

**HISTORICAL PERSPECTIVE ON WOMEN AS VICTIMS OF HUMAN
RIGHTS VIOLATIONS AND THE TRUTH AND RECONCILIATION
COMMISSION OF SOUTH AFRICA (TRC), 1996-1998**

MINI-THESIS

by

NTANDO PHINDILE ZAMASHANDU MBATHA

submitted in partial fulfilment of the requirements for the degree

MAGISTER ARTIUM

in the

**FACULTY OF THE HUMANITIES
(DEPARTMENT OF HISTORY)**

at the

**UNIVERSITY OF THE FREE STATE
BLOEMFONTEIN**

**Supervisor: Dr M.M. Oelofse
Bloemfontein: November 2011**

I declare that the min-thesis hereby submitted by me for the partial fulfilment of the Magister Artium degree in the Department of History at the University of the Free State, is my own independent work and has not previously been submitted by me at another university/faculty. I furthermore cede copyright of the mini-thesis in favour of the University of the Free State.

.....
N.P.Z. Mbatha

TABLE OF CONTENTS

PREFACE i-v

Chapter 1

THE TRUTH AND RECONCILIATION COMMISSION OF SOUTH AFRICA (TRC)

1.1 INTRODUCTION1
1.2 BACKGROUND TO THE ESTABLISHMENT OF THE TRC1
1.3 GROSS VIOLATIONS OF HUMAN RIGHTS5
1.4 A PROFILE OF WOMEN WHO TESTIFIED8
1.5 CONCLUSION11

Chapter 2

SPECIAL HEARINGS FOR WOMEN

2.1 INTRODUCTION12
2.2 THE POSITION AND AFFLICTION OF WOMEN IN SOUTH
AFRICA DURING THE STRUGGLE PERIOD12
2.3 BACKGROUND TO SPECIAL HEARINGS FOR WOMEN19
2.4 PROCEEDINGS23
2.5 THE ISSUE OF SEXUAL ASSAULT26
2.6 CONCLUSION30

Chapter 3

WHAT WOMEN REVEALED DURING THE TRC VICTIM HEARINGS AND SPECIAL HEARINGS FOR WOMEN

3.1 INTRODUCTION32
3.2 STORIES REVEALED ABOUT PHYSICAL FORMS OF TORTURE36

3.3	STORIES REVEALED ABOUT PSYCHOLOGICAL FORMS OF TORTURE	44
3.4	STORIES REVEALED ABOUT THE PSYCHOLOGICAL EFFECTS OF TORTURE	49
3.5	STORIES REVEALED ABOUT THE INFLUENCE OF ECONOMIC LOSS ..	53
3.6	STORIES REVEALED ABOUT THE EFFECTS OF POOR HYGIENE AND OTHER HEALTH FACTORS	55
3.7	STORIES REVEALED ABOUT SEXUAL ASSAULT	56
3.8	CONCLUSION	59

Chapter 4

WHAT WE KNOW NOW ABOUT HUMAN RIGHTS VIOLATIONS AGAINST WOMEN

4.1	INTRODUCTION	60
4.2	FINDINGS ON WOMEN	60
4.3	FORGIVENESS AND RECONCILIATION	64
4.4	CONCLUSION	65

Chapter 5

EVALUATION	67
------------------	----

SOURCE LIST	71
-------------------	----

PREFACE

In South Africa, women are in most cases reduced to secondary citizens. This enhances misconceptions that women did not play a significant role during the apartheid era. Even during the apartheid era, the struggle against unjust laws was seen as a man's job; women were expected to sit at home and raise children. However, this perception is a fallacy. It became clear by the narratives shared during the Truth and Reconciliation Commission of South Africa (TRC) that women played a role; a very important one. Therefore, the history of South Africa is incomplete without the acknowledgement of women's role.

Using the TRC as a case study, this research attempts to illustrate and analyse the role of women in reconstructing the past. It is true that many historians and researchers have written about the TRC; however, the issue of women as victims of human rights violations has been seen as 'unfinished business'. It is therefore the researcher's aim to stimulate more research on the subject of women as victims and their role during the apartheid era, as well as their statements and testimonies to the TRC. The purpose of this study is to highlight the role played by women during the struggle against apartheid as it emerged from the testimonies of women – with the majority African women - and to remove the belief that only men played a role in the liberation struggle in South Africa.

The researcher focused on the victim hearings of the Human Rights Violations Committee and also the Special Hearings for women that were held during the TRC proceedings. Women became more recognised, especially after the Special Hearings which opened up an understanding by South Africans of the role women played and the human rights violations they endured.

Thus, this research will provide some information on a field that has been under-explored, in the hope that this will elicit future research. Particularly, the study aims to highlight the role women played, as well as to remind the nation of what women went through, as their role must not be forgotten and become insignificant after the TRC process came to an end.

Three case studies will be looked at, of three women who testified before the TRC. The aim is to obtain their view and perspectives on the whole TRC process; how they experienced it, whether

they experienced any form of healing and if, given the chance, to do it again would they be willing to do so. Oral interviews were conducted with these three women. The reader should notice the difference between the ways the three interviews were conducted. This also highlights the fact that the women's stories are a sensitive issue and should thus be treated accordingly.

The qualitative research method was employed, as the study is concerned with the recordings of these victims who experienced violations of human rights during the period 1960-1994, which was the period under investigation by the TRC. Oral history methodology is also employed as the study is about the personal memories and narratives of the victims. In essence, it uncovers not only the verbal articulations, but also the non-verbal clues. The value of oral history in this context is the fact that it gives a voice to the voiceless and in the process giving a platform to women to share their narratives which have in the past been left untold.

Additionally, the researcher made use of the traditional methods of historical research. This required consultation with various sources and the collection of all possible information dealing with women and the TRC. The focus was on primary and secondary sources, including special reports, the internet, journals, books and audiovisual material, oral testimonies, as well as personal interviews.

The mini-thesis is structured into the following chapters:

Chapter one gives a background to the establishment of the Truth and Reconciliation Commission of South Africa, explaining what the purpose of the Commission and what gross violations of human rights entail. A profile of women who testified at the TRC is also provided.

Chapter two focuses on the Special Hearings for women held in three regions; the aims of these hearings and how this process made the TRC more gender sensitive.

Chapter three highlights what women revealed during the victim hearings and Special Hearings for women. Other victim hearings where women testified were also scrutinised, for example, the Prison Hearings. The three case studies were dealt with in this section.

Chapter four focuses on what we now know about human rights violations against women that were revealed by the TRC process.

The last chapter provides an evaluation, where the researcher evaluates the whole study, as well as giving pointers for future research.

The documents of the TRC are housed in the National Archives and Records Service of South Africa (NARS) in Pretoria. Researchers and the public may gain access to all the video tapes of Human Rights Violations Hearings, as well as the TRC Special Report SABC Programme that is housed in NARS. The translations of all the victim hearings are available on the internet and it is through these translations that the wider public may gain access to the TRC victim hearings.

