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Archived Voices

Refiguring Three Women's Testimonies Delivered to the South African Truth and Reconciliation Commission

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The South African Truth and Reconciliation Commission (TRC) executed a vital process of transitional justice and was one of the country's most important efforts toward moving away from its past of injustice, discrimination, and intolerance to a future founded on the recognition of human rights, democracy, and equality. The TRC's main task was to address the human rights abuses of the past through a process of truth and amnesty. It used the testimonies of victims/survivors and amnesty applicants to gather information about the gross violations of human rights that had taken place under apartheid. The platform on which victims/survivors narrated their experiences more than anything else turned the TRC into one of the most significant phenomena in South African history. Today, the consequences, effects, and failures of the commission are still being debated among scholars as well as among certain parts of the population. The three testimonies discussed in this paper were delivered from this platform during the first and second weeks of TRC hearings in 1996. After being delivered with translations in public, the TRC archived these audio, visual, and transcribed English versions of the testimonies as part of its mandate to gather evidence of human rights abuses during apartheid. This archival material has since been used to refigure some of the archives of South African history. We want to explore the less obvious and more subtle refigurings that took place during the compilation of TRC testimonies. Using three testimonies delivered by women, we examine how refiguring happened not only through the processes of translation and transcription, or who is telling and how, but also through narrating the event in a way that leaves central moments un-uttered.

THE NOTION OF ARCHIVE IN THE SOUTH AFRICAN CONTEXT

Since its publication, the book *Refiguring the Archive* (2002) has become an important benchmark in discussions about archives in South Africa. A collaborative effort by six of South Africa's foremost archivists and writers with philosopher Jacques Derrida, the collection investigates the concept of the archive within a broader South African context. One chapter, as well as part of an extensive interview with Derrida, is devoted exclusively to the Truth and Reconciliation Commission. To contextualize

our analysis of the three TRC testimonies, we want to focus on several arguments from *Refiguring the Archive*. Most centrally, we want to focus on the importance of recognizing that, as Carolyn Hamilton, Graeme Reid, and Verne Harris¹ emphasize in their introduction, "the archive – all archive – every archive – is figured" (Hamilton et al. 2002, 7). Whether material was gathered by colonial authorities, apartheid authorities, or the TRC, it was gathered within a particular context and with a particular purpose. Thus, it follows that South African archives call for a refiguring.

All the writers in *Refiguring the Archive* plead for a refiguring within a new democratic dispensation; they call for us to recognize and rethink the patterns that manifest themselves visibly and invisibly in archived material. They want the archive-as-source also to be studied as the archive-as-subject so that students can become aware of how archiving comes about and could produce meaning on its own. Where scholars previously "mined" archives for fact, they should also focus on "the particular processes by which record was produced and subsequently shaped, both before its entry into the archive, and increasingly as part of the archival record" (9).

Most of the essays in *Refiguring the Archive* point to the different ways that the archival material itself points to how it could and should be refigured. Two essays in particular are helpful in explaining our methodology in working with approach to the testimonies. Firstly, in their introductory essay, Hamilton, Reid, and Harris argue that attention should be paid to: a) how the record has been altered over time; b) the gaps, omissions, and excisions from the record; and finally c) why a particular choice for a particular trace was made. Harris later warns, in "The Archival Sliver: A Perspective on the Construction of Social Memory in Archives and the Transition from Apartheid to Democracy", that any archivist undertaking a refiguring should always be aware that an archive can only be a small trace of a whole: "One should be wary of the claim that one or another corrective intervention can 'fill the gaps' in an archive, so it is suggested that *the archive is a sliver instead of an incomplete whole*." (V. Harris 2002b, 135-136; our emphasis)

Secondly, in her essay on colonial archives, "Colonial Archives and the Arts of Governance: On the Content in the Form", Ann Laura Stoler suggests that scholars should try to understand the power relations that contextualize decisions about what and how to archive, and to look for the mark of power struggles within an archive: "Archives are crucial elements in epistemological challenge and experimentation. Archives are not simply sources, they are sites of contested knowledges." (Stoler 2002, 98) Following Derrida, Stoler explores the term "archive" by going to its etymological origins: *archivuum* is the Latin for "residence of the magistrate", and *arkhe* is the Greek for "to command". She writes,

the colonial archives ordered (in both the imperative and taxonomic sense) the criteria of evidence, proof, testimony, and witnessing to construct its moral narrations. [...] It was in the factual stories that the colonial state affirmed its fictions to itself, in the moralizing stories that it mapped the scope of its philanthropic missions, and in multiple and contested versions that cultural accounts were discredited or restored. (Stoler 2002, 90)

(1) Verne Harris was officially responsible for putting together the archival material gathered by the Truth and Reconciliation Commission (TRC) and initially also responsible for how this material was to be incorporated into the National Archives.

