Representing apartheid trauma: the archive of the TRC victim hearings

ANNELIES VERDOOLAEGE

Ghent University

Preface

In this chapter I will discuss the victim hearings that were presented before the South African Truth and Reconciliation Commission (TRC). This Commission was established in 1995, in an attempt to deal with the apartheid past, and the victim hearings provided a forum for the apartheid victims to come forward and to tell the world about what they had experienced under apartheid. After an introductory paragraph on the TRC victim hearings, the concept of the 'archive' will be discussed, whereby the term archive will be interpreted in both a material and a Foucaultian way. In fact, the traumatic narratives presented before the TRC victim committee were one way in which the atrocities committed under apartheid were represented, and these testimonies formed the first layer of the material TRC archive. This material TRC archive, which consists of various layers, will be analyzed and I will conclude that this archive will never be entirely closed, as the material will always be open to new – artistic, academic, scientific – interpretations. In the next paragraph the Foucaultian archive of the TRC victim hearings will be explored, meaning the law of what can or cannot be said in a given situation. The impact of both the material and the Foucaultian archive will be discussed in the final part of this chapter, presenting some understanding of the way in which the TRC has contributed to relative peace and stability in post-apartheid South Africa. Essentially, I will try to show that the TRC archive is the key representational institution for the injustice, violence and conflict experienced in the apartheid era. I will argue that at the actual victim hearings certain expressions tended to be preferred, which gave rise to a specific kind of

1

reconciliation discourse. This discourse formed the foundation of the way in which the apartheid trauma was represented. On the basis of this discourse, the material archive took shape, the concrete artefacts that composed the collective and officialised memory of the apartheid past. It is these discursive, as well as concrete representations of apartheid that exerted a fundamental impact on post-apartheid South Africa, which signals the significance of the TRC as a mechanism for restorative justice.

The TRC victim hearings – an introduction

Apartheid can be seen as a long-lasting traumatic event that has characterized the lives of many South Africans living today. The apartheid regime officially came to an end with the first democratic elections, on the 27th of April 1994, but already quite a few years before this historic date South African society at large had been wondering how to deal with the peaceful coexistence of its population groups. Apartheid had been highly devastating to the lives of a great many South Africans, so it was clear that atrocities committed under apartheid had to be addressed, in one way or another. Attempting to unify South Africa - and even starting the process of reconciling South Africans - became a task assigned to the Truth and Reconciliation Commission (TRC). In this way, the TRC became one of the most significant phenomena in South African history.

The South African Truth and Reconciliation Commission was called into existence in July 1995. The Preamble of the Promotion of National Unity and Reconciliation Act No. 34 of 1995 (the TRC Act) stated that the objectives of the TRC were, amongst others, to promote national unity and reconciliation by establishing as complete a picture as possible of the gross violations of human rights which were committed under apartheid; by facilitating the granting of amnesty to apartheid perpetrators under certain conditions; and by providing recommendations to prevent future violations of human rights (TRC Report, 1998, p.54). In

order to achieve these ambitious tasks, three committees were put into place: the Committee on Human Rights Violations (HRVC), the Amnesty Committee and the Committee on Reparation and Rehabilitation. The Committee on Human Rights Violations held public hearings where people could testify about past abuses; the Amnesty Committee considered applications for amnesty; and the Committee on Reparation and Rehabilitation recommended policies to the government regarding reparations for the victims of apartheid. The TRC officially came to an end on the 28th of March 2002 and the Final Report was handed over to President Mbeki on the 21st of March 2003 (Borer, 2006, p.1).

The HRVC – which is the focus of this chapter – was in charge of collecting written victim statements and of organising the Human Rights Violations hearings. At these hearings the victims of apartheid atrocities were given an opportunity to tell the world about their experiences, surrounded by a supportive audience of relatives, friends and TRC commissioners. The HRVC gathered close to 22,000 statements, covering 37,000 violations; this is more than any other previous truth commission had achieved (Graybill, 2002, p. 8). These statements were recorded by trained statement takers who conducted interviews with victims of apartheid all over the country. Between April 1996 and June 1997 a little under 2000 of these victims told their stories before the HRV Committee. Over these 15 months 83 hearings took place in public places such as town halls, schools, churches and civic centres (TRC Report, 1998, p. 278).

The emphasis of the HRV hearings was on "the validation of the individual subjective experiences of people who had previously been silenced or voiceless" (TRC Report, 1998, p. 111). Supporters of the TRC claimed that to tell their stories of suffering and misery was a healing and cathartic experience for most of the victims. For the first time in South African history, victims – mostly black victims – were given a voice, an opportunity to express their feelings and to recount their sufferings. Many of them had never talked about these terrible

moments, either because they were not allowed to, or because they did not have the courage. For the first time now, a supportive and sympathetic audience was actually paying attention to what they had to say (Graybill, 2002, p. 81). The mere fact that victims were allowed to talk about the past meant a lot to them; it showed that their experiences were officially acknowledged and this made them feel respected as human beings (see the victim analyses conducted by the Centre for the Study of Violence and Reconciliation in Johannesburg, as reported in Picker, 2003, p. 20).

The apartheid survivors who appeared before the HRVC all told gruesome stories about murder, torture, abduction, rape and arson, turning these testimonies into highly emotional narratives. These traumatic narratives formed the starting point of an entire TRC archive, on the basis of which the apartheid trauma was represented, remembered and dealt with.