It is important to note that this study is not about the whole process of the TRC. It is known to the researcher that the TRC had three committees; however, for the purpose of this study, only the Human Rights Violations Committee will be discussed, with some background mention of the other Committees.

The study covers the period 1996-1998. It is common knowledge that the TRC came into existence in 1995 with the introduction of the Promotion of National Unity and Reconciliation Act No. 34 (the Act); however, it started its activities only in 1996 with the first victim hearings being held in April of that year. Since the TRC had a limited time frame (1960-1994) imposed on it by the Act, the TRC process covered a mere fraction of the apartheid era, dealing with only human rights violations which, as set out by the Act, were: killing, abduction, torture and severe ill-treatment. Therefore, this study was also limited to the time-frame of the TRC.

The TRC covered a large number of activities which could not be exhausted. Given the scope of this mini-thesis, only a fraction of the information was used by the researcher which resulted in a careful selection of victim hearings that assisted in emphasising the aim of the study. Therefore, the activities and testimonies examined in this study were by no means the only processes with which the TRC was involved.

Though this study focuses on the TRC process and women, this should not be seen as a complete study or the final word on the topic. The aim is not to provide answers, but to stimulate further research on the issue of women and the TRC. There are still unanswered questions concerning the story of women and the TRC in general. This is thus not the whole story; however, it provides a perspective on the above-mentioned topic. Therefore, it is advisable that this study be

seen as not the last word on the subject. It is hoped that the study will stimulate further historical investigation into the area as more information is made available.

The value of this research is the fact that it is fresh and there is still continuing debate on the subject. The contemporary nature of this study also means that most of the women who came before the TRC are still alive. Consequently, they can be contacted and further interviews and research can be conducted with them.

* * *

I owe thanks and gratitude to several people who contributed to this mini-thesis.

I gratefully acknowledge Dr M.M. Oelofse, who was not only my mentor but became my mentor and motivator. I am very grateful for her sharing her insight into historical processes and her contribution towards the success of this study.

I also owe thanks to the ladies who allowed me to interview them on such sensitive issues: Mrs Victoria Mnyazana for welcoming me into her home and treating me like her own daughter; Mrs Clara JabhileKhumalo for sharing her story and allowing a total stranger into her home; as well as Mrs SeipatiMlangeni for consenting to a telephonic interview with a girl she barely knew and for her assistance in giving me information on the support group, Khulumani.

This study would not have been successful without the help of the people who assisted in locating my interviewees: my brother, MpumeleloMbatha; the Chairperson of the ANC in Newcastle, Mr. Arthur Zwane; and a dear friend, SaneleMalinga.

I also wish to extend my gratitude to the following people: my dear friends for their support, love and faith in me; my parentsMakhosazane and FanaMbatha for motivating me when I seemed to despair; Dr C.M. Twala for being my mentor; my dear siblingsMncamisi, Nqobile, and AndileMbatha and ThembiMajola for looking up to me and reminding me that I am capable and to Carol Keep for editing the original manuscript.

I dedicate this study to the three women whom I interviewed. Even though it was difficult and painful to re-visit their past, they still did so willingly: Mrs Mlangeni, Mrs Mnyazana and Mrs Khumalo. May God bless you abundantly.

Last but not least, I would like to thank Almighty God for trusting me with this assignment. I hope that it touches lives and inspires a lot of young people who are considering postgraduate studies. If I can do it, anybody can!

NtandoPhindileZamashanduMbatha

Bloemfontein

November 2011

Chapter 1

THE TRUTH AND RECONCILIATION COMMISSION OF SOUTH AFRICA (TRC)

1.1 Introduction

The Truth and Reconciliation Commission of South Africa (TRC) was a platform which allowed people to share their experiences while living under apartheid and, at the same time, help victims to find out about what happened to their loved ones. The TRC allowed people to get closure on cases where they did not know whether a family member had died or was still alive, as well as how they had died. The Human Rights Violations Committee played an important part in this regard as many people came forward to share what they had experienced or how their family members had suffered during the apartheid regime. Some people saw the truth recovery process as a way of opening old wounds, while others may have found healing in the process.

For the purpose of this chapter, the researcher will look at the reasons that led to the formation of the TRC and what gross violations of human rights entailed according to the mandate of the South African TRC. The focus will be on victim hearings with an examination of the profile of women who testified at these hearings. At the victim hearings it became clear that women were not sharing their own experiences but rather, those of their family members. The researcher will also reflect on the reasons why women were not ready to share their experiences as several aspects played a role in this regard.

1.2 Background to the establishment of the TRC

After the unbanning of the African National Congress (ANC) in 1990, accusations against the party arose concerning ANC exile training camps and the violations of human rights which apparently took place in these exile camps. It was alleged that the ANC had violated the rights of its cadres in training camps in Tanzania, Angola, Zambia and Uganda. In response to these allegations, the ANC set up a commission to investigate its internal enquiries.¹ The Stuart

¹ M. Oelofse, "Restoring the human spirit: the Truth and Reconciliation Commission and the place of forgiveness in the reconciliation of the rainbow nation" in *Journal for Contemporary History* 29(3), December 2004, p. 202.

Commission which was already set up in 1984, was followed by the Skweyiya Commission in 1992 which was however, seen as biased since this Commission comprised of ANC members and apparently did not reveal the whole truth.² The Skweyiya Commission was established by Nelson Mandela – President of the ANC at the time – as a board of enquiry for ANC prisoners and detainees. Mandela accepted the outcome of the investigation and also accepted full responsibility on behalf of the ANC leadership for all the violations which took place at training camps.³

Apart from these two commissions, the Motsuenyane Commission was appointed by Nelson Mandela towards the end of 1992. The aim of this Commission was to look into certain allegations of cruelty and human rights violations against the ANC prisoners and its detainees, as well as the alleged abusers in ANC detention camps. The Motsuenyane Commission submitted its report in August 1993 which confirmed these allegations against the ANC and also criticised the Skweyiya Commission of being biased. The National Executive Committee (NEC) of the ANC accepted these findings and confirmed a collective responsibility on the part of the leadership of the ANC.⁴

The NEC felt that more research had to be conducted on gross violations of human rights during the apartheid era in South Africa. In 1993, the NEC called on the ANC, as well as on other political and non-governmental organisations to set up a commission that would look at acts of human rights violations that had taken place in South Africa since 1948 – at the introduction of apartheid.⁵ This then gave rise to a motivation for the formation of South Africa’s Truth Commission. Dullah Omar, the then Justice Minister of the new democratic South Africa, explained during an interview that “when the NEC of the ANC discussed what had happened in the country, and in particular what had happened in ANC training camps such as Quatro, there was a strong feeling that some mechanism should be found to deal with all the violations in a way which would ensure that we put our country on a sound moral basis. Thus, a view developed that what South Africa needs is a mechanism which would open up the truth for public scrutiny.