Brent Harris takes the concept of “official ordering” directly to the realm of the TRC in “The Archive, Public History, and the Essential Truth: The TRC Reading the Past”, asserting that the commission officially determined what should be gathered as evidence as well as what of it should be archived and how (B. Harris 2002, 161). The TRC claimed to “fix” knowledge both in the sense of correcting misunderstandings and ending the instability of the meanings attached to the past. This official declaration of what is supposed to be true, and therefore worthy of archiving, represents two moments of ending instability: 1) what should be archived is determined through negotiation and contestation, but the moment the decision is made, epistemological instability ends; and 2) at the moment of archiving itself the stasis and fixing of the material creates a second end to instability (B. Harris 2002, 161).

We, Antjie Krog and Nosisi Mpolweni, take the request to refigure the archive seriously. In our qualitative analyses of the following three testimonies, we use several of the tools outlined above. We explore how the archived record has been altered over time; we look at gaps and silences; and finally we try to determine the effect of these losses upon the “archived truth” left behind by the process of the TRC. Mpolweni will focus on the archival impact of what is not said, and on the different sorts of gaps and omissions created by slippages in translation and transcription between the real testimony and the archived version. Krog will examine the slippages in transcription between the real translated testimony and the final archived version; she also considers how the testifiers themselves have refigured the event during the process of testifying. We close the essay with a joint discussion of our conclusions.

THE ARCHIVED TESTIMONY ABOUT THE DEATH OF SICELLO MHLAWULI

On 27 June 1985, four political activists, Fort Calata, Sparrow Mkonto, Matthew Goniwe, and Sicello Mhlawuli drove from Cradock, the small rural town where they lived, to Port Elizabeth to attend a briefing from the United Democratic Front (UDF), an antiapartheid organization linked to the African National Congress (ANC). They did not return home that evening, and their burnt and mutilated bodies were found near Bluewater Bay outside Port Elizabeth about a week later. An inquest in 1987 into what has become known as the Cradock Four incident found only that the men had been killed by unknown persons. The inquest was reopened in 1993, and after the disclosure of a top secret military directive calling for the “permanent removal from society” of Goniwe, a school teacher in Cradock, it was found that the pro-apartheid security forces were responsible for their deaths.² The four widows of these men testified on the second day of human rights violation hearings by the TRC on 16 April 1996 in East London in the Eastern Cape. This part of the essay explores the testimony of one of them, Mrs. Nombuyiselo Mhlawuli, the wife of Sicello Mhlawuli. Mr. Mhlawuli suffered a particularly cruel death as he was stabbed several times, burnt with acid, and finally burnt to death in a fire after his hand had been cut off. Activists from the ANC subsequently testified to

(2) See records of the TRC, <http://www.justice.gov.za/trc/hrvtrans/hrvel1/calata.htm> (accessed 20 July 2016).

the TRC about the missing hand. Mr. Madoda Jacobs, former head boy of Lingelihle High School, told the commission that while he was in detention in Port Elizabeth in 1985, security police had shown him a hand in a bottle and told him it was Mhlawuli's.³ Another said: “I saw the severed hand of a black activist in a bottle at a Port Elizabeth police station. The police told me it was a baboon's hand. They said to me, ‘look here, this is the bottled hand of a Communist’. But I know that Sicello Mhlawuli was buried with his hand missing.” (in Krog 1998, 32)

How does Mrs. Mhlawuli express her own trauma at the loss of her husband and her concerns about being haunted by the “unfinished business” of the missing hand? One must bear in mind that Mrs. Mhlawuli appeared before the commission to testify about her husband. She was there not as a woman in her own right, but as a struggle-widow. Although women were active in opposing the discriminatory policies of the apartheid era and, like their male counterparts, suffered gross human rights violations, they seldom gave public testimony about their own experiences during the TRC hearings. However, as Fiona Ross explains, despite the fact that women tended not to foreground their own experiences of suffering, references to their personal suffering were there: “submerged, but structuring the form and cadence of their narratives, [as] women spoke of the effects on their own lives of the ruptured lives of others” (Ross 2003, 17). Also Bock, Mazwi, Metula, and Mpolweni describe how women who came to the TRC used the opportunity to express their suppressed feelings of pain. They verbalized the guilt they experienced when they were unable to protect and secure their family; they described the disruption of order and the diminished prospects that resulted from losing a husband or son who would have provided for them in their old age (Bock et al. 2006, 6). In Mrs. Mhlawuli's efforts to convey her suffering to the Commission we see the roles played by memory and emotional trauma. Differences between the original testimony delivered in Xhosa and the archived version in English reveal further the limitations that arise with errors in translation and cross-cultural understanding. I will use a newly translated version to look at the original testimony and compare that to the official archived version from the TRC website.

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— The Cradock Four

(3) See <http://www.polity.org.za/polity/govdocs/commissions/1998/trc/3chap2.htm> (accessed 17 February 2010; currently unavailable).

