chapter, I will problematise this further, and consider this notion of remnants of gendered trauma beyond the TRC and into 21st century post-apartheid South Africa. Indeed, the end of apartheid did not mark the end of GBV for the women of South Africa. The tide only continued to rise, and the way that the country has continued to confront GBV since the end of apartheid has the potential to reveal a new dimension of its narrativization in the post-apartheid era.

5. The paradoxical legacy of the TRC: GBV in the post-apartheid era

> *'The frightening statistics of violence against women and children has reached in my own view, Chairperson, genocide levels, has to be addressed. We cannot hope that there is going to be yet another TRC to address that, because in these sessions we're backward looking. We've got to take the process forward; we've got to look in the now and the future.'*[1]
>
> - Thenjiwe Mtsintso, Head of the Gender Commission

It is 2014. I sit at the back of a gloomy classroom as my science teacher tells a harrowing story of how she was raped on a Johannesburg school campus in the mid-2000s. She warns the class of grade 11 girls that statistically, one in five of us would experience GBV in our lifetimes. She gives us advice on how to protect ourselves: never walk alone, always carry pepper spray, and if you are attacked, lie to your attacker, and tell him you are HIV positive so that, at the very least, he uses protection when he rapes you. Two years later in 2016, the mother of a girl I went to school with was murdered by her husband, in what would become one of the most sensationalised GBV cases of the 2010s. Then, in 2017 came the story of yet another old classmate who was sexually assaulted and disfigured by a potato peeler on Long Street in Cape Town, a popular nightlife area that I had also frequented as an undergraduate student. The words of my teacher echoed in my mind as each new story confirmed the inevitability of violence in the lives of the women around me. And so, we do walk with pepper spray at the ready, with our keys firmly gripped between our fingers like weapons, constantly aware, constantly afraid. Indeed, many women in South Africa today are acutely aware of the dangers they face, with not only our newsfeeds saturated with terrifying stories and statistics, but also the real experience of either being a victim oneself or knowing someone who is. It is a phenomenon that scholar Pumla Gqola dubbed 'the female fear factory.'[2] The threat of GBV is, as Gqola suggests, 'an effective way to remind women that they are not safe and that their bodies are not entirely theirs.'[3]

Under apartheid GBV was largely hidden from public view, in which the 'stories of women's struggles [were] forgotten'[4], but in the post-apartheid era, they are often brought to light in the public consciousness, affectively and performatively. Although the post-apartheid state developed 'one of the most inclusive constitutions in the world, with a Bill of Rights that specifically refers to equal treatment for all regardless of race, age, disability status, socio-economic status and gender'[5], women in South

[1] "Special Hearings," Truth and Reconciliation Commission of South Africa, accessed November 10 2020, https://www.justice.gov.za/trc/special/index.htm, 40.
[2] Gqola, *Rape*, 78.
[3] Ibid., 79.
[4] "Special Hearings," 37.
[5] "Gender Statistics", Statistics South Africa, accessed October 3, 2021, http://www.statssa.gov.za/?page_id=737&id=6.

Africa have continued to face a daily threat of violence. According to the 2016 Demographic and Health Survey, 'one in four (26%) of women aged 18 or older have experienced physical, sexual or emotional violence committed by a partner in their lifetime', considered a result of a 'highly patriarchal culture that asserts male dominance.'[6]

In her opening address at the women's hearings in 1997, Thenjiwe Mtsintso warned the nation of what was to come: democracy and reconciliation would continue to be 'threatened so long as patriarchy in all its forms' persisted, and although the commission may have been able to 'breathe a sigh of relief for a job well done', the 'continuous and consistent struggle' for gender justice and gender rights would need to continue.[7] How has this 'continuous and consistent struggle' been narrativized in the post-apartheid era? What role did the discourses of the TRC play in women's experiences of GBV in the post-apartheid era? And how does this relate to the haunting omnipresence of a violent past?

This chapter seeks to explore this complex engagement with GBV in post-apartheid society and the languages and expressions that have developed as a means for South African society to approximate its identity in relation to the 'intolerable structure'[8] of GBV, in order to answer the following research question: *How did the national self-narrative produced by the TRC influence the narrativization of and engagement with GBV in the post-apartheid era?*

To examine these elements, this chapter will draw on three case studies in GBV from the past 15 years: Jacob Zuma's acquittal of the rape of Fezekile Kuzwayo in 2006, the rape and murder of high schooler Anene Booysen in 2013, and the rape and murder of University of Cape Town (UCT) student Uyinene Mrwetyana in 2019, each of which received domestic and international infamy.

5.1 The vilification of 'Khwezi': An infamous rape trial

On the 6th of December 2005, Fezikile Kuzwayo laid a charge of rape against her acquaintance Jacob Zuma, then deputy-president of South Africa. For the duration of the trial, she was kept in witness protection, known only by the alias 'Khwezi.' She alleged that Zuma had raped her in his Johannesburg home one month prior, on the 2nd of November 2005. Five months later, on the 8th of May 2006, Judge Willem Van Der Merwe acquitted Zuma of the rape, going so far as to rebuke Kuzwayo for 'lying' to the court, as well as criticise Zuma for 'recklessly having sex' with her.[9] The trial would bring a long and arduous period of ostracism and degradation for the victim, in which she found herself facing backlash and vilification from Zuma's many supporters, suspicion from the South African media about the validity of her claims, and a final judgement that decried her as a liar.[10] As Gqola highlighted, the

[6] National Department of Health, *South African Demographic and Health Survey 2016* (Pretoria: National Department of Health, 2019), 355.
[7] "Special Hearings", 40.
[8] Gordon, *Ghostly Matters*, 44.
[9] Gqola, *Rape*, 101.
[10] Thlabi, *Khwezi*, 79.

trial was a moment in post-transitional South Africa that brought into question 'many assumptions about the place of power, gender and sexuality in [South African] society.'[11] It was a crisis that was deeply connected to the legacy of the TRC and the transition, and the vision of the 'new' South Africa it sought to establish.

5.1.1 A haunting crackle of a violent past: 'Khwezi' and the dominant discourse of the 'Age of Hope'

On the 3rd of February 2006, just 2 months after Kuzwayo laid her charge against Jacob Zuma, then-president Thabo Mbeki declared that South Africa had firmly entered its 'Age of Hope' during his annual State of the Nation address:

> 'Our people are firmly convinced that our country has entered its Age of Hope. They are convinced that we have created the conditions to achieve more rapid progress towards the realisation of our dreams. They are certain that we are indeed a winning nation.'[12]

This was not mere conjecture. The South African Social Attitudes Surveys (SASAS) of 2003, 2004 and 2005 indicated a 'prevailing mood of optimism' and an 'overwhelming sense of general national pride' and loyalty for South Africa, regardless of population group.[13] This 'discourse of hope' found its footing through popular media, as well as highly affective (and effective) marketing campaigns 'such as *Proudly South African, Alive with Possibility,* the *Homecoming Revolution,* and *South Africa: The Good News.'*[14] The public imagination was further influenced by the major political narratives of the time that drew from discourses of the transition that were crafted by the TRC, including the notion of a South African 'renaissance' and perhaps most famously, the so-called 'rainbow nation.'[15] The pursuit of economic growth and development during this period further cemented this mood of hope, despite high rates of unemployment persisting.[16] A consequence of this discourse of hope was a strong sense of loyalty to the ANC for many people, and the 'belief in municipalities to work better and provide in the future', rather than focusing on present-day service delivery.[17] This discourse of the new nation was thus future-oriented, directed towards the realisation of the democratic dreams of the post-apartheid state, in breaking with the country's sordid, painful history. Considering the ways in which such a future is presently 'out of reach', we can observe in this an element of haunting – as Avery Gordon highlights, feeling haunted may 'represent a future possibility or hope', a 'path not [yet] taken.'[18] This was

[11] Gqola, *Rape,* 100.
[12] Benjamin Roberts, Mbithi wa Kivulu and Yul Derek Davids, "Introduction" in South African Social Attitudes 2nd Report: Reflections on the Age of Hope, ed. Benjamin Roberts, Mbithi wa Kivulu and Yul Derek Davids (Cape Town: HSRV Press, 2010), 1.
[13] Ibid., 2.
[14] Ibid., 1.
[15] Ibid.
[16] Ibid., 4.
[17] Ibid., 6.
[18] Gordon, *Ghostly Matters,* 64.

undoubtedly influenced by the TRC, which had already established this sociohistorical break between past and future.

Yet, one of the greatest socio-political crises in recent history – the Zuma rape trial - took place during the pinnacle of this 'Age of Hope', and it is this very paradox that I would like to problematise and explore. It revealed a crack in the façade of the 'new nation' - or perhaps, the *crackle* of something perceived to 'belong' in South Africa's past, rather than the hopeful constructions of a dream-like future. I use the word 'crackle' quite intentionally, as it implies the evidence of something present but not always seen, that 'haunted recognition' of something beneath the surface that produces perceivable effects – in this case, defying the dominant mood of the Age of Hope.[19] Kuzwayo became burdened with the hopes of a nation, because the narrative she told - of a prominent and iconic politician and ANC liberator raping her – simply did not 'fit' within the dominant discourse of the Age of Hope. Thus, in this section, I do not seek to examine the various media contestations at the time, as this has not only been done before, but would be unrelated to the themes and scope of this thesis. I also do not want to delve into the politics of Zuma's controversial statements about 'showering' to prevent contracting HIV from his victim and the media storm that followed.[20] Rather, I seek to contextualise the narrative and social representations of the act of rape itself in relation to haunting, paradox, and the visions of a 'hopeful' South Africa.

The reactions of various social and political organisations are perhaps the most telling with regards to this. There was support of Zuma as a 'good man' and politician, in many ways falling into the patterns of dominant discourses of hope and loyalty to the nation and its representatives. On November 25th, 2006, *News24* reported that the Young Communist League of South Africa (YCLSA) 'stands by Zuma':

> 'Former deputy president Jacob Zuma's right to a fair trial has been "consistently abused and undermined", the Young Communist League of SA (YCLSA) said on Friday. In a statement issued after a meeting in Johannesburg, the national committee of the YCLSA said it reaffirmed its political support for Zuma. "We stand firmly for the rule of law: comrade Jacob Zuma must have a fair trial. However, this right to a fair trial has been consistently abused and undermined by the conduct of the national prosecuting authority, the misuse of state institutions for political ends, and through a trial and campaign against comrade Zuma by the media. These violations reinforce our view that there is a political conspiracy against comrade Jacob Zuma personally.'[21]

[19] Gordon, *Ghostly Matters*, 17.
[20] Gqola, *Rape*, 101.
[21] Staff Writer, "YCLSA stand by Zuma," *News24*, November 25, 2005, https://www.news24.com/news24/yclsa-stands-by-zuma-20051125.

These statements were made prior to the official charge of rape being filed, and thus provide insight into the denialism of early responses to the allegations, with Zuma framed as a victim of 'unfairness', a trial by media and a so-called 'political conspiracy.' The gendered nature of the crime he was accused of is side-lined and denied in favour of reaffirming this. The rape is found to be incompatible with paragon-like Zuma, and is thus framed as a 'conspiracy', a word that suggests some secret plan intended to undermine Zuma and – more broadly – the South African political landscape. This is essentially an affirmation of hope and loyalty to the ANC in lieu of an acceptance of Kuzwayo's story and GBV. It is fundamentally paradoxical, as the notion of 'conspiracy' also should not fit within the framework of a fair and equal South Africa, and yet it is drawn upon to explain the cracks that Kuzwayo revealed: it *cannot* be rape, but it *can be* conspiracy. Perhaps it is easier to explain away the incompatible crackling presence of GBV as 'conspiracy' than admit its lingering, intolerable presence in the 'new South Africa.'