Conceptual background of the 'Archive'

The establishment of the Truth and Reconciliation Commission, its proceedings and its final results, were seen as an attempt to reconstitute South Africa's apartheid past. The apartheid experience was to be reconstructed and then recorded and treasured to serve as a reminder of the past for future generations. Thousands of testimonies were gathered, many of them were distributed in public, a Final Report summarised the Commission's findings and many books, articles and dissertations reflected on the proceedings and the outcome of the Commission. In this way, the TRC can be considered as an archive; more particularly, it was a public archive (Derrida, 2002, p. 49). The archive is a dual concept, which refers not only to the past, by means of repetition and remembrance, but also to the future. Derrida (1996, p. 68) therefore calls the archive "the affirmation of the future to come". Although archiving is traditionally understood as an act of remembering, at a profound level it is also an act of forgetting

(Derrida, 2002; Verne Harris, 2002). The archive determines what can be forgotten or destroyed, so we can claim that destruction – Derrida (1996, p. 94) even calls it *archival violence* – is an inherent element of the process of archiving.

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

The TRC archive has been extremely important in South Africa's transition process, since it was crucial in the construction of a collective South African memory. The TRC produced not only a new history of the new South Africa but also the archive upon which that past was constructed (Brent Harris, 2000, p. 130). The TRC presented itself as an institutionalized representative of the nation – and therefore it had the right to interpret the past. It was hoped that this interpretation of the past would herald a new, non-racial and united nation. It is quite likely that the elements of the past that were excluded from this archive – parts of the past that were not consigned to the past by the TRC – would only in a very limited way be (re)read, (re)visited or (re)interpreted in the future. Being part of the TRC archive was therefore directly linked to the significance attributed to a certain event, document or person in post-TRC South Africa.

This chapter will first talk about the material TRC archive by which the term archive, in accordance with the Oxford Dictionary, will be defined as a "collection of historical

documents or records of a government, town, etc." or a "place where such records are kept" (Oxford Advanced Learner's Dictionary, 2005, p. 67). Our understanding of the ways in which the TRC recorded and preserved its physical data will then serve as a point of departure for the analysis of the 'Foucaultian TRC Archive'. Foucault's (2002) view is that an archive is not simply an institution, but rather "the law of what can be said", the system of statements, or rules of practice, that give shape to what can and cannot be expressed. In this way, as we will see at the end of the chapter, archives are often both documents of exclusion and "avenues to particular configurations of power" (Hamilton, 2002, p. 9).

The material TRC archive

The physical TRC archive consists of different kinds of material. The construction of this archive already started before the inception of the Commission. Numerous articles were written in anticipation of the TRC (see for example Simpson, 1993; Miller, 1995; Minnaar, 1995; Newham, 1995), and there were some official publications on the coming into existence of the Commission as well.

The main part of the TRC archive, however, took shape after the TRC Act had been accepted by parliament in July 1995. The first component of the archive to consider should be the TRC's Report. This Report was issued in two separate parts: there is the Interim Report (finished in 1998) and then the Final Report (finished in 2003). The compilation of this Report was mentioned as one of the Commission's objectives in the TRC Act: "the objectives of the Commission shall be to promote national unity […] by compiling a report providing as comprehensive an account as possible of the activities and findings of the Commission […], and which contains recommendations of measures to prevent the future violations of human rights" (TRC Act, chapter 2, article 3, 1(d)). This indicates that this Report was meant to be an officialised reflection on the TRC process, as well as an authoritative archive of the apartheid

past. Therefore, the TRC Report can be considered as one of the main pillars of the material TRC archive.

In addition to the TRC Report, another important element of the TRC archive is the Official TRC Website (http://www.justice.gov.za/trc/). By making use of the World Wide Web the TRC attempted to increase the accessibility of its archive – a clear indication that transparency and accountability were cherished values in the TRC ideology. This website gives an extensive overview of the Commission and it contains many extremely valuable documents, which cannot easily be consulted in any other way. Amongst others, the site provides the transcriptions and decisions of each and every Amnesty hearing, the submissions before the TRC of the political parties, the transcriptions of all of the Human Rights Violations hearings, the policy documents and workshop transcripts of the Reparation and Rehabilitation Committee, and the entire PDF version of the seven volumes of the TRC Final Report.

Besides the TRC Report and the Official TRC Website, the material TRC archive also consists of a wealth of primary data that was collected during the life span of the Commission. These records include the written statements taken from the 21,290 victims, the transcripts of the workshops and in camera hearings held by the TRC, and reflections on the research carried out by the Investigation Unit. All of these above-mentioned primary documents are in TRC custody and they have been transmitted to the National Archives and Records Service of South Africa.

There is yet another important part of the TRC archive to be considered, namely the original audio-visual data. All of the TRC public hearings were recorded by the radio and TV services of the South African Broadcasting Corporation (SABC). Many hours of live recordings were transmitted over the radio and television, and a lot of South Africans got in touch with the Commission predominantly through these radio and TV broadcasts. Sound and

video recordings of public hearings are accessible at the National Archive in Pretoria or the SABC in Johannesburg. Unfortunately, inadequate professional processing (such as detailed description, indexing and cross-referencing) limits their usefulness (Harris, 2002).