² A. Boraine, *A country unmasked. Inside South Africa’s Truth and Reconciliation Commission*, p. 11.

³ *Ibid.*

⁴ M.M. Oelofse, *Remembering the truth: An oral history perspective on the victim hearings of the Truth and Reconciliation Commission of South Africa, 1996-1998*, Unpublished Ph.D. thesis, University of the Free State, 2007, p. 85.

⁵ Oelofse, “Restoring the human spirit ...”, p. 203.

But to humanise our society, we had to put across the idea of moral responsibility; that is why I suggest a combination of the amnesty process with the process of the victims' stories".⁶ On 27 May 1994 Minister Omar announced that South Africa would set up its own Truth and Reconciliation Commission.⁷

The Interim Constitution that had been already set up made provision for a limited form of amnesty procedure. The constitution stated that "it provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans, irrespective of colour, race, class, belief or sex".⁸ It further stated that "in order to advance such reconciliation and reconstruction, amnesty shall be granted in the course of the conflicts of the past. To this end, Parliament under this constitution shall adopt a law determining a firm cut-off-date, which shall be a date after 8 October 1990 and before 6 December 1993, and providing for the mechanism criteria and procedures, including tribunals, if any, through which such amnesty shall be dealt with at any time after the law has been passed."⁹

There were however, arguments about whether the South African Truth Commission should follow the retributive justice process which compelled the state to hand down punishment or whether the country should rather apply restorative justice which "places central emphasis on the healing of breaches, the redressing of imbalances, the restoration of broken relationships, which seeks to rehabilitate both the victim and the perpetrator".¹⁰ The TRC was convinced that restorative justice would create better opportunities for all parties involved where justice, as well as reconciliation would be achieved. One year after the first democratic elections in South Africa in 1994, a Truth and Reconciliation Commission for South Africa (TRC) was established, offering a unique amnesty in exchange for truth.

The Promotion of National Unity and Reconciliation Act no. 34 of 1995 (the Act) was promulgated on 19 July 1995 by the then president, Nelson Mandela. This Act empowered and

⁶ A. Krog, *Country of my skull* (2nd edition), p. 5.

⁷ Boraine, p. 40.

⁸ Oelofse, "Remembering the human spirit ...", pp. 203-204.

⁹ *Ibid.*

¹⁰ *Ibid.*, pp. 204-206.

mandated the TRC and came into effect on 15 December when the 17 commissioners were appointed. The TRC was tasked with investigating human rights violations from 1 March 1960 – the Sharpeville massacre – to 5 December 1995.¹¹

According to the Promotion of National Unity and Reconciliation Act No. 34 of 1995, under the section “Constitution of Commission”, it was stated that the Commission had to consist of no fewer than 11 and no more than 27 commissioners, which were determined by the President of the Republic in consultation with his Cabinet. The Act further stipulated that “the President shall designate one of the Commissioners as the Chairperson and another as the Vice-Chairperson of the Commission”.¹² Mandela appointed 17 commissioners with Archbishop Desmond Tutu as Chairperson of the Commission and Alex Boraine as his Deputy.¹³

The main purpose of the TRC was “to provide for the investigation and the establishment of as complete a picture as possible for the nature, causes and extent of gross violations of human rights committed during the period from 1 March 1960 to the cut-off date contemplated in the Constitution, within or outside the Republic, emanating from the conflicts of the past, and the fate or whereabouts of the victims of such violations; the granting of amnesty to persons who make full disclosure of all the relevant facts relating to acts associated with a political objective committed in the course of the conflicts of the past and during the said period; affording victims an opportunity to relate the violations they suffered; the taking of measures aimed at the granting of reparation to, and the rehabilitation and the restoration of the human and civil dignity of, victims of violations of human rights; reporting to the nation about such violations and victims; the making of recommendations aimed at the prevention of the commission of gross violations of human rights; and for the said purpose to provide for the establishment of a Truth and Reconciliation Commission, comprising a Committee on Human Rights Violations, a Committee on Amnesty and a Committee on Reparation and Rehabilitation; and to confer certain powers on, assign certain functions to and impose certain duties upon that Commission and those Committees; and to provide for matters connected therewith”.¹⁴

¹¹ Boraine, p. 48.

¹² Republic of South Africa, “Promotion of National Unity and Reconciliation Act No. 34” in *Government Gazette* 361 (16579), 1996, p. 2.

¹³ Oelofse, *Remembering the truth: An oral history perspective* ..., p. 134.

¹⁴ Republic of South Africa, pp. 10, 12.

The aims of the TRC were:

- “To return to victims their civil and human rights;
- To restore moral order;
- To seek the truth, record it and make it known to the public;
- To grant amnesty to those who qualified;
- To create a culture of human rights and respect for the rule of law;
- To prevent the violations of human rights of the past from ever happening again”.¹⁵

Thus, the TRC consisted of three committees, namely the Committee on Human Rights Violations, the Amnesty Committee and the Committee on Reparations and Rehabilitation. The TRC held its first meeting on 16 December 1995.¹⁶ Hearings however began in April 1996 and in October 1998 the Commission published its first five-volume *Final Report*. At the end, 21 296 statements from victims and witnesses were received, from which only 2 400 appeared before the TRC in public hearings.¹⁷

For the scope of this research, the researcher will mainly focus on the victim hearings that took place and more specifically, the special hearings which were held for women by the TRC. Mention of and references to the other committees in the TRC will be made in order to give a clearer picture of the period and what was happening at the time.

1.3 Gross violations of human rights

The Human Rights Violations (HRV) Committee comprised ten commissioners and an additional ten committee members. The Committee - where Archbishop Desmond Tutu was the Chairperson - had an investigating unit which supported the work of the HRV Committee with regard to the findings by the committee. The HRV Committee was set up to hear victims’ stories in order to establish whether in that situation, gross violations of human rights had taken place, or not. The Act required that the HRV Committee also determines whether an individual is a

¹⁵ Boraine, pp. 48-49. See also H. Gilliomee and B. Mbenga (eds), *New History of South Africa*, p. 413.

¹⁶ Boraine, p. 75.

¹⁷ University of the Witwatersrand, “Traces of truth: documents relating to the South African Truth and Reconciliation Commission”, <http://truth.wvl.wits.ac.za/cat_descr.php?cat=2>, s.a. (accessed 10.09.2011).

candidate for the purpose of reparation and rehabilitation.¹⁸ This was an important move by the TRC because many people could have claimed to have been victims, when in actual fact they were doing it just for the sake of receiving reparations.