This denialism can similarly be observed in a March 2006 edition of the *Mail and Guardian*, in which a poll was conducted with members of workers unions to determine whether Zuma was still the iconic 'darling' of the workers.[22] 'Whether guilty or innocent, we still want him as our leader because he is a good man', a member of the South African Transport and Allied Workers Union (SATAW) stated.[23] Zuma's *goodness* was emphasised by another worker from the National Education and Health Workers Union (NEHWU), who stated that the way that Zuma 'addresses' others is indicative that 'he's a good man.'[24] These statements reveal that even if Zuma was found guilty, he would still have found support because of what he *represented* to some population groups. Much like many other anti-apartheid figures, he embodied the freedom struggle, with a strong sentiment and belief that he would be capable of leading South Africa into its future, an extension of the dominant, future-oriented discourse of the Age of Hope. Most significantly, this kind of denialism, not of the victim's story but of the *weight* of a guilty charge for rape, indicates a social acceptance of violent forms of patriarchy in the everyday, despite the façade of a new nation free from violence maintained in the discourses of the period. This is, in and of itself, a kind of haunting recognition, both in the denialism of GBV as something 'not there', and a complacency with its continued absent-presence. As Gqola highlights in her analysis of this poll, 'rape does not matter', what matters is 'the feelings' people harboured for Zuma at the time.[25] These 'feelings' denote trust, hope, belief, and even pride, all markers of the 'Age of Hope' that Kuzwayo had disrupted.

Even in Kuzwayo's own accounts of the time in journalist Redi Thlabi's 2017 biography, we can see evidence of this crackle. According to Kuzwayo, some members of her community initially asked her

[22] Monako Dibetle, "JZ still the worker's darling?', *Mail and Guardian*, March 31, 2005, 6.
[23] Ibid., 6.
[24] Ibid., 6.
[25] Gqola, *Rape*, 111.

to drop the charges for fear of their possible effect on South Africa. One relative allegedly went as far as to say that 'there [was] a bigger picture', and 'how dare [Kuzwayo] disrupt that.'[26] This 'insurmountable pressure' was increased when Dr. Zweli Mkhize, 'a senior member of the ANC and trusted Zuma confidante' called Kuzwayo and her mother in November 2005 to offer compensation.[27] This was brought up during the trial, with Kuzwayo testifying that 'he said that if they were arranging compensation then I could not carry on with the charge, I would have to drop the charges.'[28] Embedded within these accounts is a code of silence and exclusion that was deliberately imposed on Kuzwayo for disrupting 'the bigger picture' of the post-apartheid South African ideal.

With these examples in mind, I argue that the paradox of GBV during the TRC years – the grappling of historicising something inextricably and hauntingly present – was carried over into the post-transitional socio-political landscape. South Africa was free of apartheid structures that perpetuated social inequalities, reshaped by discourses that propelled national identity towards a hopeful future, but it was (and still is) haunted by the continued presence of violence, the crackles of a violent patriarchy that had allowed for the abuse of women on both sides of the apartheid struggle. Indeed, as was indicated during the women's hearings, women experienced GBV at the hands of both the apartheid government, and those who were fighting for freedom, such as members of the ANC and IFP. As suggested in previous chapters, GBV and its position in South African society was insufficiently addressed within the mandate of the commission, and by extension, the transitional justice period as a whole.

The rejection of Kuzwayo's story was, for all intents and purposes, related to her defamation of an anti-apartheid figurehead, a man pedestaled by the self-narrative of the nation; one free from the injustices of the past towards a better, safer future. It is within this that we can observe some of the potential negative effects that the TRC's major transitional discourses, and their overpowering presence above considerations of gender. Women like Kuzwayo were forced to contend with a new South Africa that neglected gendered issues in its pursuit of discourses of equality and hope, in which GBV would ideally remain a matter of the past rather than the present or future. Ironically, however, GBV became hidden behind this future-oriented scope, just as it had been during apartheid - because how can we be 'Proudly South African' when women are still being raped and killed at an alarming rate on South African soil? The Zuma rape trial revealed a trend towards rejection and ignoration of GBV during this period, but also its undeniable, unavoidable presence. Feminist organisations and commentators were, inevitably, some of the first to point towards the latter. In February 2006, Carrie Shelver, writing on behalf of South African women's rights organisation, People Opposing Women Abuse (POWA), highlighted that the

[26] Thlabi, *Khwezi*, 78.
[27] Ibid., 80.
[28] Ibid.

dichotomy between the hiding of the victim and the carefree attitude of the perpetrator reflected 'South Africa's response to rape' at the time:

> 'The complainant in the case had entered the court, head bowed and covered. The accused had entered through another entrance. He emerged after the day's proceedings to loudly take centre stage, sing the contentious *Awulethe Mshini Wam* (already interpreted by some as a phallic symbol representing male virility and power) and dance with the crowd – all with the attitude of someone not raped, not someone who has been accused with rape, nor someone who even takes the matter of violence against women seriously.'[29]

This reveals a fundamental aspect of Kuzwayo's time as 'Khwezi': that she became a means through which South African society was forced to contend with its dominant patriarchal structures, and the haunting 'exclusions and invisibilities' associated with gendered issues.[30] For some, it was a cold acceptance or denial, for others, it was a painful realisation. It challenged ideals of the Age of Hope, and as Shireen Hassim put it, the 'smugness' about 'the progressive nature of the country's transition to democracy.'[31] The Zuma rape trial revealed that the *active* social change required to confront patriarchal structures as never set in motion in democratic South Africa, instead relegated an 'unbelonging' in the present and a 'belonging' in the past.

5.1.2 Courtroom discourse: An impossible legacy

Much like the women who testified at the TRC, Kuzwayo presented her claims on a highly public 'stage.' However, unlike the restorative justice of the TRC's victim hearings, in which victims' stories were met with a heightened level of respect and believability, the same cannot be said for the punitive justice system of the South African high court that Kuzwayo faced. At the TRC, women were saluted for their bravery 'to speak for themselves, to speak as actors, as active participants, and direct survivors of the violation of human rights', with privilege given to victims over perpetrators.[32] This is of course related to the 'specialness' of the TRC and its purpose to restore a fractured society, in which normative court practices were side-lined in favour of restorative justice. Of course, this was not without a degree of discreditation by the media or the public, such as in the case of Lita Mazibuko as examined in Chapter 3. However, as prior chapters in this thesis have demonstrated, the focus upon storytelling – rather than determining guilt of perpetrators beyond a reasonable doubt – during the special hearings certainly had an influence. Not only on the narratives conveyed by women themselves, but also the affective language and staging of the commission.

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[29] Carrie Shelver, "Zuma Trial Reflects South Africa's Response to Rape," *Gender Links*, February 2, 2006, https://genderlinks.org.za/programme-web-menu/zuma-trial-reflects-south-africas-response-to-rape-2006-02-22/
[30] Gordon, *Ghostly Matters*, 17.
[31] Shireen Hassim, "Democracy's Shadows: Sexual Rights and Gender Politics in the Rape Trial of Jacob Zuma" *African Studies* 68, no. 1, 58.
[32] "Special Hearings", 35.

I bring this up to highlight the TRC women's hearings as a particular transitional 'moment' in South African history, with practices that were not necessarily carried over into the post-transitional era. This may have been a result of the *ad hoc* nature of the hearings – they were reactive in nature, set up to respond to concerns levied at the Commission for its lack of emphasis on gender. In the 2006 Zuma rape trial, the victim was not afforded the same degree of respect or inherent 'believability.' As Thlabi highlighted, 'in a rape trial, the victim is as much on trial as the perpetrator', with every question posed to Kuzwayo 'ensur[ing] that.'[33] It was not a performance of her narrative, but a performance of discreditation. This is arguably representative of a fundamental disjuncture between transitional restoration and post-transitional

Victim-blaming was rife during the trial in many different forms. For one, the clothing that Kuzwayo was wearing on the night of the rape – a kanga, which is a type of sarong – was continually brought up as dress that indicated to Zuma that 'she was inviting sex.'[34] Furthermore, Kuzwayo's 'regular contact' with Zuma in the two months leading up to the rape was also called into question, once again implying some degree of consent. In the final judgement, Judge Van Der Merwe stated:

> 'Prior to the rape and in the preceding two months, the complainant had sent 54 sms messages to the accused. It appears that a change in the tone of the sms messages has also taken place in that they ended off with "love, hugs and kisses." It appears as if the complainant was seeking to make regular contact with the accused. In the accused's house the complainant walked around in a kanga with no underwear which prompted [the complainant's daughter] Duduzile Zuma to say that she was inappropriately dressed.'[35]

These statements reveal that a victim is only a victim if their extenuating behaviour reflects that of a victim, or more aptly, 'victim-profile.' There is an interesting link that can be made to the TRC in this regard. Although marked by a greater awareness of trauma and a believability of victims, it still perpetuated its own discourses of victimisation, particularly within its tendency towards historicising GBV in relation to apartheid and (more broadly) colonialism:

> 'They will be telling stories of their pain and suffering. However the way we want to remember them, is not as victims, but as people who have survived the 300 years of turbulence, pain and suffering in our country.'[36]

This indeed does perpetuate a certain 'victim-profile', one of 'surviving' apartheid era abuses. However, this notion is arguably inapplicable to post-apartheid victims like Kuzwayo. Another notable aspect of the Zuma rape trial was the ways in which Kuzwayo's trauma was weaponised against her, as this was

[33] Thlabi, *Khwezi*, 87.
[34] Hassim, "Democracy's Shadows", 64.
[35] "Final Judgement"
[36] "Special Hearings", 32.

not the first time she had been raped in her life. During the trial, the fact that she had accused others of rape in the past was used to discredit her. She had to describe her previous experiences of GBV to the court, no doubt an immensely traumatic experience. For example, Zuma's advocate pressed her to recount her experience of child rape at the age of thirteen, while in exile amongst other ANC members. She was asked about her behaviour during the rape, perpetuating harmful misconceptions that all rape victims behave in the same way:

> 'Now you have just been woken from sleep by him getting your clothes and your underwear off… You did not freeze?'[37]

Shockingly, the implication became that thirteen-year-old Kuzwayo could have consented to the act, despite the law which clearly states that minors cannot consent. After stating that she was '13-years-old and any sex with any kind of consent at that point would not be sex', the advocate replied:

> 'Ms. Kuzwayo, I take note of that, I want an answer from you on the factual issue, do not worry about what the legal position is. Did you consent to this or not?'[38]

This language was undoubtedly used to cast doubt upon Kuzwayo's previous experiences of rape to disprove the accusations levied at Zuma. Comparing this kind of 'retraumatization' to the language of the women's hearings of the TRC is revealing, to say the least. During the TRC, there was a particular consciousness about trauma and dignity, with emotion and affect used to stage and at times enhance victim's narratives. In the report, it was stated that:

> 'The Commission saw its provision of the opportunity [for victims] "to relate their own accounts" as a way of restoring "the human and civil dignity" of victims. For many women, relating the story of their sexual abuse would in no way serve this purpose. It would, instead, leave them feeling a loss of dignity.'[39]

This was especially evident when the equivalent of cross-examination took place. Take, for example, Thandi Shezi's hearing, in which the Chairperson opens his line of questioning as follows:

> 'Some of the questions I'm going to ask you, is in a sense really going to deal with some of the trauma you experienced again.'[40]

In this line of questioning, Shezi's story is never brought into question, as there is an acceptance that the GBV she experienced did in fact occur:

[37] Thlabi, *Khwezi*, 100.
[38] Ibid., 101.
[39] TRC, *Volume Four*, 296.
[40] "Special Hearings", 135.