In addition to these primary sources, a large – if not the largest – part of the material TRC archive consists of secondary material. The number of articles, books, dissertations and scholarly papers produced on the South African TRC is basically immeasurable. Especially at the time of the actual TRC proceedings (mainly between April 1996 and October 1998), national – and to a lesser extent also international – newspapers devoted a lot of attention to the Commission. Certain newspapers had journalists working full-time on the TRC and the Commission appeared in many of the national newspapers on a daily basis. Giving an overview of all of the popular articles on the TRC that appeared in magazines and newspapers is an almost impossible task. Also the number of scholarly publications has increased continuously over the last couple of years. In academic circles all over the world the TRC has been reflected upon from every possible perspective, be it judicial, psychological, religious, linguistic or political – to mention but a few. In the initial phase of the TRC these publications were merely descriptive; later on they turned out to be rather evaluative. Evidence of continued academic interest in the TRC is also to be found in the number of conferences, workshops and seminars organised almost monthly. All over the world Ph.D. students are concentrating on the TRC, and there are even special courses or semester programmes devoted to it. All of this has resulted in a huge network of authors and researchers focussing on the TRC.

In addition to articles, books and academic research, there is also an increasing amount of audio-visual secondary material being produced. Throughout the lifetime of the TRC, special radio and television programmes were broadcast, especially by the South African Broadcasting Corporation. The most popular of these special programmes was probably the

television series 'Special Report'. This programme was broadcast every Sunday evening from the 21st of April 1996 till the 29th of March 1998, except for a few holiday breaks; altogether 87 Special Reports were transmitted (see the Video Tape Collection Project of Yale Law School, where episodes from the Special Reports can be watched: http://trc.law.yale.edu/index.htm). Also documentaries were made on the TRC, both inside South Africa and abroad. Three of the best known video documentaries are 'Facing the Truth' (1999), 'Long Night's Journey into Day' (1999) and 'Confronting the Truth' (2006).

Finally, one facet of the TRC archive that is not always taken into consideration is the artistic creations and material objects. Literature, theatre, dance and art all offer archival possibilities to release information about the past. A number of novels, plays and movies have the TRC as their main topic – for instance the plays 'Ubu and the Truth Commission' by Jane Taylor (1998) or 'Truth in Translation' by Michael Lessac (2007), the novels 'Red Dust' by Gillian Slovo (2001) or 'Playing in the Light' by Zoë Wycomb (2006), and the movie 'In My Country' (2004).

The testimonies given before the HRV committee can be seen as the first layer of a specific part of this archive: while being given, these testimonies were simultaneously interpreted, recorded and often broadcast live by the SABC. In a later stage they were transcribed and put on the Official TRC Website. Thereafter, novels and academic articles were written, research was conducted and artefacts were created on the basis of the transcriptions or the audio-visual recordings.

It should be clear that it will be impossible to ever close this material TRC archive. Although one part of the archive, consisting of the primary records, was closed to new material when the data collection was concluded, when the hearings were over and when the Final Report was published, the largest part of the archive will never be closed. Everyone will be able to add something to this archive, to criticise it or to reinterpret it. This archive will be

open to an infinite number of readings, interpretations and contestations, so there will never be a final closure.

Notwithstanding the TRC ideals of transparency and openness, the accessibility of the material TRC archive has been the topic of a great deal of controversy. The TRC Report (1998, 5/8) recommended that "all Commission records be transferred to the National Archives" after the Final Report was made public and that all these records should "be accessible to the public, unless compelling reasons exist for denying such access". Also, the Promotion of Access to Information Act (2001) stipulated that the official TRC archive should be freely accessible to the South African public. However, already shortly after the closure of the TRC, it was claimed that most of the TRC records remained outside the public domain (Harris, 2002, p. 5). What this critic referred to was that, although the TRC archive was a public record in theory, in practice little information was available on what materials existed and where they could be found, which definitely limited accessibility. Similarly, over the past decade, the South African History Archive has repeatedly attempted to get access to the TRC records – requests for access that have always been refused (Pigou, 2009). This shows that the valuable information about the violation of human rights and the working of the apartheid security establishment under apartheid is still very sensitive information in present-day South Africa.

The Foucaultian TRC archive

Having considered the TRC as material archive, I will now explore the TRC archive as understood by the French philosopher Michel Foucault. In essence, archiving involves a complex network of inclusion, exclusion, forgetting, remembering, construction and reconstruction, all of which being determined by power relations. It is the exploration of power relations that lies at the basis of Foucault's understanding of the archive.

The concept of the archive takes a central place in Foucault's 'Archéologie du Savoir' (1969, 2002). According to Foucault, the historian's project consists of "*a pure description of discursive events* as the horizon for the search for the unities that form within it" (Foucault 2002, p. 27, italic in original). This *description of discursive events* can be easily distinguished from an analysis of language, since it involves far more than linguistic analysis:

> "The question posed by language analysis of some discursive fact or other is always: according to what rules has a particular statement been made, and consequently according to what rules could other similar statements be made? The description of the events of discourse poses a quite different question: how is it that one particular statement appeared rather than another?" (2002, p. 27).

It is all these systems of statements (whether events or things) that Foucault proposes to call *archive* (2002, p. 128). It is clear that for Foucault the archive does not refer to the material archive, as described with regard to the TRC in the previous paragraphs:

> "By this term I do not mean the sum of all the texts that a culture has kept upon its person as documents attesting to its past (…); nor do I mean the institutions, which, in a given society, make it possible to record and preserve those discourses that one wishes to remember and keep in circulation." (2002, p. 128-129).

Instead:

> "The archive is first the law of what can be said, the system that governs the appearance of statements as unique events. But the archive is also that which determines that all these things said do not accumulate endlessly in an amorphous mass (…). [I]t is that which, at the very root of the statement-event, and in that which embodies it, defines at the outset *the system of enunciability*. [I]t is that which defines

the mode of occurrence of the statement-thing; it is *the system of its functioning* (…).” (2002, p. 129, italics in original).