Archived Voices: Refiguring
(continuation)

PART OF MRS. MHLAWULI'S TESTIMONY

XHOSA TRANSCRIPTION (made from a cassette of the floor sound):

Mrs. Mhlawuli: Yes Mr. Matthew-Mr. Smith / I went through-ndazifunda iidocuments ezepestmortem / apha ekuzifundeni kwam / ndakhathazeka kakhulu / ngoba kaloku yona ichaza in detail yonke into eyenzekayo / ndazifunda / ndafumanisa into yokuba lo mfo / wayenamanxeba amaninzi angumangaliso emzimbeni wakhe/ kwi upper abdomen waye na about 25 wounds/ iwounds ezazichaza into yokokuba different sizes of weapons were used / to stab him / okanye a group of people stabbed him / and the kwilower parts zakhe wayenezinye / but all together iwounds awayenazo zaziyi 43 / and enye into esiyiqondayo ukuba yenzeka kuye / bamgalela i-acid emehlweni akhe / bakugqiba bamqhawula isihlahla sakhe sasekunene / simngcwabe ngaphandle kwewrist yakhe yaseright / right arm or whatever / hand actually / asazi ukuba basithini isandla eso.

OFFICIAL ARCHIVED VERSION:

Mrs. Mhlawuli: I read the postmortem documents. Reading them I was really worried, because it has to explain in detail what happened. I read through and came to understand that he had many wounds, in the upper abdomen were five wounds, these wounds indicated that different weapons were used to stab him or a group of people stabbed him. Now in the lower part he also had wounds but the wounds in total were 43. One other thing that we understood, they poured acid on his face, after that they chopped off his right hand, just below the wrist, I don't know what they did with that hand.

(NEW) ENGLISH TRANSLATION:

Mrs. Mhlawuli: Yes, Mr. Matthew-Mr. Smith / I went through-I got the postmortem documents / as I was reading them / I got very hurt / because they stated everything in detail / I read them / and I found out that this man/ had many unbelievable wounds in his body / he had 25 wounds in his upper abdomen / wounds which showed that different sizes of weapons were used / to stab him / or a group of people stabbed him / and then in his lower parts of the body he had others / but all together he had 43 wounds / and another thing that we think happened to him is that / they poured acid in his eyes / and then they chopped off his right hand / we buried him without his right wrist-right arm or whatever / hand actually / we don't know what they did with the hand. (Mazwi 2006)

In the above excerpt Mrs. Mhlawuli recounts the experience of reading a detailed postmortem report about her husband's death. Although she did not physically experience the torture and the pain her husband went through, on the video clip it is clear from her tone and the pace at which she relates her narrative that the widow suffered intense emotional pain while reading the documents and suffers it again,

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now, as she recalls them. This episode is the most difficult point in her testimony, evinced by the fact that she breaks down and cries after recounting it.

What is interesting is how sharp her memory is – enabling her to relate an episode that took place almost ten years ago as if it had happened yesterday. The precision of her details – the position of the wounds, the number of wounds – proves that the whole incident is still fresh in her mind. This confirms Pumla Gobodo-Madikizela's explanation, in *Truth and Reconciliation in South Africa: 10 Years On*, that “the struggle with trauma is a struggle with memory. It is common for traumatized people to be confronted with [and overwhelmed by] the painful traumatic memories long after the traumatic event occurred.” (Gobodo-Madikizela 2006, 71)

However, the language of the translation and transcription reveal the power dynamics that mediate Mrs. Mhlawuli's attempt to describe the severity of her pain. She uses the expressive words “*ndakhathazeka kakhulu*” (I got very hurt / harangued / deeply hurt). But in the archived testimony, this is omitted, affirming the suspicion that Mrs. Mhlawuli is only there to talk about the death of her husband – her own pain is either not translated at all or translated in less emotional words: “worried” instead of “hurt”. As one can see from the above, the archived version performs a kind of “toning down”, a refiguring actually, when Mrs. Mhlawuli describes how she felt when she read her husband's postmortem report. She says she was “very hurt”. The interpreter interprets this as “very worried”. This dynamic continues into the next part of Mrs. Mhlawuli's testimony, when she tells of her husband's wounds and of the distressing fact that his right hand was missing. Two things are of note: firstly, that there is a transcription error (made by the person who typed out the testimony from the English audio sound), and secondly, that a vital piece of information has been omitted from the official archived version. On the day of the hearing, the interpreter (translating her words from Xhosa into English through simultaneous interpretations) correctly interpreted Mrs. Mhlawuli as saying that her husband had twenty-five wounds in the upper abdomen. However, the transcriber of the official version only typed the word “five” not “twenty-five”, which underplays the severity of the wounds and the brutality of the event. In addition, at the end of the extract, the interpreter misses an important detail, namely that Sicelo Mhlawuli was buried without his right hand. In many African cultures, it is

— Stills from the original video tape of the TRC hearings kept at the National Archives. From left to right: Mrs. Delato's daughter testifying before the TRC; Ms. Maliti testifying; Mrs. Delato's daughter and Mrs. Maliti crying while the former is being comforted by a TRC debriefer.

believed that if you bury someone without a body part, he or she will not rest in peace until the part is returned, and there could be serious consequences for the homestead. So for a Xhosa person, the detail that he was buried without his right hand is a serious and culturally significant detail.