> ‘When they tortured you, did they take off all your clothes?’[41]
>
> ‘When you were raped, after the rape, did any of the wardresses who were attending to you, did they know about the rape?’[42]

Her historical experiences of GBV were also used to discredit her, historicised not within a greater context of apartheid-era abuses, but as isolated incidents. Furthermore, the trauma of GBV was also brought up to bring into question the validity of her rape claim in the final judgement, *because* she had experienced rape before. Judge Van Der Merwe plainly stated:

> ‘A vital question is why would the complainant shout “rape” when she was a willing participant in sexual intercourse?... It is quite clear that the complainant has experienced previous trauma and it is quite possible that she perceives any sexual behaviour as threatening. It is quite possible that after intercourse had taken place there was the feeling of guilt, resentment, anger and emotional turmoil.’[43]

This is not a new occurrence in legal settings. Psychological definitions of trauma and PTSD have historically been used to argue that victims’ memories are ‘contaminated’ or ‘flawed.’[44] This attitude towards trauma - as something that impeded Kuzwayo’s ability to tell the truth - stands in direct contrast to the notion of catharsis through truth-telling observed at the TRC’s women’s hearings. What this does suggest is that there is a notable difference between how victims were approached during the transitional era, as opposed to the post-transitional context that Kuzwayo found herself in. This context reveals that gender was not, in fact, fully incorporated into the major national narrative generated by the dominant discourses of the TRC. This could be seen as something inherently gendered, with patriarchal structures underlying dialogues and textualities within the courtroom environment. In many senses then, the TRC’s women’s hearings did not leave behind its desired legacy to take its processes ‘forward’ into the future.[45]

This is perhaps no better encapsulated than in the different performative intertextualities invoked in these two vastly different courtroom environments. In Chapter 2 I analysed the use of feminist poetry written by Gcina Mhlope during the TRC women’s hearings, invoking the experiences, feelings, and memories of South African female subjectivity. In stark contrast, Judge Ven Der Merwe invokes Rudyard Kipling, famed British colonial writer, when chiding Zuma in his final judgement:

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[41] “Special Hearings”, 135.
[42] Ibid., 136.
[43] “Final Judgement”, 172.
[44] Nicola Henry, “The Impossibility of Bearing Witness: Wartime Rape and the Promise of Justice,” Violence Against Women 16, no. 10 (2010), 1108.
[45] “Special Hearings”, 40.

> ‘Had Rudyard Kipling known of this case at the time he wrote his poem “If” he might have added the following: “And if you can control your body and your sexual urges, then you are a man my son.”’[46]

It is a ‘moral’ lesson with grounds in the values of patriarchal colonialism, with Kipling’s poem ‘If’ outlining the hypothetical means through which the ‘son’ becomes the ‘man.’ It is invoked for the male perpetrator, essentially reinforcing dominant masculine subjectivities: it was not a matter of rape, but of a man’s uncontrolled sexual urges. Arguably, this is yet another manifestation of the haunting of a violent colonial patriarchy, in one of the most direct, referential ways. It is also a manifestation of an acceptance and normalisation of this. It thus seems fitting to end this section with an extract from Kuzwayo’s own performative and intertextual response to the trial. Standing on the stage of the Afrovibes Festival in the Netherlands in 2008, she performed a poem about her experiences. She was dressed in a kanga, the outfit that had been weaponised against her during the trial. At the end of it all, it was she who dared to reject the patriarchal world that protected Jacob Zuma:

> *‘He said I wanted it*
> *That my kanga said it*
> *That with it I lured him to my bed*
> *That with it I want you is what I said*
> *But what about the NO I uttered with my mouth*
> *Not once but twice*
> *And the please no I said with my body*
> *What about the tear that ran down my face as I lay stiff with shock*
> *In what sick world is that sex*
> *In what sick world is that consent*
> *The same world where the rapist becomes the victim*
> *The same world where I become the bitch that must burn*
> *The same world where I am forced into exile because I spoke out?*
> *This is NOT my world*
> *I reject that world.’*[47]

[46] “Final Judgement”, 173.
[47] Staff Writer, “’He said I wanted it’: Khwezi’s powerful poem”, *News24*, October 9, 2016, https://www.news24.com/you/Archive/he-said-i-wanted-it-khwezis-powerful-poem-20170728.

5.2 The abstraction of Anene's death: Between outrage and victim-blaming

On the 2nd of February 2013, in the town of Bredasdorp in the Western Cape province of South Africa, a security guard on a construction site came across a brutal scene: a severely injured young girl surrounded by her own blood and moaning in pain. The victim, Anene Booysen, was just 17 years old. The gruesome extent of her injuries is not for the faint of heart: she was found partially disembowelled due to excessive injuries to her vagina, barely clinging to life. She later died of her injuries at the hospital, but not before naming one of her attackers, and indicating that there had been more than one perpetrator. She had been walking home with her attackers in the early hours of the morning after a night out with her friends. Only one man, Johannes Kana, was convicted of the crime in November 2013. The rape and murder of Anene Booysen became one of the most sensationalised and (mis)reported cases in the South African media, bringing to the fore ideas of 'rape culture' and 'toxic masculinity.'[48] It also, however, brought forth a degree of cynicism, emphasising the lack of social impact generated by the outrage that tends to swirl around the most infamous GBV cases.

5.2.1 Declarative outrage as a sign of haunting in the 2010s

Jacob Zuma became South Africa's president in 2007, with an election campaign that 'presented a shift from leading by aspirational ideals to pursuing specific, tangible ends.'[49] Despite this, the 2010s were a tumultuous decade for post-apartheid South Africa. Although the decade began with the success of the 2010 Soccer World Cup on South African shores, 2012 saw the violence of the Marikana massacre, in which 34 miners were massacred by the police during a series of strikes - an event that has often been regarded as a haunting reminder of the brutality of the 1960 Sharpeville Massacre.[50] The period also saw a marked rise in state corruption and subjugation, with former president Jacob Zuma accruing corruption charges and evading prosecution for years.[51] Beginning in 2013, the 'decorum-busting' of the new and youthful Economic Freedom Fighters (EFF) party in parliament 'signalled an end to the politics of hope and patience.'[52] Indeed, unlike the 'hopefulness' of the previous decade, public opinion on the government and its service provision plummeted, with the number of annual service delivery protests doubling between 2009 and 2018.[53] Moreover, the mid-2010s saw a rise in the student protests of the born-free generation, with #RhodesMustFall calling for the decolonisation of higher education,

[48] Chanel September, "The Anene Booysen Story", *Eyewitness News*, November 1, 2013, https://ewn.co.za/2013/10/31/The-Anene-Booysen-Story.
[49] Klaus Kotze, "Cyril Ramaphosa's Strategic Presidency", *Defensive Strategic Communications* 7 (2019), 22.
[50] Iavan Pijoos, "Marikana massacre no different to Sharpeville massacre", *News24*, August 16, 2017, https://www.news24.com/news24/southafrica/news/marikana-massacre-no-different-to-sharpeville-massacre-amcu-20170816.
[51] Daniel N. Mlambo, "Governance and service delivery in the public sector: the case of South Africa under Jacob Zuma (2009-2018)", *African Renaissance* 16, no. 3 (2019), 215.
[52] Suntosh R. Pillay, "Silence is violence: (Critical) psychology in an era of Rhodes Must Fall and Fees Must Fall", *South African Journal of Psychology* 46, no. 2 (2016), 156.
[53] Mlambo, "Governance and service delivery", 213-214.

and #FeesMustFall calling attention to unaffordable rises in university fees. Frustration and anger abound, Mbeki's 'Age of Hope' had arguably devolved into an 'Age of Despair.'

I highlight this change in social attitudes as a starting point for understanding how attitudes towards GBV were formulated during this time. News of GBV cases became received in one of two ways: public indifference, or public outrage. The Anene Booysen case provides a glimpse into the latter phenomenon of outrage oft used to approximate South African post-apartheid identity in relation to the intolerable presence of GBV. In the wake of the crime, President Zuma declared the 'outrage' of the nation on the 7th of February 2013:

> 'The whole nation is outraged at this extreme violation and destruction of a young human life. This act is shocking, cruel and most inhumane. It has no place in our country. We must never allow ourselves to get used to these acts of base criminality to our women and children.' [54]

Although this statement draws on affective adjectives in the tricolon of 'shocking, cruel and most inhumane', it is declarative and lacks any acknowledgement of the causes or prevalence of violence, only that we *must not tolerate it*, we 'must not get used to these acts of base criminality.' During his State of the Nation address that same month, Zuma elaborated further:

> 'The brutal gang rape and murder of Anene Booysen and other women and girls in recent times has brought into sharp focus the need for unity in action to eradicate this scourge.'[55]

In this case, he metaphorically likens GBV to a scourge, calling for 'unity in action' as a collective response. Nevertheless, he still abstracts Booysen's rape and murder - and GBV as a whole - as a 'recent' phenomenon without any acknowledgement of its widespread social prevalence in post-apartheid South Africa, its cause, or what 'action' is required in its eradication. We must not tolerate it, we must collectively respond, but what are we responding to? Perpetrators are absent from the narrative, subsumed beneath collective outrage. Zuma deals with GBV by *declaring* that it is intolerable, that it does not *belong* or 'has no place' in South Africa. There is a sense of rejection of its presence, as it cannot be consolidated within South Africa's national consciousness. Notwithstanding the irony of Jacob Zuma of all people making declarations about the intolerability of GBV, this is in some respects reminiscent of the discourse of GBV as 'unbelonging' in South Africa that Kuzwayo faced 7 years earlier. Unlike Kuzwayo's case, where her rape *could be* denied by her denouncers, Booysen had been viciously murdered – and so the response was not to deny the occurrence or existence of violence, but instead to emphasise that it is highly intolerable in South African society. This, of course, is where the paradox lies, because GBV is perceived as intolerable while being deeply embedded in social life.

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[54] Staff Writer, "Zuma shocked at Western Cape gang rape", *News24*, February 7, 2013, https://www.news24.com/News24/zuma-shocked-at-western-cape-gang-rape-20130207.
[55] "President Jacob Zuma's State of the Nation Address, 14 February 2013," SABC News, streamed February 14, 2013, video, https://www.youtube.com/watch?v=ilPm_iYUiVI.