The archive can only be established by contextualising the statement: “we must grasp the statement in the exact specificity of its occurrence; determine its conditions of existence, fix at least its limits, establish correlations with other statements that may be connected with it, and show what other forms of statements it excludes” (Foucault, 2002, p. 30-31). Foucault (2002, p. 55-58) hints at three principal aspects of the archive that need to be investigated: the researcher must find out *who is speaking*, s/he must describe the *institutional sites* from which the discourse is produced and s/he should also take the *specific situation* into consideration. Based on the principle that everything is never said, researchers have to describe why certain statements are more exceptional than others, why they are bestowed with a greater value and therefore selected to be produced. When a researcher understands how the archive has been established and why one statement appears instead of another, he or she will get an insight into the regimes of power that are operating behind the use of a certain discourse.

An overview of the material TRC archive gives us insight into the ways in which the apartheid atrocities were represented and archived in a concrete way. However, understanding the Foucaultian archive – understanding which statements were allowed to be made and which rules of formation were applied in the context of the TRC victim hearings – forms the foundation of this material archive. Understanding why victims talked about certain aspects of their past experience, why TRC commissioners only asked particular questions and why certain expressions were prohibited and therefore excluded from the TRC archive lies at the basis of the constitution of the material archive.

Based on my research of the HRV hearings I concluded that we could indeed talk about certain rules of formation that were implemented at the HRV hearings. Some statements

were indeed preferred to other statements while apartheid victims were testifying. Through these rules of formation a specific discourse took shape at the HRV hearings, a discourse that I have labelled *reconciliation discourse*.

Reconciliation discourse at the HRV hearings

When a survivor stepped onto the stage in order to tell his or her story to the HRV Committee, it was stressed, time and again, that he or she was now allowed to talk about the traumatic experience in his or her own words. Victims could testify in the language they preferred and were to tell their stories to an understanding and respectful audience. They were allowed to testify in the languages of their choice, even if these languages fell outside of the eleven official languages of South Africa (TRC Report, 1998, 10/1, p. 282). It has, however, been mentioned by a few scholars that the victims' testimonies were not entirely free, but that they were sometimes framed into a wider, overarching meta-narrative: critics have mentioned the political narrative of *nation building* (Harper, 2000, p. 67; du Toit, 2002; Wilson, 1996), a 'new' nationalist narrative (Humphrey, 2000, p. 18), the legal-procedural, the mandarin-intellectual and the religious-redemptive narratives (Wilson, 2001, p. 104), the bureaucratic, positivist and technical discourses (Buur, 2000), or a combination of nationalist discourse, Christian discourse and discourse on African humanism (Praeg, 2000).

Based on a thorough reading of all of the Human Rights Violations testimonies, as available on the Official TRC Website (http://www.justice.gov.za/trc/) and a discursive analysis of 30 of them, my research concluded that at these HRV hearings a specific kind of reconciliation discourse was constructed. The central proposition of my research was that the South African Truth and Reconciliation Commission should be regarded as a mechanism to produce power through discourse. Importantly, as we will see later, the exertion of power should predominantly be regarded as a positive and highly productive aspect. Since I looked

at a socio-political phenomenon from a discursive perspective, I turned to conceptual frames available in the field of Critical Discourse Analysis (CDA). Some of the aims of CDA are to explore power relations among discourse participants and to reveal how – ideologically coloured – power can be expressed through language (see Fowler, 1996; Fairclough, 2001; Van Dijk, 2001).

By reading through all of the HRVC testimonies it became clear that specific discursive patterns could be distinguished. These discursive patterns were based on external rules, such as the structure of the testimonies (with one of the committee members who guided the victim through his/her testimony, after which questions were asked by some of the other commissioners) and the time frame the testifiers had to stick to, but some of these patterns were also constructed at the HRVC site itself. Let me give a few examples of these discursive patterns taking shape at the hearings themselves. First of all, one notices that at the hearings the concept of reconciliation itself tended to be strongly emphasised by the TRC commissioners. They sometimes urged the victims to speak out in favour of reconciliation – in particular having the testifiers *pronounce* terms such as 'reconciliation' or 'forgiveness' appeared to be of the utmost concern. In some instances, victims were explicitly asked whether they would be prepared to meet their perpetrators, whether they would be prepared to talk to the perpetrator, or, very straightforwardly, whether they would be willing to actually reconcile with the wrongdoer. An example of a victim who was openly asked to reconcile comes from Lizzy Phike. This lady testifies before the TRC because she was arrested by the South African police and while in detention, her son was shot dead. She is questioned by commissioner Xundu[1]:

---

[1] The fragments cited in this chapter are literally taken from the TRC website. Spelling mistakes and grammatical errors have not been corrected. The italics in the cited fragments are always my own.

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

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

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

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

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

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

Rev. Xundu starts by explicitly asking Ms. Phike whether she is prepared to reconcile. Her answer is not very straightforward, so he asks again whether she has a wish to establish reconciliation. Through a number of fairly leading questions the commissioner tries to get this testifier to actually pronounce the term reconciliation – Ms. Phike does not follow him however. Finally, she seems to be prepared to reconcile, but only if the enemies come forward to apologise. According to this testifies, reconciliation is conditional, and although Rev. Xundu insists on expressing reconciliation, Ms. Phike continues to divide society in two groups – reconciliation between those two groups ("we" and "they") does not seem to be

unproblematic. In this example we see how the lexical frame offered by the leading commissioner is not necessarily or automatically adopted by the victim. There could be attempts at resistance, often carefully dealt with by the commissioner. In these illustrations we get a clear sign of the intricate manner by which this HRV reconciliation discourse was constructed. While it is clear that the entire discourse was framed by the commissioners, it was not void of power exertion from the side of the testifiers either.