The TRC defined gross violations of human rights as “the violations of human rights through the killing, abduction, torture or severe ill-treatment of any person; or any attempt, conspiracy, incitement, instigation, command, or procurement to commit acts mentioned, which emanated from conflicts of the past and which were committed during the period 1 March 1960 to 10 May 1994 within or outside the Republic, and the commission of which was advised, planned, directed, commanded or ordered by any person acting with a political motive”.¹⁹

The definition of what gross violations of human rights entails was however, narrow and caused much concern as it excluded many other serious human rights violations that had taken place during the same period and which had emanated from the politics of apartheid, especially those which affected women. This meant that the parameters of truth-seeking were also narrowed and did not include certain aspects such as forced removals and rape, as well as other forms of non-political violations such as unemployment and other economic effects apartheid had on women. This was especially so since women had to take care of their families while men went to work in the cities.²⁰

It seems that the Commission interpreted “killing, abduction, torture and severe ill-treatment” broadly rather than narrowly. Nevertheless, according to Sheila Meintjes and Beth Goldblatt, severe ill-treatment should include a wide variety of abuses which took place under apartheid. This may include “detention without trial, imprisonment for treason against an unjust system, forced removals, pass arrests, confiscation of land, breaking up of families and discriminatory laws of education should all be recognised as forms of severe ill-treatment”.²¹ The Centre for Applied Legal Studies (CALs) at the University of Witwatersrand argued that the definition of

¹⁸ D. Posel and G. Simpson, *Commissioning the past. Understanding South Africa's Truth and Reconciliation Commission*, p. 39.

¹⁹ Republic of South Africa, p. 4.

²⁰ Posel and Simpson, p. 43.

²¹ South African Historical Archive, “Gender and the Truth and Reconciliation Commission: A submission to the Truth and Reconciliation Commission of South Africa, May 1996” in *Beth Goldblatt and Sheila Meintjes Papers*, AL3119f, p. 14.

severe ill-treatment should be interpreted in such a way that it included apartheid abuses such as forced removals, pass law arrests, the alienation of land and the breaking up of families.²²

Most violations which affected women were not entirely recognised or at times, were put under the umbrella of “severe ill-treatments” which was however, also not clearly defined so that the public could get a comprehensible indication of what was being referred to by the TRC. In this regard, stories were left untold and the accompanying violations were left unresolved. Consequently, the fact that most women were seen as “not so active” during the struggle, made it very difficult for them to emerge as victims who had been actually involved in the struggle.

Apart from this, there are several other reasons why women did not come forward. Cultural norms played a role; such as the belief that the man is the head of the house and makes all the decisions and that a woman should know her place in the society. The idea is that the man should be left to do the hard job in the workplace, while the woman should raise the children at home. Therefore the reasons why women did not tell their stories or share their experiences and violations with the TRC, included a woman’s status in society which is very submissive, especially for an African woman who often has to seek permission from her husband to speak. Because of this position in society, some women may have felt demoralised about coming forward. Some women did not speak at all, simply because no people were available with whom to speak. Others felt that their experiences were not as important and not as severe as those of others; therefore, they were not worth sharing.²³

Women who may have been sexually assaulted did not report their incidents because sex is regarded as a private matter, therefore reporting it would mean an exposure of their private lives.²⁴ Some women saw this process as violating their privacy, in the sense that their stature as women was being undermined and in the process, relinquishing their survival mechanism which they had used to deal with their hardships. The fact that few rape victims came forward to share their experiences, is also evident of the shame women associate with these kinds of torture.²⁵

²² Truth and Reconciliation Commission, *Truth and Reconciliation Commission of South Africa Report*, Vol. 4, p. 282.

²³ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, pp. 3, 12.

²⁴ Oelofse, *Remembering the truth: An oral history perspective ...*, p. 295.

²⁵ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, p. 16.

Society still needs to give these women a platform to share what they went through and in the process receive healing, as well as contributing towards the truth discovering process.

One must also keep in mind that at that time women did not want to appear soft or break under the harsh treatments by the police; therefore, they kept their experiences a secret simply because they wanted to protect their identities and appear to be in control of the situation. Thus, a sense of control played a role, as women want to portray that they are always in control of their lives and when they have to tell the public about what happened, they lose that image and are vulnerable. Most women felt that what they went through make them even stronger people, so sharing their stories and revealing their weaknesses emphasised that they were however, not as resilient after all.²⁶

A sense of a loss of dignity after sharing their stories was also an important factor which kept women silent about their experiences. Moreover, in cases where a seeming restriction was placed on members' testimonies by the liberation movements, women did not want to be deemed sell-outs.²⁷ These aspects also contributed to the silence. At the same time, women were sceptical about the process which may have uncovered old wounds and thus made matters far worse for themselves. All of these factors had a definite effect on constraining women and preventing them from coming forward and sharing their experiences of violation.

1.4 A profile of women who testified

More than half of the victims and witnesses who testified at the TRC were women. After five weeks of TRC victim hearings, six out of ten of the testimonies were made by women; however, 88% of men's testimonies and about three-quarters of women's testimonies were about the abuses of men. "A quarter of women's testimonies dealt with abuses of their sons, 11 per cent of their spouses, eight per cent of their brothers. Only about four per cent of male testimonies were about their sons, and 1 per cent spoke about the killing of their wives."²⁸ At the end of the TRC about 79 per cent of women testified to violations committed against men, eight per cent of

²⁶ *Ibid.*

²⁷ Oelofse, *Remembering the truth: An oral history perspective ...*, p. 297.

²⁸ Krog, p. 208.

men’s testimonies concerned violations against women, and only 14 per cent of women’s testimonies concerned their own experiences of violations.²⁹

Most women who came forward spoke about their husbands and children rather than about their own experiences. For example, Albertina Sisulu used the second person when she described what happened to her; a trend which was followed by many other women. She didn’t share her story with the TRC. Instead she spoke about her children and her husband, because she felt it difficult for her to see herself as a suffering person.³⁰

The table below indicates the number of deponents who came forward to give testimonies about gross violations of human rights. The table indicates that more women than men came forward.

Table 1: Statements describing gross violations of human rights by gender³¹

Office	Women	Men	Unspecified	Total	% women
Cape Town	652	1 013	115	1 780	39.2
Durban	6 461	3 346	485	10 292	65.9
East London	1 216	1 569	58	2 843	43.7
Johannesburg	2 942	3 382	57	6 381	46.5
Total	11 271	9 310	715	21 296	54.8

The table below explains the violations in four categories: attempted killing, killing, severe ill-treatment and torture, in different regions. The third column provides the percentage of violations that were reported to the TRC by women; the fourth column deals with the reports where women claimed to have been victims themselves; the fifth column gives the percentage of all women’s reports as victims; and the last column indicates the proportion of women’s reports in these different categories. It gives an indication of the percentage of women who spoke about severe ill-treatment against them.

²⁹ M.M. Oelofse, “Silent voices, hidden women: The Truth and Reconciliation Commission’s unfinished business”. Paper presented at the Fifth Annual National Oral History Conference on “Hidden Voices, untold stories and veiled memories: Oral history representation and knowledge”, East London, 7-10 October 2007, p. 7.