The notion of belonging and intolerability is essential in understanding this paradoxical haunting: declarative outrage indicates an intolerance of the all-too-depressing ever-presence of GBV, that although it is an 'old story of the past… we are in this story, even now, even if we do not want to be.'[56] To be made aware of that which *should not belong* evokes haunting, and it is this haunting that evokes the declaration of its intolerability and incompatibility within the present moment.[57] Declarations of intolerability invariably have little tangible effect on the present moment, indeed, these declarations eventually fail, although they may be 'sustained for quite some time.'[58] In essence, outrage directed at that which we find intolerable is given precedence over solution-seeking, which in this case is reduced to a vague description of 'unity in action.' It further externalises and isolates the problem, attributing GBV to scourges or criminals, comfortably positioned outside of the supposed 'unity' of South Africa. This notion of 'unity' also arguably draws from the discourses of the 'new South Africa' – that a unified rainbow nation should not enable or enact GBV.

Further evidence of this is found in the continual ways in which the town of Bredasdorp specifically was scapegoated as harbouring a greater degree of intolerable crime than the rest of South Africa, with outrage instead directed at a community or local level, rather than a nationwide level. One article from the *Cape Times* noted that the latest national rape statistics (at the time) showed a supposed decrease, while Bredasdorp had seen an increase:

> 'The brutality of Booysen's rape and murder has sent shockwaves throughout the country. Crime statistics released last year for the period April 2011 to March 2012 show there were 64 514 sexual crime cases reported to police, down from 66 196 the year before. But Bredasdorp, a small town about 200km from Cape Town, had seen an increase in the number of cases – there had been 60 reported during the period, up from 47 the year before. There were 9 153 reported cases in the Western Cape, down from 9 299 the year before.'[59]

Similarly, another article from the *Sunday Times* positioned Bredasdorp as particularly 'broken' in its 'normalisation of violence':

> 'It's far easier to build decent houses or award bursaries than it is to heal invisible wounds. Broken families are the norm here and the young and old alike are engraved with patterns of abuse. "There is a normalisation of violence here and it's transferred between generations," said

[56] Gordon, *Ghostly Matters*, 190.
[57] Ibid.
[58] Ibid.
[59] Zara Nicholson and Michelle Jones, "Up to 3600 rapes in SA everyday," *IOL*, February 8, 2013, https://www.iol.co.za/news/up-to-3-600-rapes-in-sa-every-day-1466429.

> Mike Abrams of the Overberg Development Association. "We need to find out how we're socialising young men into a violent identity."'[60]

The City Press also weighed in on this, declaring that 'such horrific violence is commonplace in the Overberg town.'[61] Revealingly, an article from *News24* indicated that Bredasdorp was problematised on a parliamentary level:

> 'Sex crimes in Bredasdorp, where a teenage girl was gang-raped and mutilated, have drastically increased over a two-year period, a parliamentary portfolio group said on Thursday.'[62]

Even recent reflections on the case indicate this sentiment. In a 2020 episode of the *Times* affiliated podcast, *True Crime South Africa*, this notion of Bredasdorp as especially desensitised to violence was emphasised:

> 'Bredasdorp is a beautiful, sleepy town of about 1500 residents. But the culture that has developed around seasonal work… has seen alcohol and drug abuse become an enormous problem. With those substance abuse problems comes violence, and it would emerge after Anene's murder that most of the residents of her community had become so desensitised to violence, especially rape, that it didn't surprise them. Drinking had become a past-time of sorts in this area, as it has in many other poverty-stricken places in South Africa.'[63]

These descriptions of Bredasdorp indicate that GBV in this case was frequently framed as a localised, class-based, town-based problem, and not a nation-wide problem. Instead of emphasising GBV as endemic to South Africa, Booysen's rape and murder was abstracted as a kind of 'outbreak', isolated to a single 'problem' town. It is related to geographical location, income levels, alcohol, drugs, and 'violent identities.' In many senses, these sentiments reflect the ways in which the town was othered based on the intolerability of the crime(s) that took place there. The narrative generated is one of an 'us versus them', that GBV only happens to people who live in particular places with particular lifestyles. This othering is indicative of a different kind of declarative outrage, in this case indicating a *cause* that comfortably positions those outside of Bredasdorp to think, say, and feel that they exist outside of an intolerable structure. This is one of the means through which South African society chooses to contend with the haunting ever-presence of GBV.

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[60] Carlos Amato, "Wounds refuse to heal in town where Anene died," *TimesLive*, June 2, 2013, https://www.timeslive.co.za/news/2013-06-02-wounds-refuse-to-heal-in-town-where-anene-died/.
[61] Staff Writer, "Anene's gang rape not Bredasdorp's first", *The City Press*, February 10, 2013, https://www.news24.com/news24/Archives/City-Press/Anenes-gang-rape-not-Bredasdorps-first-20150429.
[62] Staff Writer, "Alarming rise in Bredasdorp sex crimes", *News24*, February 7, 2013, https://www.news24.com/news24/alarming-rise-in-bredasdorp-sex-crimes-20130207.
[63] Nicole Engelbrecht, "True Crime South Africa Podcast: The murder of Anene Booysen," *TimesLive*, October 16, 2020, https://www.timeslive.co.za/news/south-africa/2020-10-16-podcast-the-murder-of-anene-booysen/.

This trend towards declarative outrage in this case has everything to do with the social mood of the time. The Age of Hope was marked by the denialism of GBV, whereas in the 2010s we see an acknowledgement that rape and violence against women is *still* a problem, implying its historical approximation. However, it nevertheless equally *does not belong* to the vision of a democratic South Africa promoted by the transition. The abstraction of the rape and murder of Anene Booysen represents this line of societal approximation. GBV is now something that is acknowledged, while simultaneously being framed as something that 'does not belong.' The major difference is that faith in and loyalty to South Africa's government and its promised future had by this point faltered. With this in mind, I would define this kind of declarative outrage as repudiations declared about the state of affairs that fail to influence, change, or seek meaningful solutions. This presence of declarative outrage does not, however, imply a complete lack of solution-seeking, but that this solution-seeking is vague, lacks an emphasis on perpetrators, or diminishes the larger role of class issues and patriarchal structures in South Africa's socio-historical context.

5.2.2 Far from *nirvana*: Solution seeking through victim-blaming

Indeed, this case revealed the emphasis on victim responsibility: that women and girls should maintain particular practices to keep themselves safe from violent masculinities. This, of course, is not new to discourses on GBV, and it stems from patriarchal ideals of the good, chaste girl who does not expose herself to situations deemed dangerous or sexually suggestive in nature.[64] Take, for example, two opinion columns written by journalist Ferial Haffajee shortly after Anene's murder. One is titled *Words fail us*, while the other has the rather shocking title of *#WTF was she thinking?* In the latter article, she quite rightfully observes the lack of impact made by the usual dialogues of declarative outrage:

> '…None of the dozens of solemn editorials I've written over decades declaring patriarchy a bitch and insisting "Stop rape" or "Never Again" have made an iota of difference. It doesn't stop; it happens again and again. We need a new narrative, new ideas.'[65]

However, in both articles she goes on to emphasise that solutions lie with a) the victim's upbringing and b) the victim protecting and safeguarding herself against danger. In terms of the former, she states that:

> 'Her life was hard. Orphaned, she quit school early to help out at the impoverished foster home she was taken into. That home looks threadbare, with its trust in Jesus as saviour the only marks of decoration: a cross, icons of Christ. I guess when life is so buggered up, you have to put your

[64] Gqola, *Rape*, 86.
[65] Ferial Haffajee, "#WTF was she thinking?", *News24*, February 11, 2013, https://www.news24.com/news24/columnists/ferial-haffajee/WTF-was-she-thinking-20130211.

> hope in the afterlife. Would Anene's destiny have been different with firm guiding hands of loving, doting, focused parents?'[66]

Haffajee further refers to her own upbringing as that which brought her 'into a decent adulthood' without being violated:

> 'My parents taught me everything – values, manners, mannerisms, culture. They fed and clothed me, kept me safe. As a teenager, they made sure I did not go wild; they set curfews and let me out of their sight very rarely, and only with encyclopaedic knowledge of every outing. I hated it then. This week I was deeply grateful and so, so sad that Anene did not have parents of her own – and that the young men who violated and killed her were also not cosseted and loved, to bring them to human wholeness and into a decent adulthood.'[67]

The implication is that a girl's upbringing and family circumstances determine the likelihood of her remaining safe. This stance is decidedly deterministic in its implication that a girl is only safe as far as she has or had a loving or pampered upbringing. There is also a suggestion that the perpetration of violence by 'young men' could also be prevented by a 'cosseted' upbringing. Both claims indicate that the perpetration of GBV is conducted on a class-based or individualistic scale, rather than a broader systemic scale. It is a remarkably limited perspective, as GBV is statistically indiscriminate in South Africa, with the social background or behaviour of victims playing no role in its prevalence.[68] Haffajee further suggests that 'better safeguards' could have protected Anene:

> 'Tell me Anene Booysen's life might not have turned out differently with better safeguards? Of course she should not have needed them; of course women should be able to walk home from sports clubs at any time of the night or early morning; of course, she should not have had her innards ripped out of her; of course she should not have died. But she did. And my immediate response was not to blame patriarchy, or apartheid, or colonialism, misogyny though they are all to blame, but to consider the ways she might have escaped her destiny as I have dodged what felt at times to be mine. Victim blaming? I hope it was solutions thinking. Judging by the long history of patriarchy, misogyny and oppression, nirvana is a while away.'[69]

There is an implication that women and girls *have the agency* to safeguard themselves against a violent world, supported by behaviour, upbringing, or world-perspective. Haffajee calls into question the notion of 'victim blaming', instead choosing to frame it as 'solution thinking', as an inevitable step to take when 'nirvana is a while away.' What is suggested here is that in absence of solutions that deconstruct

[66] Ferial Haffajee, "Words fail us", *News24*, February 10, 2013, https://www.news24.com/news24/editors-note-words-fail-us-20150429.
[67] Ibid.
[68] Gqola, *Rape*, 88.
[69] Haffajee, "#WTF was she thinking?"

or confront the patriarchy in an effective way, the only 'solution' is to turn to potential victims and warn them, instil fear, or give them 'tools' to protect themselves. These sentiments are also reflected in a letter to the editor published by *News24* in December 2014, in which the anonymous author refers to Booysen's case when posing the question: 'Advising caution or blaming the victim?':

> 'The case of Anene Booysen last year made [the prevalence of violent crime] quite evident (to me at least). I found the savagery of this crime particularly horrific. What I found almost as appalling as the crime itself, was the number of people, both online and in person, who were not shocked at all and were, apparently, used to hearing about such occurrences…. It seems that the reasonable act of advising caution is conflated with "blaming the victim" and those who advise caution are shouted down. I notice that this is quite prevalent in the media and frankly, I have never understood this line of thinking… The "don't blame the victim" narrative makes it seem as if we live in a perfect world and have nothing to fear.'[70]

The author, an immigrant who had recently moved to South Africa at the time, indicates that they observed a degree of indifference directed towards the Anene Booysen case as South Africans are 'used to hearing about such occurrences.' This also serves to highlight the paradox embedded within the tendency towards declarative outrage: that such repudiations only remain within the public consciousness for a brief period before fading into obscurity, replaced by a degree of indifference or cynicism. However, the author also emphasises a similar sentiment to that of Haffajee, that possible victims hold the 'responsibility' to guard themselves against danger, that it is not victim blaming to recognise the need for precautionary measures. What is most revealing is that these stances on victim blaming do not come from rape apologists. Unpacking why individuals with strong anti-rape or anti-violence stances would make such claims requires a consideration of the broader social context of South Africa during this period. It undoubtedly partially related to the general disillusionment regarding the South African state during this period, with a failing government unable to change a situation that appears to be so fixed in its prevalence.