Mrs. Mhlawuli’s own acts of omission and misnaming also come to bear on the portion of her testimony that concerns her husband’s lost hand. In the Xhosa version, her sentence “*simngcwabe ngaphandle kwewrist yakhe yase right / right arm or whatever / hand actually*” (we buried him without his right wrist – right arm or whatever hand actually) is incoherent and illustrates how impossible she finds talking about it. All the detail is sharp until she reaches the point of the hand. This sentence also demonstrates how Mrs. Mhlawuli subconsciously keeps thinking about the part(s) that is (are) NOT severed and still part of her husband’s body (wrist, arm) and battles to find the correct word “hand” – the part that was severed. Note also that she moves at that moment from the comfort of her mother tongue Xhosa into English as if she is not able to accommodate the deed, the hand, in her own language. The hand had not yet come to rest in her mother tongue. Once again, these indications of emotional distress are lost in the archived version. The final phrase of this episode indicates that she is preoccupied with endless questions in search of the missing hand of her husband as the statement suggests: “[...] *asazi ukuba basithini isandla eso*” (we don’t know what they did with the hand). Apart from trying to avoid saying the word “hand”, another crucial aspect is reflected: the notion of unfinished business. In one sense, Mr. Mhlawuli has joined the ancestral family; in another sense, his life seems to be lingering with those who are still alive. For Mrs. Mhlawuli this scenario seems to be some kind of an ongoing torture and pain because her husband is dead but alive. There is a parallel at work here: Mrs. Mhlawuli’s memory is about the past, while at the same time she is still vividly trapped within this memory in the present; Mr. Mhlawuli has joined the past (ancestors), and yet his missing hand traps him also in the present. In contrast to this, the missing hand has no past yet, it may still be in the bottle somewhere. In other words, the process of healing is deferred. She cannot heal because her husband is not safely in the realm of the ancestors. One of the anxieties of Mrs. Mhlawuli is the specific location of the hand: where is it now? where does it find itself at that moment of her testimony? Thinking about the different (humiliating) circumstances in which the hand once found itself (in a jar, in a jar on a desk, in a jar in a torture room, presented as a pickled hand, a baboon’s hand, a Communist’s hand) cannot ease her mind.

The missing hand should also be read against the larger background of the crisis of missing body parts in the Eastern Cape. During the colonial period, the head (according to his descendents) or ears and genitals (according to some written records) of the Xhosa King Hintsa (b. 1789-d. 1835) were lopped off by British soldiers and taken back to England. A Xhosa sangoma or healer-diviner made world news in 1996 when he set off to Scotland to retrieve the skull of King Hintsa so that an era of peace would be ushered into the new South Africa. He said that the soul of Hintsa

“was blowing all over the world with no place to settle” (Lalu 2009, 1). Thus, Mrs. Mhlawuli tries to tell the commission that she feels affected by the restlessness of her husband’s incomplete buried body.

One should also not ignore the cultural perception based on the *ubuntu* world view that all people are interconnected: the living, the living-dead, and the still to be born. If Mrs. Mhlawuli experiences herself through *ubuntu* as being interconnected with her husband as a human being as well as part of a husband and wife couple, then one could say that she experiences the severed hand as her own hand. She is also suffering the humiliation, torture, burning, and the amputation of the hand. Through him she is also maimed. Finding and restoring the hand to its rightful place would also be a kind of refiguring that would bring an end to the instability of both herself and her husband.

THE ARCHIVED TESTIMONY ABOUT THE DEATH OF MRS. DELATO

On 10 October 1985, Nombulelo Delato, an ANC activist, was burnt to death not by pro-apartheid operatives, but by her own ANC comrades in Colesberg, a small rural town in the Karoo. The incident was an example of the conflict among comrades within the ANC movement itself. During the TRC’s second week of hearings into human rights violations, on 24 April 1996, Mrs. Delato’s daughter, Busiswe Kewana, and Mrs. Delato’s cousin, Thomzama Maliti, came to testify. The testimonies of these two women, like all the others, are archived in English on the internet. There is no clarification on the web to indicate which of these testimonies had been translated into English and which were originally delivered in English. Hamilton, Reid, and Harris correctly underline the importance of being aware of the particular processes by which a final record was produced and shaped before its entry into the archive (Hamilton et al. 2002, 9). For any close reading of these testimonies it is crucial to know whether, when and at what stage the text had been “interfered” with. Interpretation (translating) and transcription (typing oral testimony) leave their marks as Mpolweni discusses above. The testimony of Kewana, however, introduces yet another problem of how meaning gets lost, altered, and refigured during the archival process – the problem of what can be heard. The testimony raises this problem in the most literal sense in that it opens with questions about the working condition of the microphone to facilitate translation:

ADV. POTGIETER (on behalf of the commission): Thank you for coming and thank you for being patient. Your – your evidence – your evidence – can you hear me?
MS. KEWANA: No.
ADV. POTGIETER: Okay, can you hear me now?
MS. KEWANA: No.
ADV. POTGIETER: Or perhaps the translation.
MS. KEWANA: Ja I hear you now.⁴

(4) See the transcript from the hearing, <http://www.justice.gov.za/trc/hrvtrans/heide/ct00506.htm> (accessed 20 July 2016). Further references in the text are taken from this transcript.

The faulty microphone confused the testimony process, making participants inaudible to each other at several points of the proceeding. But the microphone was also emblematic of a deeper, psychological dynamic of needing and yet not being able to hear. Kewana was not in Colesberg when her mother was burnt and therefore did not *see* her mother’s death. She is living on what she has been told. The phrase seeing is believing was changed for her into: hearing is (should be) believing.

In his book *Memoirs of the Blind* Derrida says this:

One must always remember that the word, the vocable, is heard and understood, the sonorous phenomenon remaining invisible as such. Taking up time rather than space in us, it is addressed not only from the blind to the blind, like a code for the nonseeing, but speaks to us, in truth, all the time of the blindness that constitutes it. Language is spoken, it speaks to itself, which is to say, *from/of the blindness*. It always speaks to us *from/of the blindness* that constitutes it. (Derrida 1993, 4)

These words fit momentarily with what happens to the two women sitting in front of the commission. The daughter is “blind” – she has not seen her mother’s death. The aunt is trying to tell what she has seen but has, in the moment of telling, become as blind as the daughter who cannot see (“addressed [...] from the blind to the blind”). The promptings of the commission, then, create the conditions for both of them (and us) to see finally some marks on a paper.

The aunt, Ms. Maliti, saw the burning of her cousin ten years before. The TRC provided an official forum from which her seeing could become audible, and the audible to become archived as we build the archives of a “new South Africa”. Kewana, the daughter, makes it clear that she had already heard formulations of her mother’s death, but that she has problems accepting/hearing them. “Hearing” is a *leitmotiv* right through the two testimonies, and there are moments where the process of telling cannot begin or continue because people are not hearing one another.

ADV. POTGIETER: You – I assume you knew the deceased well.

MR. [sic] MALITI: No I can’t hear well no.

A more intentional form of hearing is “listening”. One listens because one wants to understand. Testimonies are not monologues taking place in solitude. The word testimony already implies a listener. A witness is always talking to somebody:

The victim is silent, because there is nobody to listen.

The victim speaks, because there is somebody to listen.

In their work on testimony, Shosana Felman and Dori Laub observe that the task of testimony is to impart firsthand knowledge of “a historical passage through death” and the way in which “life will forever be inhabited by that passage and by

that death” (Felman & Laub 1992, 111). So, we do not listen to a victim/survivor necessarily to get factual truth but to hear a personal truth as seen through those particular eyes and told by that particular tongue. Felman and Laub emphasize though that there is a dialectic between what the survivor did not know and what she knows now, what she knew and what she’s telling (62).

This dialectic between past and present knowledge shapes the testimony given by Mss. Kewana and Maliti. Between them, the two women should have had a lot of details. They probably knew about the death through eyewitness family members; they knew the comrades who killed her, and who refused to allow the family to bury the victim in the town where she lived; and they should have been aware of a subsequent court case in which one person received the death sentence for murdering Mrs. Delato. In front of the TRC, they choose to refigure this knowledge. The daughter, Ms. Kewana, foregrounds the fact that she didn’t see the burning and therefore has problems accepting it. Ms. Maliti foregrounds her questioning of the reasons given by the ANC comrades for burning Mrs. Delato. Both of them avoid the detail of the death itself, keeping busy with the reasons. When Ms. Maliti finally talks about the burning of Mrs. Delato with “firsthand knowledge”, Ms. Kewana, being now both victim and listener, begins to cry with such shock and horror as if she is truly “hearing” the detail for the first time. The following day two journalists, John Yeld and Joseph Aranes, reported for *The Argus* that it was “the first time that the daughter, Busisiwe [sic] Kewana, learnt the exact details of how and why her mother [...] had been severely burnt in the Colesberg ‘location’” (Brent 2000, 114). The daughter may not be hearing it for the first time, but she may be understanding the details of her mother’s death for the first time. During the hearing, she had to turn her ears inward, had to become deaf (Derrida’s “*from/of blindness*”) in order to hear.