³⁰ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, p. 19.

³¹ Truth and Reconciliation Commission, Vol. 4, p. 285.

Table 2: Women’s reports of gross human rights violations – type of violation by percentage³²

Region	Violation	Reports	Self victim / women	Women self victim / all self	Type / women’s reports
Cape Town	Attempt to kill	33	37	21	4
	Killing	61	0	-	0
	Severe ill-treatment	30	55	22	80
	Torture	14	69	11	16
	TOTAL	33	36	19	100
Durban	Attempt to kill	54	42	39	3
	Killing	73	0	-	0
	Severe ill-treatment	62	66	58	96
	Torture	16	45	9	1
	TOTAL	63	40	54	100
East London	Attempt to kill	30	58	22	9
	Killing	72	0	-	0
	Severe ill-treatment	32	59	24	64
	Torture	22	56	15	27
	TOTAL	36	37	20	100
Johannesburg	Attempt to kill	45	54	36	11
	Killing	66	0	-	0
	Severe ill-treatment	34	54	28	67
	Torture	19	61	15	22
	TOTAL	39	31	24	100
All offices	Attempt to kill	43	49	32	5
	Killing	70	0	-	0
	Severe ill-treatment	48	63	42	85
	Torture	19	58	14	9
	TOTAL	49	37	35	100

³² *Ibid.*, pp. 286-287.

It should be noted that while most of the women who came forward were black, it is known that white women were also victims of assault during the struggle; for example, Ruth First, as well as Stephanie Kemp who was the first white woman to be assaulted in detention in 1963. While white women were not subject to the same levels of physical torture as black women, they were harassed in other ways. For example, Helen Joseph was silenced and put under house arrest and the same punishment was meted out to Jenny Schreiner. Even though they were not tortured physically, they still experienced harsh conditions in prison which almost led to their committing suicide.³³

1.5 Conclusion

Many factors played a role concerning women's testimonies. They were influenced by cultural norms and their backgrounds, as well as the fact that they thought that their experiences were not as severe as those of their children and/or their husband. The fact that even women who, at a later stage became members of parliament, still did not share their experiences is evidence to the reality that women either felt that they had to go through the hardships for the sake of the struggle and/or that compared to other people's experiences, what they experienced was not as severe. The platform that the TRC gave these women to testify and share their experiences became even more significant as it assisted in filling some of the gaps in the history of South Africa because through this process, the reasons for women's silence were uncovered and even more stories were told.

³³ South African Historical Archive, "Gender and the Truth and Reconciliation Commission ...", p. 20.

Chapter 2

SPECIAL HEARINGS FOR WOMEN

2.1 Introduction

“I think overall, many a time when stories of the struggle against apartheid are being told, the stories of women’s struggle are forgotten. They are hidden. Even when they are told, they’re told as a postscript; incidentally there were women. But the essence of this history is a history of men. It is not her story, as other people would say; it is the story of the man”.³⁴

The TRC of South Africa realised that in order for the truth recovery process to take place, women’s experiences had to be scrutinised because as much as women and men may have experienced the same type of torture, there were still differences in the way that the torture was received. The Special Hearings for women that were eventually established recognised women as active participants in the struggle for liberation and were direct victims and survivors of human rights violations. These hearings further gave a voice to those who had, in the past, been silent and also provided those who had been powerless, with strength to share their experiences and perhaps receive closure. This chapter deals with the women’s Special Hearings that were established during the TRC process. The researcher will analyse the reasons for holding the Special Hearings and how these hearings assisted the TRC in the truth recovery process.

2.2 The position and affliction of women in South Africa during the struggle period

It is generally known that men suffered greatly under apartheid, but women also suffered, sometimes to an even greater extent, as they were socially restricted and had to carry economic burdens. These restrictions caused a great deal of suffering and much risk, as at times, it would be risky for a woman to spend time with her husband who was living in an urban area. It was therefore important to make women realise that they were not secondary victims, but primary

³⁴ Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/masote.htm>>, 2009 (accessed 01.09.2011).

victims as they themselves suffered directly from the harsh laws of the apartheid system.³⁵ Govan Mbeki, ANC veteran, once remarked that “Men prevented women from engaging in politics”. Mbeki furthermore said: “The police were looking for meetings so when you left you did not tell your wife where you were going and when you returned ... they were asleep and your food was on the stove ... women created problems for the liberation movement because they wanted to know”.³⁶ From this statement, one can deduce that men had little faith in women; they thought that they would sell them out or rather break during an interrogation; thus, women were not always included in the struggle and were, so to speak, ‘left in the dark’. Women were not allowed to ask their husbands about politics; this was seen as only a man’s job. Women were asked to stay at home, not participate in politics and look after the children.³⁷

During the 1960s, migrant labour regulations prevented women from joining working husbands in the towns, which in turn, caused poverty. Women in rural areas were prevented from seeking jobs in urban areas or from joining their husbands. Women who lived in urban areas were not allowed to obtain housing on their own account;³⁸ therefore, women had to remain at home mostly in the rural areas and take care of the children, while men stayed in single-sex hostels. Families were torn apart because of these restrictions with women occupying the roles of mothers, as well as fathers and in most cases, became breadwinners in the absence of their husbands. This situation often led to increased poverty and diseases as men would inevitably become involved in relationships with other women in the cities.³⁹

Forms of torture became severe over the years as resistance against apartheid grew. In the 1960s forms of torture were characterised by solitary confinement, sleep deprivation, standing for long periods and repeated assaults.⁴⁰ For example Lilian Ngoyi, who was President of the ANC Women’s League and President of the Federation of South African Women (FedSAW), was banned in 1960 and confined to her home in Orlando West, Soweto. Her banning order lasted for

³⁵ Truth and Reconciliation Commission, Vol. 4, p. 288.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, p. 7.

³⁹ L. Graybill, “The contribution of the Truth and Reconciliation Commission toward the promotion of women's rights in South Africa”, <<http://www.sciencedirect.com/science/article/pii/S02775395000016066>>, January-February 2001 (accessed 05.09.2011).