However, this notion of an unreachable utopia or 'perfect world' is perhaps the most telling metaphorical element in these texts, as it can be likened to the vision of democracy sought during South Africa's 'Age of Hope', a legacy left behind by the discourses of the TRC. There is a certain realisation that this incorporeal, regenerative 'nirvana' makes its home as something otherworldly and unobtainable within the present moment. It remains ever out of reach and unrealistic because of the uncomfortable hauntings of 'patriarchy, misogyny and oppression.' Instead of the denialism seen during the period of the Zuma rape trial, there is a cynical acceptance of the prevalence of GBV. This is a discourse borne of the future-oriented scope of the TRC and post-transitional political dialogues. If

[70] Anonymous, "Advising Caution or Blaming the Victim?", *News24*, December 23, 2014, https://www.news24.com/News24/Advising-Caution-or-Blaming-the-Victim-20141223.

declarative outrage is a means through which South African society attempts to confront the 'unbelonging' of GBV within its post-apartheid democratic framework, then victim-focused solution seeking is a kind of haunted recognition, the recognition that intolerable structures are not only highly visible but *here to stay* as a continuous threat, one that will not be overcome on a social level 'any time soon.'

5.3 '#AmINext': Uyinene and the performance of a nation

While the Ndlovu Youth Choir dazzled the world on the stage of *America's Got Talent* in September 2019 as the 'pride of South Africa', a very different performance was playing out on home soil, with people assembling around the country to protest for the rights of women. The dominoes fell in response to the rape and murder of 19-year-old UCT student, Uyinene Mrwetyana in a post-office in the suburb of Claremont, Cape Town, which occurred on the 24th of August 2019. The perpetrator, Luyanda Botha, had lured her to the post office after its closing time by stating that her package was not ready for collection when she attempted to collect it earlier in the day. When she returned, she was viciously raped and bludgeoned to death. There was something visceral about the ordinary, everyday location of her murder: a post office, a place that many women would not regard as inherently dangerous. As ENCA news anchor Michelle Craig described shortly after the first appearance of Botha in court:

> 'Uyinene Mrwetyana. Her name became a hashtag that was trending on Twitter around the world, and before long it morphed into the hashtag #AmINext, and then #EnoughIsEnough. Soon after her alleged murderer's appearance in court and the confirmation that the body found in Khayelitsha was indeed hers, it was as if each of us had suffered a personal loss. And I realise that selfishly, part of this collective heartache as a country is *fear* – because, it could have been me, it could have been you; my daughter, or your daughter; my sister, or your sister; my mother, or your mother. Because where are women safe in South Africa? In hospital? At a police station? At school or university? At work perhaps? At home, in the arms of her intimate partner? Or at the post office?'[71]

It was indeed this sense of it 'could have been me' that underlined much of the discourse around the murder of Uyinene Mrwetyana, and it is this sentiment that cast her death in a decidedly different light from murder of Anene Booysen 6 years earlier. Indeed, in Anene's case there was a sense of approximating her murder as something isolated to the 'problem' town of Bredasdorp, or her victim profile, a young girl coming from a difficult home life, who was in a situation that may have been deemed potentially dangerous according to normative patriarchal conceptions. In contrast, Uyinene was

[71] "State of emergency on femicide," ENCA, filmed September 3, 2019, video, https://www.youtube.com/watch?v=TcTI0x--x7I.

attacked during the day, in a public service establishment, in middle-class suburbia. Thus, unlike the previous two cases, victim-blaming did not occur to the same degree.

5.3.1 Temporality, 'Women's Month' and recognising paradox

This case took place in the early post-Zuma years, with President Cyril Ramaphosa problematising GBV as a significant challenge to South Africa's democracy. Ramaphosa's approach to presidency differs greatly than that of his predecessor Jacob Zuma – although he faces a 'complex challenge' due to the need to 'balance state and party interests', he has approached his governance by 'maintaining order while avoiding factional volatility' within the ANC.[72] Ramaphosa is, for all intents and purposes, a constitutionalist, who 'pursues a vision of a capable South Africa as depicted in the country's aspirational constitution.'[73] Although this is arguably an extension of the discourses of South Africa's transition – with Ramaphosa himself as one of the architects of South Africa's constitution – his emphasis on human rights marks a shift not only from the unrealistic idealism of Mbeki's 'Age of Hope', but also Zuma's state subjugation.[74] During his first state of the nation address in 2018, he emphasised a sense of civic responsibility 'to adopt and exhibit Constitutional values.'[75] This indicates a perception that the ideals of the constitution have not been adopted or maintained in South Africa, and many of his early actions as president have emphasised an active drive towards changing this.[76]

The same is true for his approach to GBV. In November 2018, South Africa's first Presidential Summit Against Gender-Based Violence and Femicide took place.[77] In April 2019, an Interim Steering Committee produced the *Gender-based Violence and Femicide National Strategic Plan* (GBVF-NSP) in order to implement the outcomes of the 2018 summit.[78] That said, this plan was only actively rolled out on the 30th of April 2020[79], positioning the case of Uyinene Mrwetyana during a period in which the potential social effects of this strategy were uncertain. This case indicates shift towards a recognition that GBV is fundamentally systemic and historically relevant, manifesting in both state and public consciousness with mounting frustration with the perceived blindness of the post-apartheid state to its intolerable presence up to this point.

Women's Month is celebrated annually in South Africa during the month of August, with the 9th of August celebrated as 'Women's Day', commemorating the 1956 Women's March that saw 20 000

[72] Kotze, "Cyril Ramaphosa's Strategic Presidency", 24.
[73] Ibid., 25.
[74] Ibid., 24.
[75] Ibid., 27.
[76] Ibid., 27.
[77] "Declaration of the Presidential Summit Against Gender-Based Violence and Femicide", South African Government, last modified November 2, 2018, https://www.gov.za/speeches/declaration-presidential-summit-against-gender-based-violence-and-femicide-2-nov-2018-0000.
[78] "National Strategic Plan on Gender-Based Violence & Femicide", SAMRC, last modified May 11, 2020, https://www.samrc.ac.za/reports/national-strategic-plan-gender-based-violence-femicide.
[79] Department of Women Youth and Persons with Disabilities, *Overview of National Strategic Plan on Gender-Based Violence and Femicide Roll-Out: Year 1* (2021), 2.

women march to the Union Buildings in Pretoria to protest pass laws.[80] Much of the anger and outrage resulting from the femicide of Uyinene Mrwetyana was temporally contextualised in reference to its occurrence during Women's Month. The 1956 march was called upon to highlight the unchanging ever-presence of violence in the lives of South African women, essentially bringing to attention the harmful effects of the dominant discourse of the national framework of the 'new South Africa' that tends to establish violence as inherently incompatible with post-apartheid society. In response to protest action, on the 3rd of September 2019 President Ramaphosa addressed the nation, stating:

> 'This is a very dark period for us as a country. The assaults, rapes and murders of South African women are a stain on our national conscience. We have just commemorated Women's Month. Sixty three years after the women of 1956 marched for the right to live in freedom, women in this country live in fear - not of the apartheid police but of their brothers, sons, fathers and uncles. We should all hang our heads in shame.'[81]

In contrast to the previous two case studies, we see in this statement not denialism or a declaration of intolerability in post-apartheid society, but an acknowledgement that post-apartheid South Africa is *presently* within a 'dark period.' By drawing on the juxtaposition between the commemoration of the 1956 women's march and the present-day severity of GBV, Ramaphosa revealed the paradox of haunting embedded within South African national consciousness, that the ideals of South African national identity are wholly incompatible with the state of affairs in the present moment. He also uses affective language to emphasise that GBV is a 'stain' on South Africa's 'national conscience', indicating a recognition that discourses of post-apartheid national identity are directly impacted by the continuous and prolonged trauma of gender injustice. Furthermore, he intentionally points to South African men – 'brothers, sons, fathers, and uncles' - as perpetrators, a decidedly precise stance when compared to the vagueness perpetuated by Zuma 6 years earlier. This notion of a particularly traumatic 'moment' or 'period' in post-apartheid South African society further serves to indicate a kind of zeitgeist, not so unlike the awful realisations of apartheid violence that came during the TRC years. It is not just that GBV is a 'recent' phenomenon, but that South Africa is firmly, temporally, and systemically locked within a dark period as a direct result of the continued presence of violence. Though Ramaphosa's aspirations are certainly related to the transition, his approach emphasises the very real presence of uncomfortable normalities that disrupt these aspirations. Indeed, in a statement directed towards Mrwetyana's family made on the 6th of September, Ramaphosa stated that South Africa had reached a 'watershed moment':

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[80] "You strike the women, you strike the rock!", South African History Archives Archive, accessed April 25, 2020, https://www.saha.org.za/women/national_womens_day.htm.
[81] "President Cyril Ramaphosa welcomes arrest of Uyinene Mrwetyana and Leighandre Jegel's murderers", South African Government, September 3, 2019, https://www.gov.za/speeches/president-ramaphosa-welcomes-arrest-uyinene-mrwetyana-and-leighandre-jegels%E2%80%99-murderers-3.

> ‘The death of your daughter and a number of other women who have been killed quite brutally across our nation, especially here in the Eastern Cape, is something that has gotten us to look at gender-based violence in a way that we must say we’ve reached a watershed moment.’[82]

In the previous two cases, the fundamental paradox that underlines post-apartheid conceptions of GBV was not explicitly highlighted, but implicitly embedded within acts of denialism or declarative outrage. In contrast, the contextualisation and juxtaposition of this temporal positioning - a ‘watershed moment’ and ‘dark period’ – within the *sociohistorical* significance of women’s month indicates a more explicit engagement with the uncomfortable haunted presence of GBV, and the impact that this haunting has on national identity. Connections are very deliberately made between history and the present, bridging that sociohistorical break between past and present often generated by the discourses of the ‘new South Africa.’ Similarly, media articles and reflections also narrativized Mrwetyana’s disappearance and murder in reference to Women’s Month and the 1956 marches:

> ‘Women’s Month in South Africa is celebrated in August. It commemorates the significant role held by women in South African society and celebrates the accomplishments of the 20,000 women who marched to the Union Buildings in August of 1956…. In August 2019, again during Women’s Month, 19-year-old University of Cape Town film student, Uyinene Mrwetyana went missing. Nine days later her body was found in a hole beside an unused railway track in a township called Lingelethu West. Mrwetyana had been raped, bludgeoned to death, and her body burnt.’[83]

> ‘The fact that her disappearance happened during the Women’s Month of August, when the country commemorates the anti-apartheid march to the Union Building by more than 20,000 women, added salt to the wound.’[84]

> ‘It coincided with a nationwide demonstration of solidarity with dozens of women who had been brutally raped and killed in the country during national women's month.’[85]

There is a recognition that although the threats that women face may have changed in shape since 1956, women still find themselves threatened within post-apartheid society. There is a deliberate use of time – that the commemoration of women’s month constitutes a ghostly ‘perpetual memory of the dead’ or

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[82] Clement Manyathela, “Ramaphosa describes Mrwetyana’s death as a watershed moment”, *Eyewitness News*, September 6, 2019, https://ewn.co.za/2019/09/06/ramaphosa-describes-mrwetyana-s-death-as-a-watershed-moment.
[83] Tanya Magaisa, “The Killing Doesn’t Stop During South Africa’s Women’s Month”, *Human Rights Watch*, August 30, 2021, https://www.hrw.org/news/2021/08/30/killing-doesnt-stop-during-south-africas-womens-month.
[84] Lerato Mogoatlhe, “Uyinene Mrwetyana’s Death Shows South Africa’s Femicide Crisis,” *Global Citizen*, September 2, 2019, https://www.globalcitizen.org/en/content/uyinene-mrwetyana-gender-violence-south-africa/.
[85] Esa Alexander, “Cape Town mourns brutal killing of Uyinene Mrwetyana,” *TimesLive*, September 3, 2019, https://www.timeslive.co.za/news/south-africa/2019-09-03-in-pictures-cape-town-mourns-brutal-killing-of-uyinene-mrwetyana/.

a ‘reminder’ that women are not safe. This indicates the accumulation of violence over time that has seen women lose their lives not only because of apartheid, but also as a result of lingering social structures in the post-apartheid era. In many regards this is reflective of a similar manifestation of the absent presences of the past made known during the women’s hearings of the TRC, which as previously argued served to deliberately paradoxically disrupt the framework of historicising violence promoted by the commission’s mandate. South Africa is arguably still operating within this framework - as indicated not only by the discourses of the new South Africa, but also by annual commemorations of triumphs over apartheid such as Women’s Month. The 2019 response to the crimes committed against Mrwetyana and other women indicate not only a disruption of this framework - as was also evident in the cases of Kuzwayo and Booysen - but also an *explicit acknowledgement* that this framework is paradoxical and thus cannot fully represent the experiences of South African women today.