The request to Busiswe Kewana to tell her side of the story provides the conditions for the most haunting characteristic of the testimony to manifest: trying to, yet refraining from describing Mrs. Delato’s killing. TRC deputy-chair, Alex Boraine, invites Kewana to relate her story, which was, as Brent Harris already noticed, so “perforated with lacunae” (Brent 2000, 115) that, despite several attempts by the TRC, Ms. Kewana was unable to fill in the gaps adequately. The commissioners were aware of these gaps because she, like most other witnesses, had submitted a narrative to the TRC’s statement takers some months before the actual hearing. Felman and Laub have found that the survivor often profoundly fears the memory of the event and shrinks away from it. The survivor often prefers silence because, even when silence is defeat, it is also a sanctuary, a home (Felman & Laub 1992, 64). Many terrible deaths had been described to the TRC, but the speakers were often sustained by a particular structure: this was my son; this is what he meant to me; this is how I noticed things were wrong; this is how I heard; this is where I am now. Nowhere in these two testimonies does one find any structure to carry the death of Mrs. Delato. In her daughter’s testimony her death becomes a code for something indescribable. She, Ms. Kewana, has already “heard” through different channels: “my mother was burnt while she was pregnant”, yet she is “not satisfied [...] the

Archived Voices: Refiguring
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reason why I am here, I want the Commission to help me – to help me try and find out why they killed my mother”.

The political reasons for killing somebody by means of using petrol or other chemicals and then setting them alight had been circulating for more than a decade in the townships. (Note that the TRC makes a difference in its final report between necklacing and death by burning: a burning becomes a necklacing when there is a tire around the body of the victim.) In an interview with the ANC’s newsletter *Sechaba* in December 1986, the Commander of the military wing of the ANC, Chris Hani, said:

So the necklace was a weapon devised by the oppressed themselves to remove this cancer from our society, the cancer of collaboration of the puppets. We have our own revolutionary methods of dealing with collaborators, the methods of the ANC. But I refuse to condemn our people when they mete out their own traditional forms of justice to those who collaborate.⁵

Earlier during that same year, a few months after the incident in Colesberg, Winnie Mandela said, “[...] with our boxes of matches and our necklaces, we shall liberate this country” (Wren 1989).

Ms. Kewana carefully structures her testimony so that it does not reveal any firsthand knowledge. It seems as if she wants to keep a space open in which she still can be told that her mother is alive. She does not say that her mother is dead, she says: “my mother was burnt”. Her nondescriptive testimony moves around the edges of an unformulated, not-heard, and not-understood death. Her words drift like debris around the black hole of her mother’s death waiting for something to be put in that space, asking for the terrible death to be described and explained to her so that she could not only hear, but accept it as knowledge. On the one hand, the hole or gap in Ms. Kewana’s testimony is partly that caused by the kind of power relations that Ann Laura Stoler warns about: archives are sites of contested knowledge in which the marginalized voices are silenced (Stoler 2002, 83). Ms. Kewana definitely is holding out this space, protecting its emptiness in order to prevent others (like the comrades, the police, the courts) from excising or filling it as they had done previously. On the other hand, the testimony is much more than that. The daughter is on the brink of terror – if the gap is filled, her mother is dead in the cruelest way possible.

The way the TRC helps is to assist the aunt to narrate the event in order that Ms. Kewana can “hear”. But the unsayability of the black hole affects everybody involved in this moment of truth telling. They all know that the case before them contains graphic detail, and a careful analysis reveals that every one of them, from victims to commissioners to translators to transcribers, struggles to postpone the moment of entering the vortex of that story.

Initially, advocate Potgieter refrains from requesting any further detail from the daughter. In the second testimony, he asks the aunt, and the many mistakes in

translating and transcribing her response stand as a gripping record of a collective struggle for meaning:

ADV. POTGIETER: Can you tell us what you saw what happened.

MR. [sic] MALITI: He was on his way to work, to [sic] young men – young men approached at him. Now they were five, when they saw him, they chased him. He went to hide in another house, and now they took him out of that house.

They took him – they took his overall; and they poured him with petrol bomb. One of them held his feet and then they started igniting her – his – her feet. They were beating him up – her up.

[Suddenly the transcription jumps to the interpreter sitting in the translation booth.]

INTERPRETER: I am sorry I can’t hear the microphone is off. They beat her up and they put a tire on him – on her. There was nobody who could stop this, the police were looking for – for her but they were lost and they couldn’t find her. She tried to go to them, when she got there, the people who tried to hurt her and [indistinct] they couldn’t because she didn’t have a voice, the police took her to Bloemfontein. In Bloemfontein she stayed for three days, she started to mention everybody who did this to her. Then after that, she died. They didn’t allow her to be buried in Colesberg, because they said she was an informer. After – they said if she was buried there, they were going to burn the church. Then she ended up being buried in Pilonome Hospital, that’s where I will stop for a moment.

These few paragraphs expose, like few others, the untenable tensions and barriers to comprehension – technical, cultural, and psychological – that are often present in testimonies before the TRC. But it is only by watching the video of the testimonies that one fully grasps how the traumatic content and emotional delivery has put everybody under unbearable strain.