⁴⁰ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, p. 9.

five years and was renewed again in 1967 for a further five years. She lived under house arrest until 1980.⁴¹

In the 1970s, during the rise of the Black Consciousness Movement, there were a number of professional and intellectual women including nurses, social workers, teachers, and medical doctors. According to Mamphela Ramphele, these women were however, marginalised due to the prevailing norms.⁴² During this period, many women flocked to the cities and others moved into informal settlements near cities. This increased the workforce amongst females and more women received prominent jobs, such as managerial positions.⁴³ Torture in the 1970s took a more violent turn and women began to experience similar assaults to men. Thenjiwe Mtintso described how women, herself included, would be punched in the face or in the womb area and how there were occasional threats of rape. She described these painful, continuous physical assaults as callous, brutal and vicious. She said that during her second detention in 1976, her head was banged against the wall all day by the torture team who would take turns in inflicting the action on her.⁴⁴

Other forms of torture were the ‘horse’ where an individual would be handcuffed to a pole and swung round and round until the victim lost consciousness. Electric shocks were also used to shock women’s breasts. Joyce Dipale, a leader in the Black Consciousness Movement was kept in solitary confinement during 1976 and 1977 for 500 days. She said that she became used to these forms of torture, but never the humiliation that came with them and explained that she lost touch with time. Deprivation of food and water, as well as sleep and being kept in dark rooms were other forms of torture, which were used during the 1970s.⁴⁵

Winnie Mandela described detention as a “midnight knock when all about you is quiet. It means those blinding torches shone simultaneously through every window of your house before the door is kicked open. It means the exclusive right the Security Branch have to read each and every letter in the house. It means paging through each and every book on your shelves, lifting carpets, looking under beds, lifting sleeping children from mattresses and looking under the sheets. It

⁴¹ L. Segal and P. Holden, *Great lives: Pivotal moments*, pp. 112, 117.

⁴² *Ibid.*

⁴³ Graybill, “The contribution of the Truth and Reconciliation Commission toward the promotion of women's rights ...”.

⁴⁴ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, p. 10.

⁴⁵ *Ibid.*, pp. 10-11.

means tasting your sugar, your mealie-meal and every spice on your kitchen shelf, unpacking all your clothing and going through each pocket. Ultimately, it means your seizure at dawn, dragged away from little children screaming and clinging to your skirt, imploring the white man dragging Mummy away to leave her alone”.⁴⁶

Ruth First, who was also detained without trial, said: “For the first 56 days of my detention in solitary I changed from a mainly vertical to a mainly horizontal creature. A black iron bedstead became my world. It was too cold to sit, so I lay extended on the bed, trying to measure the hours, the days and the weeks, yet pretending to myself that I was not”.⁴⁷ Albertina Sisulu explained her experience in solitary confinement saying that “in solitary confinement you are there sitting on the mat, with lice in the blankets, running up and down. There for months on end, with nobody to talk to, taken out for exercise for 30 minutes. The food that was there, my dear, you wouldn’t eat it”.⁴⁸ Solitary confinement was aimed at manipulating the detainees’ psyche, since they were locked up alone in a dark cell for weeks and at times, for months on end. The authorities knew that it is hard for a human being to survive on his or her own. Thus, this form of torture was aimed at tormenting the detainees mentally.

Dorothy Nyembe, one of the longest serving female prisoners, was given 15 years imprisonment after she was found guilty of harbouring members of Umkhonto we Sizwe (MK).⁴⁹ She had been arrested before – in 1962 – for furthering the aims of the banned ANC. At that time, she was sentenced to only three years in prison and after the three years, she was served with a five-year banning order restricting her to her magisterial district of Durban.⁵⁰

Many widows would be forced out of their homes by the law, sometimes days after the deaths of their husbands and had to seek residence as a tenant or at times were sent to a rural settlement.⁵¹ Mrs. Madela, from Newcastle, whose husband was killed in 1992, explained how she lost her house after her husband’s death. “I went to Mnambithi in my sister's house, and I

⁴⁶ W. Mandela, *Part of my soul went with him*, p. 98.

⁴⁷ R. First, *117 Days: An account of confinement and interrogation under the South African 90-day detention law*, p. 1.

⁴⁸ Segal and Holden, p. 117.

⁴⁹ The military wing of the ANC which was established in 1961; aimed at overthrowing the National Party government and its apartheid policy.

⁵⁰ Durban Ethekewini Municipality, “Dorothy Nyembe”, <<http://www.durban.gov.za/durban/discourse/history/famous/politics/dorothy>>, s.a. (accessed 20.06.2011).

⁵¹ South African Historical Archive, “Gender and the Truth and Reconciliation Commission ...”, p. 7.

told them that people came to my house, told me that they were coming to take me. So my sister said, 'You can stay in my house for a while.' My sister asked me what am I going to do with my household goods, so I told my sister that 'It really doesn't matter. My life is more important than my properties'. I stayed there for four months, and my family advised me to go and rent in town. I went to town at Aboo Park (?) [unclear]. That's where I rented a flat. One day I went to my house, and I had asked people to take care of my house. I received a letter from a superintendent asking me to come to his office and talk to him. I went to his office at Madadeni, and Mr. Jele said to me: 'Mrs. Madela, do you know that I was supposed to take you out from that house a day after your husband had died?' So I said: 'No, I didn't know that. And how were you going to do that, because I am his legal wife?' So he said to me: 'The law says I must take you out. Now I am calling you to tell you that I am taking that house'. I told him that, 'No, don't do that because that's my house, and I have spent so much money to renovate the house'. He said he is taking the house, and he said to me what he can do for me, he can look for a stand for me, for a site. And then he said to me the reason he is taking the house it's because I didn't pay the rent. So I told him: 'But this is the usual thing. We only pay rent once a year, and I am still prepared that I am going to buy the house'. And he said to me, 'That's okay, you can leave now and you'll see me another day'. I explained to him that the reason I am not in that house it's because I am scared, not because I don't want that house. And then he said to me he will look for another house in another section where he is going to put me, because someone had bought that house. And I was surprised because I was still alive, and whoever bought the house didn't buy the house from me. He sold my house on his own. As I am talking today there's a woman who's staying in my house who is single, and he chased me out of my house".⁵²

In the 1980s, women became even more active in the struggle against apartheid. To torture these women, the security forces started to use women's sexuality to undermine their identity and integrity during interrogations. Elaine Mohamed, who was a university student, was detained for organising a meeting to commemorate the founding of the South African Communist Party (SACP). She explained how vulnerable she felt after she had started her menstrual cycle in detention. A policeman told her she was not allowed tampons and had to use pads "and he shook the pad and hit it against the wall saying: 'Put it on!' I found this incredibly threatening. It's

⁵² Truth and Reconciliation Commission, "Human Rights Violations", <<http://www.justice.gov.za/trc/hrvtrans/newcas/day1.htm>>, 2009 (accessed 30.05.2011).

those kinds of experiences that I couldn't talk about for a long time. Some of them I still can't talk about".⁵³ Women were expected to strip in front of policemen who made remarks about their bodies. They were asked to star-jump naked, breasts flying. In many instances, women's fallopian tubes were flooded with water until they burst, and rats would be pushed into their vaginas.⁵⁴

Winnie Mandela, who was herself detained for 491 days, recalls how women used to be humiliated by the police in an attempt to break them. She said that they had inspections everyday in prison; a practice deemed unnecessary since they were kept under strict watch. She recalls "two wardresses walk in, they order you to stand up, they take off your clothes. They start by inspecting your shoes as you stand there stark naked. They go through your panties, your bra; they go through every seam of every garment. Then they go through your hair and – of course they never succeeded with me, but with female prisoners it was common practise – they inspect your vagina. Nothing is more humiliating and you are all alone in that cell".⁵⁵

Antjie Krog in her chapter "Locked into loss and silence: Testimonies of gender and violence at the South African Truth and Reconciliation Commission", gave an example of a woman, Ntombizanele Elsie Zingxondo, whose breasts were slammed inside a drawer by a policeman and how painful and shameful she felt during and after the incident.⁵⁶ Miss Zingxondo was not the only lady who experienced this; many other women were faced with such brutal forms of torture, yet most did not come forward to testify.