This was also made clear in the performative intertextuality shared between the GBV marches of September 2019 and the women’s marches of 1956, in which many protestors deliberately drew on dialogues, images and messages observed in 1956 to emphasise their frustrations. The women who marched in 1956 sang the song *Wathint' Abafazi, Wathint' Imbokodo* – ‘You strike the women, you strike the rock.’ Similarly, the first few days of September 2019 saw peaceful protestors gathered throughout South Africa, most famously in front of the Parliament building in the Cape Town city centre. These protests were particularly performative. Participants chanted, sang songs, and carried signs that reflected the desperation of a people wracked by a culture of rape. Much like the 1956 protest, a commonly seen metaphor was ‘You strike a woman, you strike a rock’ (Figure 2):[86]

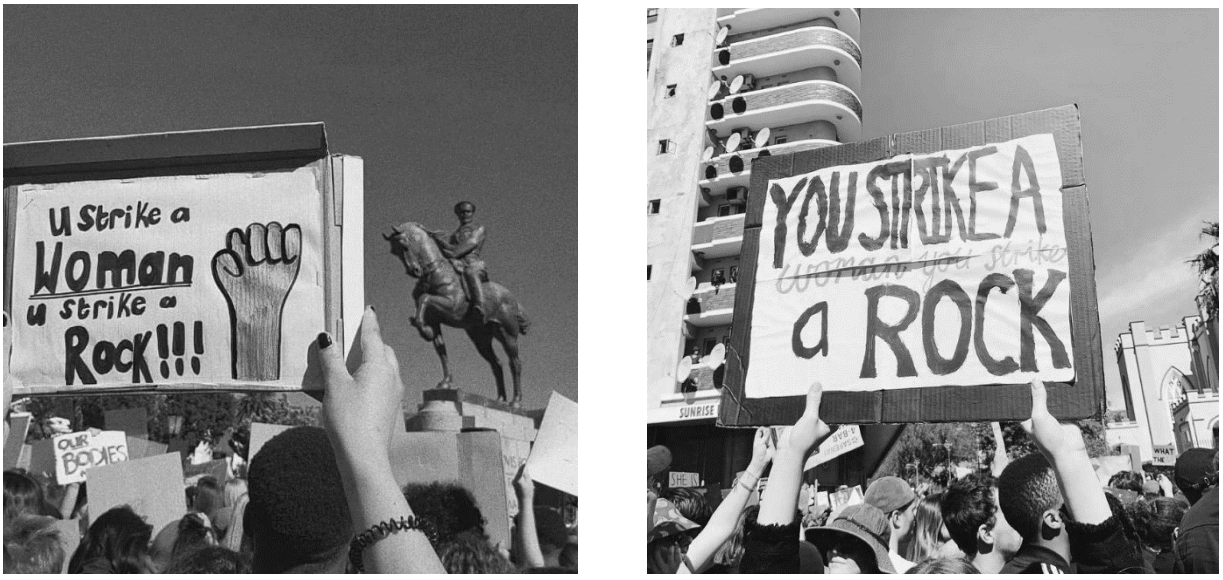

Figure 2: 2019 iterations of Wathint' Abafazi Wathint' Imbokodo (Source: Instagram)[86]

[86] Cara Lee (@shopbycara), “TIME FOR CHANGE,” Instagram, September 5, 2019, https://www.instagram.com/p/B2B34wzph4K/?utm_medium=copy_link.

From a linguistic perspective, the Zulu word *imbokodo* corresponds to a 'grinding stone.'[87] While the grinding stone represents an essential facet of womanhood historically as a tool, it also carries a uniquely embodied meaning. *Imbokodo* is not an ordinary stone, it is a 'slippery rounded stone that is usually picked up from a river', one that has been 'continually exposed to erosion and is no longer likely to undergo further diminution.'[88] It is resistant, hard, and durable, standing in contrast to the 'character of biological things that are subject to the laws of transformation and decay.'[89] These aspects are essentially sensuous in nature, positioning the woman as an artefact produced by nature that disrupts the forces of inhumanity that stand against her.

When she is struck – raped, tortured, or murdered – she always embodies resistance to decay, even if she is missing, forgotten, or dead. It is embodied not only in its linguistic meaning, but in the way that it has been expressed, not only through orality and song, but through its physicality as a visible amalgamation of the accumulation of violence over time. In the context of the 2019 marches, this phrase is a sociohistorical amalgamation of words, things, images representative of the 'density of experience' that reminds, resists, and disrupts the dominant discourses of the new South Africa – just as it disrupted apartheid era conceptions of femininity in 1956. These elements suggest a form of affective staging, particularly through the intertextuality between different affective mediums across time allowing for acts of (re)memory manifested in a uniquely performative context, as was defined In Chapter 2.

Indeed, the notion of *Wathint' Abafazi, Wathint' Imbokodo* arguably emerged when the violence of apartheid met not only 'the death' of its victims, but also their 'un-doing-of-death.'[90] It is this that makes *imbokodo*, the grinding stone, an intertextual sign of haunting manifesting across time – an 'ordinarily overlooked' motif of female subjectivity but embodied and 'animated by the immense forces of atmosphere concealed within [it].'[91] It is this intertextuality with the dialogues and signs of the 1956 marches that indicate not only an explicit engagement with violent history as a tool for revealing and confronting present-day traumas, but also a deliberate disruption of the dominant discourses that essentially seek to erase violence as something that does not belong in the South Africa of today, a South Africa no doubt influenced by the constitutional focus of Ramaphosa's current presidency.

[87] Sibusiso Hyacinth Mdluli, "Is a Woman a Rock or a Female a Grinding Stone? Some Linguistic Reflections on the Translation of the Motto," Alizés*: Revue angliciste de La Réunion* 14 (1997), 50.
[88] Ibid., 50.
[89] Mduli, "Is a Woman a Rock or a Female a Grinding Stone?", 51.
[90] Viviane Saleh-Hanna, "Black Feminist Hauntology: Rememory of the Ghosts of Abolition," *Abolitionism* 8 (2015), 16.
[91] Gordon, *Ghostly Matters*, 204.

5.3.2 Affective protest action and the disruption of discourse

Contributing to this disruption of discourse were the textual elements of the protest action undertaken that deliberately and explicitly referred to these dominant discourses and their negative effects. Unlike the first two cases, in which media or political representations dominated narratives of GBV, I highlight civic protest imagery in Mrwetyana's case for its unique narrativization of GBV. High school students at San Souci Girls High School in Cape Town also staged a protest, with one sign reading 'We're a country with no rainbow, only rain and that rain is red and warm and bruised between her thighs' (Figure 3).[92] Similarly, another sign placed outside the Clareinch post-office in the wake of the tragedy read 'Our rainbow nation is bleeding women's blood' (Figure 4).[93] One protest in Amsterdam saw signs that read 'Rain~~bow~~ Nation' (Figure 5).[94] Signs displayed during the visit of members of the British Royal Family to Cape Town on Heritage Day, the 24th of September, were also particularly interesting, with one stating 'Heritage Day… Instead of celebrating my culture I'm fighting rape culture' (Figure 6).[95] Indeed, Heritage Day is constructed to celebrate the 'cultural wealth' of South Africa, very much in line with the ideas of rainbowism.[96] Other examples across different protests include 'Stop the violence end

Figure 3 Protest action outside San Souci Girl's High School, 6 September 2019 (Source: New Frame)[92]

Figure 4 Tributes left outside Clareinch post office, September 2019 (Source: Heavy)[93]

[92] Barry Christianson, "In Pictures: Women protest against gender-based violence", *New Frame*, September 6, 2019, https://www.newframe.com/in-pictures-women-protest-against-gender-based-violence/.
[93] Paul Farell, "Uyinene Mrwetyana: 5 Fast Facts You Need to Know", *Heavy*, September 5, 2019, https://heavy.com/news/2019/09/uyinene-mrwetyana/.
[94] DaniDior (@flamboyadior), "Stop killing my sisters!!!!!! Rally in Dam Sqaure, Amsterdam," Twitter, September 9, 2019, https://twitter.com/flamboyadior/status/1170986755056685056.
[95] Vauldi Carelse (@vauldicarelse), "Young people, who turned out to welcome the Duke and Duchess of Sussex to Bo Kaap, reminding us that even on colourful days, you can't escape the reality of South Africa", Twitter, September 24, 2019, 2https://twitter.com/vauldicarelse/status/1176473387096530945.
[96] "Heritage Day", South African Government, last modified 24 September, 2013, https://www.gov.za/heritage-day.

Figure 5 Protest action in Amsterdam, 9 September 2019 (Source: Twitter)[94]

Figure 6 Protest action on Heritage Day, 24 September 2019 (Source: Twitter)[95]

Figure 7 Protest action in Cape Town, 5 September 2019 (Source: Mail and Guardian)[98]

Figure 8 Protest action in front of the statue of Louis Botha at Parliament, 5 September 2019 (New Frame)[99]

the silence' (Figure 6)[97], 'Change the narrative' (Figure 7) [98], 'Where are our statues/memorials? Remember our names too' (Figure 8)[99]and 'Welcome to SA, where economic investment matters more than dying' (Figure 9).[100]

[97] Vauldi Carelse (@vauldicarelse), "Young people, who turned out to welcome the Duke and Duchess of Sussex to Bo Kaap, reminding us that even on colourful days, you can't escape the reality of South Africa", Twitter, September 24, 2019, 2https://twitter.com/vauldicarelse/status/1176473387096530945.
[98] Eyaaz Matadwiya, "Activists plan Sandton shutdown in protest of gender-based violence", *Mail and Guardian*, September 9, 2019, https://mg.co.za/article/2019-09-12-activists-plan-sandton-shutdown-in-protest-of-gender-based-violence/.
[99] Christianson, "In Pictures: Women protest against gender-based violence"
[100] Staff Writer, "South Africans protest rising levels of gender-based violence", *Gulf News*, September 13, 2019, https://gulfnews.com/world/africa/south-africans-protest-rising-levels-of-gender-based-violence-1.66398191.