In addition, committee members frequently concluded testimonies by using reconciliation-oriented phrases. Testifiers were praised if they had displayed reconciling attitudes in the course of their testimonies or if they were prepared to forgive their perpetrators. If victims had been resentful, committee members sometimes attempted to temper these feelings. They kept emphasising that reconciliation was the only way to build a new South African society. This is clearly illustrated in the testimony of Kenneth Manana, a former APLA[2] member who was arrested and tortured by the South African Police. He openly expressed feelings of forgiveness in the course of his testimony and this is picked up by commissioner Mkhize in her final statement:

> MR MANANA: This was mentioned to show that in all that had happened I now realise that some of those things were mistakes and that those people who do something bad to me at the present moment that I think *I do have the heart to receive them and forgive them. Just to show before the Commission that I do have the heart to forgive.*
>
> (…)
>
> MS MKHIZE: We would like to thank you for having been able to come. *We also thank you for having started a new life. Also being ready to reconcile and forgive. As you have already*

---

[2] APLA was the Azanian's People Liberation Army, the military wing of the Pan-Africanist Congress.

said that you are a new man, you have repented. We pity you for having suffered under the hands of the police. We also believe that you work with us to add any information that we might need in your statement. Thank you very much.

This idea that at the HRVC hearings the Commission tried too much to push the victims to reconciliation has been a critique voiced by a number of scholars (Daly & Sarkin, 2007). According to Chapman (2008) this was not the appropriate role of the TRC – its task was to advance national, not individual reconciliation. Indeed, as certain people argue, reconciliation is such a personal feeling that it cannot be imposed by an official institution like the TRC (Hamber & Wilson, 1999; Stanley, 2001).

In addition to establishing reconciliation among apartheid victims, the commissioners also tried to enhance national solidarity at the HRVC hearings. What I have labelled *community spirit* can be seen as an aspect of national unity and national solidarity. Community spirit, as I understand it here, refers to showing consideration for other community members and wanting to live together peacefully at the level of the local community. Throughout the hearings this aspect of community spirit was frequently stressed – for instance by asking the victim whether he/she would like to work together with local community members to restore peace in the village or the township. At the TRC, this communal solidarity also tended to be extended to a national level: the willingness to build a community together was expanded to a willingness to build a nation together. This regularly happened by emphasising the need for national unity and by proclaiming equality of all victims in the opening and closing statements of the testimonies. The underlying message thus conveyed was often that all South Africans had suffered equally and they now all had to work together to build a united nation. One example is taken from the testimony of Mzothuli Maphumulo, who had three of his children killed by members of the ANC. In his opening statement, Mr. Dlamini evokes a few aspects of the master narrative of national unity:

> MR DLAMINI: Mr Maphumulo and Mrs Maphumulo, I welcome you. Mr Maphumulo, you are here because three of your children were killed and one person who was a tenant at your house. You are staying in a township. *Your case is one of the saddest cases we've heard, and people who are coming from townships and other settlements they know how you are feeling because some of them have experienced that.* When I am looking at this testimony I realise that organisations were used just because people wanted to. We understand that your wife also got injured in this attack.

In this statement, commissioner Dlamini refers to a level of local community spirit and to a level of national solidarity. By stressing how fellow-township dwellers might empathise with the story the testifier is about to tell, the commissioner refers to a possible feeling of togetherness among the inhabitants of these townships. In addition, by highlighting that other people might have experienced the same traumatic events, individual suffering is lifted to a nation-wide level. The message is that all South Africans have been victimised, they should all sympathise with each other and strive for a peaceful future.

Another example comes from the closing statements of Mrs. Nkabinde's testimony, which were clearly oriented towards national unity – both the final words of leading commissioner Dlamini and the actual closing statement of chairperson Lax. Mrs. Nkabinde was a supporter of the Inkatha Freedom Party (IFP) and she was attacked by members of the ANC. As is obvious from the words of commissioner Dlamini, Mrs. Nkabinde is one of the rare IFP victims who came forward to the TRC – the IFP officially boycotted the Commission. Her courage is praised, but her political affiliation turns her into an a-typical victim. Therefore, her testimony is used by two of the commissioners to stress that victims from different sides of the apartheid conflict suffered equally:

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

(…)

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

A few more characteristics of this HRVC discourse can be distinguished, such as the fact that emotional discourse - descriptions of torture experiences and elaborations on physical or medical conditions - tended to be valued, the fact that the commissioners took an objective stance vis à vis the South African political parties, the fact that testifiers were allowed to identify both as victim and as perpetrator, the fact that the audience played an important role in the way the discourse was framed, and the fact that attributing respect to the

victims was of the utmost importance. I cannot elaborate on all of these features here, but what I have tried to illustrate is that at the HRVC hearings the testifiers' linguistic space was somewhat confined. In fact, this discourse took shape mainly on the basis of the stimulating input of the HRVC committee members. It was these commissioners who guided the testimony and who dominated the interaction with the testifiers.