One aspect which may have influenced what women shared during the victim hearings at the TRC could be the society in which they lived. People did not expect the Security Branch (SB) to treat women harshly. It was these cruel realities which silenced women, and especially knowing how humiliating their treatment in prison was, it was evidently difficult for them to share with anyone, especially people who did not seem sympathetic to what had really happened when they were detained. For instance, in Zubeida Jaffer's case, people assumed that since she was a

⁵³ South African Historical Archive, "Gender and the Truth and Reconciliation Commission ...", p. 12.

⁵⁴ A. Krog, "Locked into loss and silence. Testimonies of gender and violence at the South African Truth Commission" in C.O.N. Moser and F.C. Clark (eds), *Victims, perpetrators or actors? Gender, armed conflict and political violence*, p. 204.

⁵⁵ Mandela, p. 100.

⁵⁶ Krog, "Locked into loss and silence ...", p. 204.

woman, there was no way she could have been tortured by the police.⁵⁷ In such a situation, a woman would not relate her story, simply because people already had preconceptions.

When a man did not break under the torture of the police, he was considered a man and given much respect. This was however, not the case regarding women. In circumstances where a woman would refuse to succumb to the brutal torture by the authorities, this would infuriate the authorities even more and thus, she would experience even harsher forms of torture. Being challenged by a woman seemed more like an offence to the authorities as they felt women, especially black women, had no strength to tolerate such torture.⁵⁸

Policemen would also mock women, saying that they were not the right kind of women because instead of taking care of their families, they had dedicated their lives to the struggle, which was perceived as a man's job. Policemen referred to women as irresponsible mothers because they did not have men who kept them in their place or if they were single, the police would tell them that they were ugly and that was why they did not have men in their lives.⁵⁹

It should also be noted that women's role in the struggle against unjust laws did not begin only in 1956, when women staged a protest march against the carrying of passes; their role goes as far back as 1913 when the Bantu Women's League was formed as an outgrowth of the women's anti-pass protests that began in the Free State that same year. This organisation was led by Charlotte Maxeke, the first South African woman to receive a B.A. Degree.⁶⁰ This proves that women had been active since the time men began to be active in the struggle against unjust laws and have thereafter been a support system for the men. Therefore, through the TRC, the roles of women were highlighted, emphasised, respected and acknowledged in the process of discovering the truth about past atrocities.

⁵⁷ Truth and Reconciliation Commission, "Human Rights Violations", <<http://www.justice.gov.za/trc/hrvtrans/helder/ct00776.htm>>, 2009 (accessed 01.09.2011).

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ South African History Online, "Charlotte Maxeke", <<http://www.sahistory.org.za/people/charlotte-n%C3%A9e-manye-maxeke>>, *s.a.* (accessed 16.06.2011). See also J. Wells, *We have done with pleading: The women's 1913 anti-pass campaign*.

2.3 Background to Special Hearings for women

On 19 March 1996, the Centre for Applied Legal Studies (CALS) hosted a workshop entitled ‘Gender and the Truth and Reconciliation Commission’. This workshop was attended by delegates from different fields such as psychology and law, as well as non-governmental organisations, members of the Gauteng Legislature and representatives from the committees of the Commission.⁶¹ This workshop discussed how women’s suffering under apartheid had been side-lined and how sensitivity to gender had not been a priority in the TRC proceedings. The CALS had realised that the TRC had not done much justice to gender issues and therefore formulated a proposal to ensure that this gap was filled. Graeme Simpson, the former Director of the Centre for the Study of Violence and Reconciliation, said that the TRC had been “gender blind” and this issue had to be rectified immediately.⁶² The results of the workshop communicated to the TRC in a submission issued in May 1996 with regard to gender related issues, discussing ways in which the Commission could be more gender sensitive. The submission included interviews with women who were prominent leaders in the struggle. This submission was intended only as a starting point to aid the Commission in its understanding of how gender forms part of the truth and reconciliation process.⁶³

The TRC responded favourably to the gender submissions by Goldblatt and Meintjes. According to Goldblatt, this was due to the pressure from women’s organisations and women commissioners who saw this as a move in the right direction for the TRC and the truth recovery process.⁶⁴ The CALS focused mainly on women, believing that it was mostly their voices which go unheard.⁶⁵

Women, in most cases, referred to themselves as secondary victims and Goldblatt and Meintjes felt that they should be encouraged to speak of their own experiences of harassment. Women seldom saw themselves as primary victims, mostly concerning sexual violence as they were

⁶¹ Truth and Reconciliation Commission, Vol. 4, p. 282.

⁶² South African Historical Archive, “Gender and the Truth and Reconciliation Commission Workshop, 19 March 1996” in *Beth Goldblatt and Sheila Meintjes Papers*, AL3119f, p. 1.

⁶³ Truth and Reconciliation Commission, Vol. 4, p. 282.

⁶⁴ South African Historical Archives, “Violence, Gender and Human Rights - an Examination of South Africa's Truth and Reconciliation. Paper presented to the Law and Society Association Meeting in St Louis, Missouri by Beth Goldblatt, 29 May 1997”, p. 11.

⁶⁵ University of Pennsylvania – African Studies Center, “South Africa: Truth and Reconciliation and Gender”, <http://www.africa.upenn.edu/urgent_action/apic_832html>, 28.8.1996 (accessed 31.08.2011).

ashamed to speak of such violations openly.⁶⁶ For example, Kedibone Dube shared her experience of rape for the first time at the TRC. She related how her family found out about her being raped only at the TRC proceedings. She further went on to say: “I even shared it in my statement because I realised that the Truth Commission is the only stage or podium where I can get to voice out all this pain and anger. Maybe I will get over it ... I feel my soul would be freed if I do tell somebody about the harassment and the torture that I went through”.⁶⁷ Miss Dube also mentioned how her boyfriend also influenced her decision to remain silent by telling her that her experience was degrading to him as a man; therefore, she should not tell anyone about it.⁶⁸ This demonstrates that women may be influenced by outside pressure or expectations from family or other members of society to keep quiet about such experiences. In some instances, such as the case of Miss Dube, women would do it to protect their lovers and said “people will look at him in such disgrace that his girlfriend had been raped”.⁶⁹

After reading the submissions by the CALS, the Commission organised two workshops to which representatives of women’s organisations and the media were invited. The TRC then held a special workshop for women where 142 women and organisations were invited to form part of this workshop. It was strategically held on 9 August 1996, the 40th anniversary of the 20 000 women’s march to the Union Building in Pretoria in 1956, known as National Women’s Day. In cases where individuals or organisations were unable to attend, they were requested by the TRC to make written submissions on the subject matter. The aim of the workshop was to discuss and debate how the TRC should handle the issue of human rights abuses against women, the issue of silence amongst women, as well as how to get women to come forward to testify at the TRC.⁷⁰ These gender workshops resulted in a submission to the TRC with recommendations on how to deal with the issue of gender.