Figure 9 Protest action in Johannesburg, 13 September 2019 (Source: Gulf News)[100]

In all these examples we see a deliberate subversion of the dominant national discourses of post-apartheid South Africa. Each of these textual references are used to intentionally expostulate normative conceptions of post-apartheid national identity through affective language. This is largely achieved through effective literary devices, most notably juxtaposition, personification, metaphor, paraprosdokian, and rhetorical questioning.

Perhaps most explicitly, idea of a 'rainbow nation' is deconstructed through metaphor, juxtaposition, and personification. Two of the aforementioned examples include a juxtaposition and linguistic deconstruction of the word 'rainbow' into 'rain', intentionally stripping away the positive imagery and connotations associated with rainbows: the metaphor '*We're a country with no rainbow, only rain'* and the play on words '*Rainbow Nation.'* There is also a general conception that rainbows follow rainfall, and thus this deconstruction of the word also holds a temporal meaning, highlighting the present-day unattainability of the hopeful future portrayed by post-apartheid discourses. Furthermore, the rainbow nation is also personified as a 'bleeding' entity, seen in '*our rainbow nation is bleeding women's blood',* or rain is metaphorically compared to blood, seen in '*that rain is red and warm and bruised between her thighs.'* The latter example also contains an affective tricolon, emphasising violence as 'red, warm and bruised', a particularly sensuous comparison.

Juxtaposition is also used in other cases. We see the use of antithesis and repetition in '*Instead of celebrating my culture I'm fighting rape culture',* where once the positive connotations of 'culture' are reshaped into the negative connotations of 'rape culture.' When considered within the context of Heritage Day, this is once again an explicit deconstruction of discourses that surround the ideas of cultural identity in South Africa. Less explicitly, we see the use of a paraprosdokian in '*Welcome to SA, where economic investment matters more than dying',* in which the latter clause causes the reader to reinterpret the first clause, with the positive connotations of '*Welcome to SA'* undertaking a more

sarcastic, cynical tone. Here the emphasis on 'economic investment' is undoubtedly intended to emphasise the priorities of the government and its discourses as twisted and misplaced. Other examples include the rhetorical question '*Where are our statues/memorials?'* that intentionally calls into question ideas of memorialisation and memory, essentially highlighting how women's struggles have remained 'hidden' in the post-apartheid era. When juxtaposed against the colonial figure of Louis Botha (Figure 4), there is both an embedded criticism of patriarchal values, as well as the haunted lingering of a violent, traumatic past. The rhyme '*stop the violence end the silence*' also indirectly criticises the ways in which GBV has been hidden from view within the dominant discourses of South African society. Finally, although simple and direct, '*Change the narrative'* demands a change in discourse, indicating a recognition that the current narrative is inadequate in encapsulating social experiences.

These are just a few examples pulled from an endless sea of images. However, their linguistic elements point to one conclusion: a recognition of and frustration with the dominant discourses of the post-apartheid era, with the continued violence that women experience paradoxically erased or ignored within this discourse while also *revealing* its fundamental flaws. This once again reiterates a major difference in social understandings between this case and the Booysen and Kuzwayo cases, with the negative impact of the nation-building discourses left behind by the transitional era not only recognised, but also heavily criticised through a notably visceral, emotive, and affective response.

This was perhaps no better encapsulated in the emotional response of protestors when President Ramaphosa appeared outside Parliament on the 5th of September to directly address and reassure them that the government will act.[101] As he states that he will be travelling to the Eastern Cape to visit Mrwetyana's family, cries in the crowd of 'it's too late, it's too late!' can be heard. He responds by stating: 'that is fine, but it is important that we continue as a nation to show our solidarity.' Someone in the crowd exclaims 'then show solidarity.' He continues, stating that it is important 'to show our care and compassion.' Again, we hear someone quite pointedly respond with 'do you even have any [compassion]?' All these responses indicate an overwhelming mood of anger directed at a state that has taken far too long to respond in any meaningful way. As pointed out in a *New Yorker* article published at the time, the protests represented a very strong conviction that something needed to be done:

> 'Mrwetyana's death, so grotesquely emblematic of the state's failure to protect women and children, seems to have channelled the anger that so many feel and directed it toward a clear target. The feeling that someone *should* do something is turning, quickly, into the conviction that someone is going to have to.'[102]

[101] "President Ramaphosa addresses protestors outside Parliament", SABC News filmed September 3, 2019, video, https://www.youtube.com/watch?v=fzotx4Qsq4c&t=184s.
[102] Rosa Lyster, "The Death of Uyinene Mrwetyana and the Rise of South Africa's "#AmINext?" Movement", *The New Yorker*, September 12, 2019, https://www.newyorker.com/news/news-desk/the-death-of-uyinene-mrwetyana-and-the-rise-of-south-africas-aminext-movement.

At the time of this case, I remember thinking rather cynically that people and the government would soon forget, would soon move on with their lives as they so often did. I hoped this would not be the case, and today it I find it difficult to reach a definitive answer on the matter. The GBVF-NSP did roll out in 2020 and considered not only the 2018 presidential summit, but also the memorandum handed to the government by protestors in 2019. According to the official year 1 report, it saw some achievements, particularly with regards to the 'prioritisation of GBVF' on a national level, allowing for the amplification of 'contributions of key sectors such as the private sector and the faith community' in the pursuit of a 'multi-sectoral response.'[103] However, 'only a few government departments have successfully embedded the NSP on GBVF within their operations', pointing to a 'lack of the sense of urgency with the government in general.'[104] For now, it is simply too soon to know what impact the 'watershed' moment of September 2019 will have on the lives of South African women in the long-term, and this is certainly something that deserves more academic attention in the future.

5.4 Conclusion

The post-apartheid era was deeply impacted by the discourses generated during the transition. This chapter sought to investigate this and answer the following research question: *How did the national self-narrative produced by the TRC influence the narrativization of and engagement with GBV in the post-apartheid era?* In earlier chapters, I had noted that the narratives produced within the women's hearings of the TRC at times contradicted its mandate and considering that it was this mandate that established and pioneered the ways in which South Africa approximated its national identity in relation to its past, present, and future, it seems almost an inevitability that effects both seen and unseen at the time would permeate through the lives and experiences of women in the post-apartheid era. This chapter not only revealed how these ideas influenced the national-self-narrative of the post-apartheid state developed in recent history, but also the effects that this had on the perceptions and narrativisation of GBV.

The first case study revealed the ways in which the discourses of the TRC, in breaking with the past, generated an 'Age of Hope' that effectively silenced and denied Fezekile Kuzwayo justice during the infamous Zuma rape trial of 2006. It revealed quite starkly a deeply embedded paradox within the national discourses of post-apartheid South Africa, that violence against women was so incompatible with the hopeful visions of the new nation that it was both denied and made visible as a haunting intolerable structure at the same time. Moreover, this rape trial further revealed how the women's hearings did not necessarily leave behind its desired legacy, particularly with regards to the treatment of victims. Of course, this is only a single case, but it does provide a snapshot into the ways in which trauma can be used to invalidate a victim, rather than a means of affectively staging her narrative.

[103] *Overview of National Strategic Plan on Gender-Based Violence and Femicide Roll-Out: Year 1*, 7.
[104] Ibid., 7.

Kuzwayo was thus faced with a world that would deny her, would berate her, and would shame her, with law triumphing over justice in the end.

Anene Booysen's case, temporally positioned in the early 2010s, provides yet another perspective on paradoxical expressions of GBV as an intolerable structure. Instead of the denial of its existence altogether, declarations of its intolerability were abound. The rape and murder were framed as so vicious, so intolerable, that it did not belong in South Africa, or more aptly, the vision of South Africa at the time. How much this has to do with the victim being deceased is certainly up for debate, as she would never testify to the crimes committed against her in a courtroom setting. To answer this lingering question would require a much broader analysis of GBV cases in South Africa. Nevertheless, the fact that victim-blaming, or solution-seeking through victim-blaming, still played a significant role in how people engaged with and narrativized Booysen's story is certainly indicative of an element of the prevalence of the consolidations of GBV within the national framework of South Africa. Coupled with declarative outage and identity approximation in relation to Bredasdorp as a 'problem' town, we can still observe the influence of the absent-presence of GBV on social perspectives, with paradox embedded within.

Uyinene Mrwetyana's case was received in a wholly different light, which, as I posited, is the result of the different circumstances surrounding her rape and murder. This does present another question around whether her case would have received as much attention had it occurred in a poorer area. However, this would require an analysis less focused on discourse and more focused on systemic problems in South Africa today, something that is beyond the scope of this thesis. What Mrwetyana's case does reveal, however, is an explicit recognition of the paradox generated by GBV within South Africa's national identity framework, recognised not only by the media and the president, but also made known through deliberately subversive and affective intertextualities undertaken by the general population through protest action. The particularly temporal and intertextual emphasis on the 1956 women's march was loaded with affective and haunted recognitions, exposing the continued threat of violence faced by women in the present day. These deconstructions and recognitions were, for the most part, related to or responding to constructions of the post-apartheid state that were borne of the reconciliatory discourses of the transition, including Women's Month, the Rainbow Nation, and Heritage Day.

Thus, in conclusion, this chapter provided insight into some developments in the narrativization of GBV in the post-apartheid era, with an emphasis placed on the largely harmful legacy of the reconciliatory discourses the TRC left in its wake, generating a fundamental social paradox. In striving for perfection, for the ideal, for the new nation, South Africa's national framework confounded GBV as something both intolerable and ignored, highly visible and simultaneously invisible, and most damagingly, something left unchecked to fester for two decades.

6. Conclusion

In this concluding chapter, results will be synthesised and summarised with regards to the main research question of the thesis: *How did the performance and narration of haunting memories during the TRC women's hearings shape and affect South Africa's discourse on GBV*? This chapter will contextualise and synthesise sub-conclusions reached at the end of each chapter with regards to broad conclusionary remarks, highlighting the major conclusions that can be derived from this research. It will further consider the use of haunting as a concept for understanding these manifestations. As well as this, this chapter will consider relevant questions that have arisen as a result of this research.

6.1 Affective structures: Interpretation of the uninterpretable

A first major conclusion reached is the establishment of *how* narratives of GBV were produced by affective structures during the TRC and beyond. These structures constituted the use of figurative language, intertextualities, and haunting recognition, and provided a means through which narratives of GBV were not only staged, but also produced. This was evident in the affective staging of the women's hearings as was examined in Chapter 2, in which performativity was considered in relation to the *ad hoc* nature of the hearings, which had ensured that the hearings were affectively distinguished within the TRC for their particular emphasis on female subjectivity. It was suggested that this staging positioned women's stories of violence in a particularly affective light, manifesting a structure of feeling that generated a particularly emotive space for testifiers. Furthermore, the affective means through which women constructed their narratives as highlighted in Chapter 3, in which the usage and influence of haunting dimensions of trauma were considered, including signs, textual expression, and rememories.