The reason for this discursive framing by the HRVC committee members has sometimes been attributed to the TRC's political agenda – the political constellation needed a stable and reconciled nation, without overt expressions of revenge or hatred (Buur, 1999; Grunebaum-Ralph & Stier, 1999; Kjeldgard & Nexo, 1999). This is, however, a very controversial element of TRC criticism and we have to be very cautious of this accusation. In fact, my research also showed that the contribution of the HRVC testifiers formed an equally important aspect of the reconciliation discourse. The testifiers often added extra layers to this master narrative – for instance by interpreting reconciliation in a very personal manner, by only conditionally accepting the concept of communal solidarity, or by explicitly being angry and by refusing to even consider forgiveness (see Verdoolaege, 2008). This means that also the individual HRVC victims provided significant input, by accepting or rejecting the framing of the commissioners and by constantly negotiating acceptable terminologies and indexicalities. We can conclude by stating that although the voice of the commissioners was dominant, the HRVC testimonies were definitely co-constructed. The reconciliation discourse was created at the HRVC hearings through an interactional process – by commissioners introducing certain topics and by testifiers either accepting, modifying or ignoring these topics. These implicit rules that determined the construction of the HRVC discourse characterize the Foucaultian – as opposed to the material – archive.

The impact of the TRC archive

It is clear that the TRC archive – the way in which the apartheid trauma's were represented – can be interpreted as both a depository of material data, and as a concept referring to the rules of formation of the TRC discourse. This twofold archive had a twofold impact on South African society, with both a concrete and an abstract impact. The concrete impact, which is related to the *material archive*, was that the apartheid experiences were archived for posterity. The multilayered and open-ended material TRC archive described above composed a collective memory that was the official archive of the apartheid past. As stated before, an archive does not only refer to the past, by means of repetition and remembrance, but also to the future. An archive constitutes the collective memory of a society; a collection that will always be there to consult and that, as a result, can gradually be forgotten by the people of that society. This officially authorised TRC archive can never be ignored anymore and it is intended to be cherished by future generations. There does exist a record of the apartheid past now and this record will always be there to be reflected upon and analysed.

The abstract impact, which is related to the *Foucaultian archive*, was that the TRC reconciliation discourse stimulated South Africans to thoroughly debate and reflect on reconciliation. As we have seen, a specific kind of reconciliation discourse was interactively constructed at the HRVC hearings of the TRC. It was a kind of discourse with typical characteristics and – according to Foucault – specific *rules of formation*: the concepts of reconciliation and national unity were predominantly present, the language was very emotional and it demonstrated that many South Africans were both victim and perpetrator of apartheid crimes. Throughout the testimonies, a lot of respect was also paid to the apartheid victims, even though the utterances that fitted in with the expectation of reconciliation tended to be more appreciated. Based on this discourse South Africans learned how to listen to each other, how to pay respect to one another and how to talk about highly traumatizing

experiences. For more than two years, the entire South African society was permeated by reconciliation discourse – mainly through the involvement of the media – and as a result the debate on reconciliation was opened up in South Africa. People started to reflect on reconciliation and to look at the feasibility of reconciliation in their personal lives. They understood that they had to respect one another, that the apartheid experiences had been extremely emotional and that the only way forward was by working together. After the transition to democracy in 1994 a new discourse had to be established to talk about South African society. As claimed by Gobodo-Madikizela (2003, p. 56), it is always necessary to forge a vocabulary of peace in the aftermath of mass tragedy. People had to start thinking about one another differently, which also involved talking about and to one another by means of a language adapted to the new dispensation. According to my interpretation, it is in this search for a new socio-political discourse that the TRC acted as a catalyst, with the HRVC reconciliation discourse forming the foundation of this wider societal discourse.

It is important to note, though, that this positive impact of the TRC was especially notable in the years immediately following the Commission's proceedings. The South African Reconciliation Barometer indicated that in 2008 there was a manifest decrease in optimism relating to the peaceful coexistence of people of different races. Nevertheless, the results of the SA Reconciliation Barometer 2010 highlight a number of positive inroads again: "Importantly, a majority of South Africans still believe that a unified country is a desirable goal, and despite some reservations about whether or not this can occur in practice, this represents a crucial foundation for reconciliation". Also, despite the time that has passed since the conclusion of the TRC "most South Africans still feel that forgiveness for the crimes of the past is possible, and agree on the importance of moving forward collectively" (IJR Reconciliation Barometer 2010).

Both the concrete impact of the HRV archive (constituting a collective memory) and the abstract impact (enhancing the debate on reconciliation) should be seen as positive influences on South African society. I have used the term *productive power* to refer to this positive impact: the TRC as an institution exerted influence on society, since it stimulated people to reflect on reconciliation and to consider the implementation of reconciliatory attitudes in their personal lives. This power should not be seen as detrimental, but rather as a constructive and advantageous force in terms of South Africa's future

Conclusion

A large number of the apartheid crimes committed by the South African government, the security forces, or the liberation movements, were defined as gross human rights violations. As a result of the proceedings of the Truth and Reconciliation Commission, the truth about these violations was revealed (in many cases), and these violations were recorded and archived for future reference. In this article I have first talked about the material TRC archive – the way in which these violations were represented concretely. I have then taken this material archive as the point of departure to discuss the Foucaultian archive, the rules of formation upon which the HRV reconciliation discourse took shape. It is obvious that these rules of formation are the foundations of the way in which the apartheid violence is represented. Underlying the entire HRV discourse are the rules that establish why one statement is preferred to another, why one phrase appears instead of another. When understanding what sort of statements are allowed to be expressed, by whom and when, we get an insight into the regimes of power that are operating behind a certain discourse. According to Derrida (1996, p. 2) *archons* are the 'entities' that command and control the archived material. They have to unify, identity and classify the records, and they also have the power to interpret the archive. This power to control the material is defined by Derrida as

archontic power. In the case of the HRV reconciliation discourse this *archontic power* (Derrida 1996, p. 3) was predominantly exercised by the TRC commissioners, in combination with the testifiers and the HRV audience. The commissioners directed this discourse in a particular way, possibly on the basis of certain national objectives (such as dealing with the past and striving for a reconciled nation); the testifiers added their own interpretative layer onto this discourse (they wanted to feel recognized and acknowledged, they wanted to tell their personal truth about past traumatic experiences, they often wanted to be compensated for past suffering); and the audience was also involved in the construction of the reconciliation discourse (by laughing or shouting and by sometimes supporting the testifier). This co-constructed reconciliation discourse was then recorded and archived in transcriptions, films, publications and artefacts.