It is during the testimony quoted above that the daughter sitting next to Ms. Maliti utters a wail and falls to the side into the lap of the briefer. The following day *The Argus* reports that Ms. Maliti’s testimony was “punctuated” by Busiswe Kewana’s “grief-stricken cries” as she learnt of the death of her mother (Brent 2000, 115). And indeed everything is rupturing: the daughter collapses, the witness cries, the interpreter cannot hear, the microphone gets shifted, and many months later the transcriber typing the testimony from a tape cannot indicate when the personal words of the interpreter stops and the testimony takes over. Ms. Maliti resumes speaking with the phrase, “they beat her up”, but the print transcript makes it appear as if both last paragraphs are said by the interpreter. To my knowledge, this is one of the two testimonies in which the veil of the interpreter is pierced by the transcription of his or her direct words. What is more, it becomes a surreal moment when the interpreter also joins the ranks of those not able to hear.

INTERPRETER: I am sorry I can’t hear the microphone is off.

(5) “Further Submissions and Responses by the ANC to Questions Raised by the Commission for Truth and Reconciliation”, <http://www.anc.org.za/ancdocs/misc/trc2.html> (accessed 18 May 2010; currently unavailable).

To listen to testimony is hard. People devise ways of protecting themselves and not-hearing. Obsessive searches for facts or numbness are all “normal” forms of self-protection, say Felman and Laub (1992, 72-73). During the testimony Ms. Maliti as well as the advocate, the daughter, the interpreter and later the transcriber display signs of not hearing, of growing numb to the graphic detail of Mrs. Delato’s death. For example: the paragraphs suddenly swarm with gender confusion. In addition to the transcriber turning Ms. Maliti into Mr. Maliti, the interpreter alternates between he and she in the translation of the actual testimony. These slippages are partly due to the fact that there is no clear distinction in Xhosa between he and she. He is “u” and she is also “u”:

Mr. Maliti eats his food: *Umnumzana Maliti* utya ukutya kwakhe.
Ms. Maliti eats her food: *Unkosikazi Maliti* utya ukutya kwakhe.

So it is up to the translator to pick the right English gender for “u”. However, more is in play here. For the interpreter does not merely make the wrong choice but battles to make any choice at all, and the horror shifts its gender focus between her/his/her. The interpreter does not experience any confusion in the rest of the testimony, and from the video I recognize the voice of the TRC’s top Xhosa interpreter, so the failure here is not due to incompetence. This confusion was continued by the transcriber of the testimony who began to type Mr. Maliti (instead of Ms.) halfway through. My suggestion is that the emotional content was of such a nature that the interpreter had to shut down some faculties in an effort at self-protection.

STEPPING INTO THE VORTEX

One could be forgiven for thinking that the hardest part was over, but Ms. Maliti, the listening daughter, commission, and audience have only just begun to approach the unsayable. Advocate Potgieter, who becomes increasingly numb as the testimony continues, withdraws after the setting alight phase. In a near-obsessional search for facts, advocate Ntsebeza takes over. According to Laub and Felman a victim does not simply speak, the listener has to make the right kind of move – indicate a “password” that sets the witnessing in motion: this password recognizes the “black hole” of silence that “swallowed up the past [...] the past before death, before destruction”, and it is at “the place of the greatest density of silence – the place of concentration where death [takes] place” (1992, 64). Ntsebeza gives the right password. Sentence by sentence, he goes through the “reasons” of the burning, but as it becomes clear that nothing ever adequately “explains” such a killing, something else happens. Mentally holding on to each other, the witness and the listener, with immense effort and courage, move as close as humanly possible to that “past before death, before destruction” that is densest “where death takes place”.

What happened after Nombulelo Delato was set alight?

In sparse sentences, no adjectives, no adverbs, no composite sentences, a word here, a phrase there, interspersed with misunderstandings, faulty transcriptions, confusion between the voices of advocate and victim, break-ups in language, interventions, a rare and moving attempt is made to put words into the silence of that death.

MR. [sic] MALITI: The police arrived when she was burnt already.
ADV. NTSEBEZA: What do you mean now by that?
MR. MALITI: When the police came in, they could – they were trying to find out where she was, but they could hear her crying. They saw her in the Main Road, she was already alight.
ADV. NTSEBEZA: Did she run after she was burnt?
MR. MALITI: No she couldn’t run, she was just walking slowly, her clothes were burning. She went to the direction where the police were.
ADV. NTSEBEZA: Was she walking around while she was naked?
MR. MALITI: Yes.
ADV. NTSEBEZA: Were the people afraid to help her?
MR. MALITI: No-one was allowed by the comrades to help her, so she went alone to the van.

For a few moments the swirling rubble of language somehow gravitates to form substance. A glimpse is being drawn in the darkness, an image rescued of a burning, pregnant woman, walking and crying alone along a road in great pain, terror and abandonment, surrounded by her stunned community and by men, those who killed and those who organized her killing, calmly watching her living out the last part of her violently demolished life.