Conversely, Chapter 4 revealed the difficulties in conveying these affective elements within the historical method adopted by the TRC report, which largely relied on the definitions of violence stipulated within the commission's mandate. This is indicative of a particular 'gap' in the mandate that did not fully account for the emotive context within which narratives of GBV took shape during the hearings. I suggest that this historical method demonstrates how a lack of a consideration of affect reinforces the obscurity of GBV, leaving certain elements otherwise uninterpretable. In yet another vein, Chapter 5 indicated how the major discourses generated by this same mandate were carried forward into the post-apartheid era, especially during the 'Age of Hope' of the 2000s. The Zuma rape trial indicated how GBV cases were reinforced as isolated incidents, narrated not through a shared affective dimension, but through languages of politics and denial. That being said, recent events suggest an affective turn, as was observed in the narrativization of GBV generated by the 2019 case of Uyinene Mrwetyana, in which pre-existing discourses were disrupted through affective intertextualities.

These sub-conclusions – as reached within the context of the TRC women's hearings and into the post-transitional era- are indicative that narratives of GBV can not only be produced through affective,

'unseen' dimensions, but also that a consideration of affect can allow for a more nuanced interpretation of these narratives. In this thesis, theories of haunting were used as a means of affective interpretation, however I would like to emphasise the potential role of other methodologies in broadening the scope of understanding affective constructions of gendered trauma. The interactions between personal, social, and cultural trauma may be of interest in future research, with a greater emphasis placed on psychosocial dimensions that allow for a differentiation of or interaction between typologies of affect. Further, a greater emphasis on memory studies – particularly in the post-apartheid context – could reveal yet another dimension, especially with regards to bridging the gap between post-transitional GBV trauma and the apartheid era abuses brought to light during the transition.

Indeed, as this research largely focused on the narrativization of GBV specifically, a significant question that has arisen for me regards the deliberate memorialisation of women's struggles *generally* in the post-apartheid era (such as, for example, the celebration of Women's Month), and whether this memorialisation of women differs in either its narrativization or affectivity. It may be particularly interesting to consider the degree to which GBV is narrativized in relation to the overall narrative of the women's struggle under apartheid. With regards to this, an interesting element that may be revealing is a greater emphasis on literature that narrativizes gendered trauma under apartheid, such as novels, poetry, or song. Overall, there are several possibilities and threads that warrant further examination in understanding the affective realm of GBV narratives.

6.2 Disruption of discourse: Narratives of GBV in the context of the (post) transition

A second major conclusion concerns the ways in which narratives of GBV act to disrupt dominant discourses and national self-narrative of (post)transitional South Africa, which largely sought to generate an image of an ideal rainbow nation, free from the social, racial, and economic inequalities of the past. As was indicated in Chapter 2, evidence of this was established during the transition, particularly in the ways in which women were initially largely absent from the reconciliatory framework of the TRC's mandate, with the women's hearings only coming into being as a result of the intervention of feminist organisations who rallied for their inclusion. However, as was highlighted in Chapter 3, this was not necessarily evident during the hearings themselves, due to the proceedings' operation within a particularly affective context removed from the commission's mandate. Indeed, this early disruption by feminist organisations did contribute to facilitating and distinguishing this environment within the context of the TRC.

However, it became abundantly clear that a notable paradox was generated between the inextricable past-presence of gendered trauma and the reconciliatory historicism of the mandate in the retelling and reconstruction of narratives of GBV within the TRC's official report. In attempting to historicise gendered trauma, the report revealed quite starkly the ways in which narratives of GBV *inherently* disrupted the reasonably strict requirements of the commission's mandate. As was noted in Chapter 4,

this posed significant problems for the authors of the chapter on women, as they grappled with consolidating gender within a mandate that was not only partially gender blind, but also bound by ideals of reconciliation and moving on into a better future. I argue that this was an early indication that gender was not only never fully incorporated into the ideals of the 'new South Africa', but also that this future-oriented vision did not allow a space for the continued presence of GBV, meaning that it was never fully confronted as something inextricably present in (post)transitional South Africa. In essence, this is a form of haunting, in which something is clearly present but made barely visible by other narrative forces, in this case in the pursuit of a future that cannot account for GBV due to its 'unbelonging' within it.

Chapter 5 examined this inherent disruption of post-transitional discourses of the 'new South Africa' through narratives of GBV. The Zuma rape trial indicated how these narratives served to disrupt the pedestaling of liberators as heroes of the new nation, indicated by a prevailing mood of denialism in an 'Age of Hope.' Similarly, the Anene Booysen case exemplified the phenomenon of declarative outrage, in which the 'intolerability' of GBV was continually emphasised in relation to the self-narrative of post-apartheid South Africa. Finally, the recent case of Uyinene Mrwetyana indicated how narratives of GBV were contemporarily used to disrupt prevalent dominant discourses left behind by South Africa's transition and 'Age of Hope.' These intersecting (and at times conflicting) narrativizations of GBV all demonstrate how gendered violence conceptually disrupts the (post)transitional state's future-oriented national identity discourses. This is multidimensional. On one hand, it suggests that South Africa's national self-narrative did not consider the continued presence of apartheid era social inequalities, with such inequalities making themselves known through the disruption of this discourse. On the other hand, it also suggests that South Africa is haunted by the unattainable future that was narrativized during the transition, with a prevailing feeling of a 'path not taken' *enabling* the disruptive forces of uncomfortable narratives of GBV.

One significant question that warrants further exploration is around other lingering injustices that contradict the self-narrative of the nation, both within the context of the TRC and beyond - such as, for example, economic inequalities, ethnic divisions across social and geographical lines, or the continued prevalence of other types of crime. Although beyond the scope of this thesis, it would be interesting to establish whether the notion of discourse disruption demonstrated in the context of narratives of GBV is applicable in other cases – especially considering that the mandate of the TRC accounted for some injustices to a greater extent than GBV. Further, while this thesis did emphasise changes in political leadership as a variable in the narrativization of GBV, it did not consider the broader political or party constructs that evolved in the (post)transition. A greater emphasis on developments in politics beyond these leading actors could provide new insights into how gender has been generally constructed by the state throughout the post-apartheid era.

6.3 Conclusionary remarks

By analysing narrative constructions of GBV during the TRC and post-apartheid era, this thesis has demonstrated the variety of complex interactions and intersections that have influenced conceptualisations of and engagements with gendered violence in the South African context. In particular, it revealed two major dimensions of narrativity: (1) narratives of GBV as inherently affective and interpretable through emotive contexts, and (2) narratives of GBV as inherently disruptive of the dominant discourses of (post)transitional South Africa. Both elements indicate the fundamental foundation of constructions of GBV in the South African context: that its presence is oftentimes *felt* – whether disruptively or not - before it is entirely perceived or understood. It thus seems apt to end this thesis just as it began: with an anecdote that best represents this kind of interaction with history. In poet Makhosazana Xaba's 2008 poem, *Tongues of their Mothers*, she attempted to capture a vision of South African women of the past, brought to life in her contemporary context. She poignantly captured not only the affective means through which women's stories are temporally contextualised in South Africa, but also the ways in which these affective 'metaphors' and 'similes' flow through 'eternity': always present, sometimes disruptive, yet not always tangibly evident:

> *'I will present the women in forms that match their foundations*
>
> *using metaphors of moments that defined their beings*
>
> *and similes that flow through our seasons of eternity."*[1]

[1] Makhosazana Xaba, *Tongues of Their Mothers* (Durban: University of Kwa-Zulu Natal Press, 2008), 27.

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APPENDIX A

Objectives and Functions of the Commission

The Act identified the following objectives and functions:

(1) The objectives of the Commission shall be to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past by

a. 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 I March 1960 to the cut-off date, including the antecedents, circumstances, factors and context of such violations, as well as the perspectives of the victims and the motives and perspectives of the persons responsible for the commission of the violations, by conducting investigations and holding hearings;
b. 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;
c. establishing and making known the fate or whereabouts of victims and by 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;
d. 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.

(2) The provisions of subsection (1) shall not be interpreted as limiting the power of the Commission to investigate or make recommendations concerning any matter with a view to promoting or achieving national unity and reconciliation within the context of this Act. The functions of the Commission shall be to achieve its objectives, and to that end the Commission shall:

a. facilitate, and where necessary initiate or co-ordinate, inquiries into- (i) gross violations of human rights, including violations which were part of a systematic pattern of abuse; (ii) the nature, causes and extent of gross violations of human rights, including the antecedents, circumstances, factors, context, motives and perspectives which led to such violations; (iii) the identity of all persons, authorities, institutions and organisations involved in such violations; (iv) the question whether such violations were the result of deliberate planning on the part of the State or a former state or any of their organs, or of any political organisation, liberation movement or other group or individual; and (v) accountability, political or otherwise, for any such violation;

b. facilitate, and initiate or co-ordinate, the gathering of information and the receiving of evidence from any person, including persons claiming to be victims of such violations or the representatives of such victims, which establish the identity of victims of such violations, their fate or present whereabouts and the nature and extent of the harm suffered by such victims;
c. facilitate and promote the granting of amnesty in respect of acts associated with political objectives, by receiving from persons desiring to make a full disclosure of all the relevant facts relating to such acts, applications for the granting of amnesty in respect of such acts, and transmitting such applications to the Committee on Amnesty for its decision, and by publishing decisions granting amnesty in the Gazette;
d. determine what articles have been destroyed by any person in order to conceal violations of human rights or acts associated with a political objective;
e. prepare a comprehensive report which sets out its activities and findings, based on factual and objective information and evidence collected or received by it or placed at its disposal;
f. make recommendations to the President with regard to- (i) the policy which should be followed or measures which should be taken with regard to the granting of reparation to victims or the taking of other measures aimed at rehabilitating and restoring the human and civil dignity of victims; (ii) measures which should be taken to grant urgent interim reparation to victims;
g. make recommendations to the Minister with regard to the development of a limited witness protection programme for the purposes of this Act;
h. make recommendations to the President with regard to the creation of institutions conducive to a stable and fair society and the institutional, administrative and legislative measures which should be taken or introduced in order to prevent the commission of violations of human rights.[1]

[1] Truth and Reconciliation Commission of South Africa, *Volume One: Truth and Reconciliation Commission of South Africa Report* (Cape Town: Truth and Reconciliation Commission, 1998), 55.

APPENDIX B

Severe-ill treatment as defined by the Commission's mandate

By applying the above criteria, the following acts were regarded as constituting severe ill treatment:

a. rape and punitive solitary confinement;
b. sexual assault, abuse or harassment;
c. physical beating resulting in serious injuries;
d. people shot and injured during demonstrations;
e. burnings (including those caused by fire, petrol, chemicals, and hot liquid);
f. injury by poison, drugs or other chemicals;
g. mutilation (including amputation of body parts, breaking of bones, pulling out of nails, hair, or teeth or scalping);
h. detention without charge or trial;
i. banning or banishment (a punishment inflicted without due process, consisting (a) of the restriction of a person by house arrest, prohibition from being in a group, prohibition from speaking in public or being quoted, or (b) of the enforced transfer of a person from one area to another without the right to leave it);
j. deliberate withholding of food and water to someone in custody with deliberate disregard to the victim's health or well-being;
k. deliberate failure to provide medical attention to ill or injured persons in custody;
l. the destruction of a person's house through arson or other attacks which made it impossible for the person to live there again.[2]

[2] TRC, *Volume One*, 81.