Although the material and the Foucaultian archive are intertwined, I have linked these archives to a twofold impact on South African society: the establishment of a collective and officialized memory, and the creation of a nation-wide debate on reconciliation. In fact, the material archive would not exist without the rules of formation that formed the basis of the HRV reconciliation discourse. On the other hand, the material archive also reinforces the debate on reconciliation. Especially nowadays, almost 10 years after the TRC proceedings have officially come to an end, it is the publications, films and museum exhibits that keep the reconciliation debate alive. Both the material archive and the reconciliation debate are fundamental in the building of a unified and peaceful future for South Africa: the collection of material documents will keep reminding people about the atrocities that were committed under apartheid; talking about and reflecting on reconciliation will keep reminding South Africans about the need to work towards a reconciled society. As also claimed by Desmond Tutu (2010): "reconciliation in South African should not be taken for granted; it has to be worked on continuously, for instance by paying a lot of attention to the socio-economic and

racial fault lines that still persist" (see website of the Institute for Justice and Reconciliation). One of the basic principles of Critical Discourse Analysis is that language is a form of social practice; it is also argued that language takes a central position in the production of social and political power (see Fairclough, 1989). Following Foucault (1984) I regard power as a positive concept, a stimulating force that can have a positive impact on society. Indeed, the bottom-line of this chapter is that reconciliation discourse (i.e. a discursive representation of the apartheid past) exerted concrete impact on post-apartheid South Africa. By reflecting on reconciliation, people are constantly reminded of the need for reconciliation, which might encourage them to show more openness towards peaceful coexistence. This openness can take various forms, both on an individual and on a governmental level. The Truth and Reconciliation Commission has to be seen as a first step towards a just and reconciliation South African society. Remembering the past and keeping the debate on reconciliation going are just another step in this process. Reparative measures to close the socio-economic gap in South Africa, alongside a reform of some of the state institutions are also crucial if South Africa wants to become a truly reconciled society (Jan Hofmeyr, 2009).

Reference list

Borer, T.A. (2006) 'Truth telling as a peace-building activity: a theoretical overview' in T.A. Borer (ed.) *Telling the Truths. Truth Telling and Peace Building in Post-Conflict Societies*, 1-58 (Notre Dame: University of Notre Dame Press).

Buur, L. (1999) 'Monumental History: Visibility and Invisibility in the Work of the South African Truth and Reconciliation Commission' *The TRC: Commissioning the Past Conference.* University of the Witwatersrand, Johannesburg, 11-14 June 1999.

Buur, L. (2000) *Institutionalising truth. Victims, perpetrators and professionals in the*

everyday work of the South African Truth and Reconciliation Commission (Aarhus University: Denmark).

Chapman, A.R. (2008) 'The TRC's Approach to Promoting Reconciliation in the Human Rights Violations Hearings' in A.R. Chapman & H. van der Merwe (eds.) *Truth and reconciliation in South Africa : did the TRC deliver?*, 45-65 (Philadelphia: University of Pennsylvania Press).

Daly, E. & Sarkin, J. (2007) *Reconciliation in Divided Societies. Finding Common Ground* (Philadelphia: University of Pennsylvania Press).

Derrida, J. (1996) *Archive fever. A Freudian impression* (Chicago: The University of Chicago Press).

Derrida, J. (2002) 'Archive Fever in South Africa' in C. Hamilton et al. (eds.) *Refiguring the Archive*, 38-80 (Cape Town: David Philip Publishers).

Dijk Van, T.A. (2001) 'Multidisciplinary CDA: a plea for diversity' in R. Wodak & M. Meyer (eds.) *Methods of CriticalDiscourse Analysis,* 95-120 (London: SAGE Publications Ltd.).

Fairclough, N. (1989) *Language and Power* (London: Longman).

Fairclough, N. (2001) 'Critical discourse analysis as a method in social scientific research' in R. Wodak & M. Meyer (eds.) *Methods of Critical Discourse Analysis,* 121-138 (London: SAGE Publications Ltd.).

Fowler, R. (1996) 'On critical linguistics' in C.R. Caldas-Coulthard & M. Coulthard (eds.) *Texts and Practices. Readings in Critical Discourse Analysis,* 3-14 (London: Routledge).

Foucault, M. (1969) *L'archéologie du savoir* (Paris: Bibliothèque des Sciences Humaines).

Foucault, M. (1984) 'The Order of Discourse' in M. Shapiro (ed.), *Language and politics. Readings in social and political theory,* 108-138 (Oxford: Basil Blackwell publisher Ltd.).

Foucault, M. (2002) *The Archaeology of Knowledge* (London & New York: Routledge).

Gobodo-Madikizela, P. (2003) 'Alternatives to Revenge: Building a Vocabulary of

    Reconciliation Through Political Pardon' in Ch. Villa-Vicencio & E. Doxtader (eds.)