Although it is merely a mentioning right at the end of the testimony, Commissioner Mary Burton receives confirmation from Ms. Maliti of the suspicion of the family that the police had instigated this death by burning. The devastation, however, affected not only the testifying daughter with her silent grandmother on the stage, but also the husband who couldn’t save his pregnant wife.

ADV. NTSEBEZA: Do you know the husband to the deceased?
MR. [sic] MALITI: Yes I know his name is Doti. That day – he doesn’t know anything because he ran. He ran to Crossroads, and even today he is not well since then.
ADV. NTSEBEZA: Just to clear something up, are you trying to say he was never well again mentally?
MR. MALITI: Yes that’s what I am saying.

CONCLUSION

Refiguring is happening on a variety of levels in all three of the testimonies we have explored. In each case, the nearest family of the deceased destabilizes the official version previously established by the apartheid courts and inquests. To reinterpret Stoler: the apartheid archives ordered the criteria of evidence, proof, testimony,

Archived Voices: Refiguring
(continuation)

and witnessing in the court cases. Through its factual stories the apartheid state affirmed the fictions undergirding its authority, now destabilized by the testimonies of these three women. They also pitch female voices and female perspectives against the dominating narratives of men, grief against the “facts” of the inquiries, honesty against the fabrication of the powerful.

Through their testimony, the victims/survivors are also *refiguring the archives* of their own memories in a way that enables their own personal needs for facts or for peace and healing to be addressed by the TRC. Mrs. Mhlawuli is desperately looking for, what Brent Harris calls, “the moment of ending instability”⁶. Not in terms of an imposition of false closure that strategically confirms new hegemonies, but a different kind of instability-ending: not by silencing anybody, but by bringing personal peace through making whole the body of her husband. She wants the commission to find out *about* the hand, *find* the hand. She wants it buried with the body. In a sense, she wants the hand archived by the commission, made secure, so that she can know where it is, can know that her husband is at peace in his grave so that her epistemological instability can end. The moment the hand is found and buried, it will become fixed – in other words she can begin to “forget” the hand and start the process of healing.

The daughter and her aunt not only refigure the “reasons” for the killing of their mother and cousin, but they resurrect the dead woman in the safe and official space of the new political dispensation. Although they know their truth is finally heard and will be archived, its rendering in many ways is nothing but a ruin, to use Derrida’s term, nothing more than a prompting to recall what was never truly there or possible to describe because even the TRC hearing failed to recapture a presence “outside of the abyss” into which the killing had sunk. And yet, we want to argue that by describing the last moments of Nombulelo Delato, they make her more than a mere statistic, an empty hole or simply a ruin, but a sliver of a female figure pitched against the real terror of the darkneses surrounding her. The testimony about Mrs. Delato becomes unforgettable for its searing attempt, on the one hand, to prevent the unsayable of being said, while on the other trying to call forth those very unsayable words, to step into the silences that are destroying the lives of those trying to survive that death.

In all three testimonies we showed examples of incorrect translation and transcription. We want to suggest that this should be read as a further form of refiguring: sometimes the choices are conscious, sometimes they are mere mistakes, but most often, as we have pointed out, it was the result of the trauma of listening that affected both the translation and often the transcription process as well.

In his interview for *Refiguring the Archive*, Derrida is asked about how his idea of the “death drive” manifests in the TRC archives. He answers as follows:

I think the death drive is at work at least in two ways. One is the drive to destroy the very memory, the very trace and the very testimony, of the violence, of the murder. The perpetrator tries not only to kill, but to erase the memory of the killing, that is, to do, to

(6) Brent Harris writes, “Yet as sources of evidence the archive also represents the moment of ending instability, of creating stasis and the fixing of meaning and knowledge.”

act in such a way that no archive is left. [...] Now, another part of this effect appears on the opposite side. That is, when in order to oppose the destruction, you want to keep safe, to accumulate, the archive, as such, not simply living memory – because we don’t trust the living memory, you trust the archive. [...] [T]here is a perverse, a perverse, desire for forgetting in the archive itself. The death drive is not simply at work in killing, in producing death, but in trying to save, in a certain way the memory [produces] forgetting by remembering. (Harris 2002a, 66-68)

The traces and ruins left by these three testimonies point to the presence at least of an archived absence that probably will do what archives do: dying as truths. But by remembering, shaping, and refiguring their memories through and with language, Nombuyiselo Mhlawuli, Busiswe Kewana, and Thomzama Maliti have tried to tell the darkneses that continue to engulf them – their tongues, in agony and supplication often could not continue, nothing but contours became visible. So they (we) have found, in Derrida’s words, that “deep down, deep down inside”, their (our) eyes are “destined not to see but to weep” (Derrida 1993, 126-127). ■

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Archived Voices: Refiguring
(continuation)

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