    The Provocations of Amnesty: Memory, Justice and Impunity, 51-60 (Claremont:

    David Philip Publishers).

Graybill, L.S. (2002) *Truth and Reconciliation in South Africa. Miracle or Model?* (Boulder:

    Lynne Rienner Publishers, Inc).

Grunebaum-Ralph, H. & Stier, O. (1999) 'The Question (of) Remains: Remembering Shoah,

    Forgetting Reconciliation' in J. Cochrane, J. de Gruchy & S. Martin (eds.) *Facing the*

    Truth. South African faith communities and the Truth and Reconciliation Commission,

    142-152 (Cape Town: David Philip Publishers).

Hamber, B. & Wilson, R. (1999) 'Symbolic Closure through Memory, Reparation and

    Revenge in Post-conflict Societies', *Traumatic Stress in South Africa Conference,*

    Parktonian Hotel, Johannesburg, South Africa, 27-29 januari 1999.

Hamilton, C. (2002) ''Living by Fluidity': Oral Histories, Material Custodies and the

    Politics of Archiving' in C. Hamilton et al (eds.) *Refiguring the Archive,* 209-228

    (Cape Town: David Philip Publishers).

Harper, E. (2000) 'Playing rugby with the truth', *Psychology in Society* 26, 53-72.

Harris, B. (2000) *The Past, the TRC and the Archive as Depository of Memory,*

    http://www.oslo2000.uio.no/program/papers/m3c/m3c-harris.pdf, date accessed 9 May

    2011.

Harris, V. (2002) 'A Shaft of Darkness: Derrida and the Archive' in C. Hamilton et al (eds.)

    Refiguring the Archive, 61-82 (Cape Town: David Philip Publishers).

Hofmeyr, J. (200) 'Reconciliation and the Zuma presidency', *South African Reconciliation BarometerNewsletter* 7/1: 7. 2009. Cape Town: Institute for Justice and Reconciliation.

Humphrey, M. (2000) 'From Terror to Trauma: Commissioning Truth for National Reconciliation', *Social Identities* 6 (1), 7-28.

Institute for Justice and Reconciliation, http://www.ijr.org.za/political-analysis-SARB.php, date accessed 10 May 2011.

Institute for Justice and Reconciliation. *Reconciliation Barometer 2010.* http://sabarometerblog.files.wordpress.com/2011/03/sa-reconciliation-barometer-10th-round-report-web-final.pdf, date accessed 10 May 2011.

Kjeldgard, P. & Nexo, E.A. (1999) *The South African Truth and Reconciliation Commission – a Tragedy of True Lies and Video-tapes* (Roskilde University: Denmark).

Miller, A. (1995) 'A time to remember', *Odyssee* 19 (4).

Minnaar, A. (1995) 'Will the truth out? The delaying of the truth commission', *Political Update* Third Quarter 1995, 56-66.

Newham, G. (1995) *Investigation Units: The Teeth of the Truth and Reconciliation Commission,* http://www.csvr.org.za/wits/papers/papnwhm2.htm, date accessed 11 May 2011.

Official TRC Website. (2011) http://www.justice.gov.za/trc/, date accessed 9 May 2011.

Oxford Advanced Learner's Dictionary. (2005) *Dictionary of Current English* (Oxford: Oxford University Press).

Picker, R. (2003) *Victims' Perspectives about the Human Rights Violations Hearings,* http://www.csvr.org.za/wits/papers/pappick.htm, date accessed 11 May 2011.

Pigou, P. (2009) 'Accessing the Records of the Truth and Reconciliation Commission', in K. Allan (ed.) *Paper wars: access to information in South Africa* (Johannesburg: Wits University Press).

Praeg, L. (2000) *African Philosophy and the Quest for Autonomy. A philosophical Investigation* (Amsterdam: Rodopi).

Simpson, G. (1993) 'Explaining Endemic Violence in South Africa', *Weltfriedensdienst Quesrbrief* 3.

Stanley, E. (2001) 'Identities, Truth and Reconciliation in South Africa: Some International Concerns' in P. Kennedy & C.J. Danks (eds.) *Globalisation, National Identities. Crisis or Opportunity,*175-189 (Houndmills: Palgrave).

The South African Truth & Reconciliation Commission Videotape Collection (2011), http://trc.law.yale.edu/index.htm, data accessed 5 May 2011.

Toit du, A. (2002) 'Transitional Justice and the Problems of Accountability and Responsibility in the New Politics of Memory and History in South Africa' *Research Workshop 'History, Truth and Reconciliation: Memory Matters in Africa,* Basel.

TRC Act Online (1995) http://www.justice.gov.za/legislation/acts/1995-034.pdf, date accessed 12 May 2011.

Truth and Reconciliation Commission of South Africa Report. (1998) *Volumes 1-5* (Cape Town: Juta & Co Ltd).

Truth and Reconciliation Commission of South Africa Report. (2003) *Volumes 6-7* (Cape Town: Juta & Co Ltd).

Verdoolaege, A. (2008) *Reconciliation Discourse. The case of the Truth and Reconciliation Commission* (Amsterdam: John Benjamins Publishing Company).

Wilson, R.A. (1996) 'The Sizwe Will Not Go Away. The Truth and Reconciliation Commission, Human Rights and Nation-Building in South Africa', *African Studies* 55 (2), 1-18.

Wilson, R.A. (2001) *The politics of Truth and Reconciliation in South Africa. Legitimising the Post-Apartheid State* (Cambridge: Cambridge University Press).