Recommendations made at the workshop were accepted by the TRC on 15 August 1996. These recommendations were:

⁶⁶ Krog, “Locked into loss and silence ...”, p. 208.

⁶⁷ Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.doj.gov.za/trc/special/index.htm>>, 2009 (accessed 03.09.2011).

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ South African Historical Archive, “Apartheid’s Residue - Women’s lives, struggles and testimonies: Challenging patriarchal lenses, July/August 2001” in *The Getrude Fester Collection*, AL3135f, p. 10.

- “Women will need a special hearing. Each region should hold at least one hearing dedicated to the women.
- The TRC should be sensitive to cultural norms in specific communities to gender issues.
- Women need to be encouraged to speak out; there is a need to break the silence. There is a lot of evidence of the abuse of women in a political context, but this is in the private domain.
- The TRC needs to act as a facilitator to empower women to tell their stories.
 - ✓ Some women can tell their stories on behalf of others.
 - ✓ Groups of women could come together and tell their stories.
 - ✓ Hearings can be held *in camera*.
- The presence of men on the panels may paralyse some women; therefore, the composition of the panel should be negotiated with the testifiers.
- Commissioners should receive training on gender-related issues.
- Preparatory workshops, especially for rural women, should be held especially about how to deal with the media.
- Church women’s groups should be engaged to assist women to tell their stories.
- Women as perpetrators also need attention.
- Reparations policy should not be gender blind.”⁷¹

In an attempt to get women to speak out, the TRC included, in April 1997, a caution sign in the form used to record statements, which read:

“IMPORTANT: Some women testify about violations of human rights that happened to family members or friends, but they have also suffered abuses. Don’t forget to tell us what happened to you yourself if you were the victim of a gross human rights abuse.”⁷²

⁷¹ Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.doj.gov.za/trc/pr.1996/p960815a.htm>>, 2009 (accessed 28.05.2011).

⁷² Truth and Reconciliation Commission, Vol. 4, p. 285.

These Special Hearings for women were encouraged in order for women to speak out about human rights violations which they specifically suffered. These hearings also attracted media attention which, in turn, created public awareness on the issue of gender discrimination. These hearings were held in Cape Town (August 1996), Durban (October 1996) and Johannesburg (July 1997). The reasons for not holding any proceedings in the Eastern Cape are unknown to the researcher; however, this was not a favourable move by the TRC as the Eastern Cape was known for its brutal treatment of women in prisons during the apartheid era.⁷³ The TRC also realised that women had a crucial role to play in fulfilling the mandate of the TRC which was to collect as complete a picture as possible of the history of South Africa between 1960 and 1994.⁷⁴ Jessie Duarte, who was at the time MEC for Safety and Security in Gauteng, made an example of the Boipatong Massacre in 1993 where there were 128 deaths of which 48 were men and the rest women. After this incident, only men's families organised legal support, while the families of single women were left unrepresented.⁷⁵ This incident shows the gender bias which prevails in South Africa and which the TRC wanted to rectify through giving a voice to the women who had been previously silent.

Nomvula Mokonyane, a member of the Gauteng Legislature, spoke during the Special Hearings for women held in Johannesburg on 29 July 1997 about how women suffered more during apartheid as they would, at times, be detained while pregnant. All this amounted to the destruction of family life from years of hiding, being underground and at times being banished; their privacy violated when they had to strip in front of policemen; forced sterilisations and abortions; electric shocks; the trauma of living in fear and young women having to take on the roles and responsibilities of adults in cases where their parents had been detained by the Security Branch.⁷⁶

According to Meintjes and Goldblatt, it is difficult to separate the psychological pain of a mother or wife from the physical pain of her son or husband who has been tortured. According to them,

⁷³ *Ibid.*

⁷⁴ P. Gobodo-Madikizela, "Women's contributions to South Africa's Truth and Reconciliation Commission - Women Waging Peace Policy Commission", <http://www.huntalternatives.org/download/11_women_s_contributions_to_south_africa_s_truth_and_reconciliation_commission.pdf>, p. 17, 2005 (accessed 05.09.2011).

⁷⁵ Krog, "Locked into loss and silence ...", p. 208.

⁷⁶ *Ibid.*

both are victims in need of support and rehabilitation.⁷⁷ A woman would also experience economic and cultural loss at the death or detention of her husband – the breadwinner – and had to look for a job which was also problematic, as most women were compelled by law to remain in rural areas.

The table below indicates gross violations of human rights in South Africa according to gender which were reported where a deponent would be the actual victim.

Table 3: Victims of gross human rights violations in percentages⁷⁸

Office	Women	Men	Total
Cape Town	24.3	75.7	100.0
Durban	59.8	40.2	100.0
East London	23.9	76.1	100.0
Johannesburg	30.7	69.3	100.0
National	43.9	56.1	100.0

The above table highlights the fact that women were less likely to talk about their experiences than men. KwaZulu Natal however, had the highest proportion of female victims who were more likely to present themselves as primary or direct victims than men. Owing to the rivalry between the ANC and the Inkatha Freedom Party (IFP), this province had the highest number of gross violations of human rights, especially in the late 1980s and early 1990s.

2.4 Proceedings

The Special Hearings for women filled the gap for a large number of women who appeared at the victim hearings to share narratives about their loved ones and not actually about their own experiences. The Special Hearings for women were set up in order to encourage these women to speak out about what really happened to them, because it is no secret that they also experienced human rights violations during the apartheid era. These hearings gave women an opportunity to

⁷⁷ South African Historical Archives, “Gender and the Truth and Reconciliation Workshop ...”, p. 12.

⁷⁸ Truth and Reconciliation Commission, Vol. 4, p. 285.

disclose their specific experiences, as well as answer some of the questions the TRC had in order to provide a significant picture of the apartheid-era in South Africa.⁷⁹

The primary aims of the women's Special Hearings were:

- “To gather information on women's experiences of apartheid;
- To end the silence around the atrocities under apartheid;
- To focus on women's experiences of gross violations of human rights, giving them a platform to share their experiences;
- To provide a safe space for women, who in a different setting, would otherwise not have shared their experiences; and
- To emphasise women's role in the struggle against apartheid and the importance thereof.”⁸⁰

As much as the aim of the TRC was to gather information on past atrocities, part of its role was to facilitate a healing process through storytelling. Therefore, the proceedings did not look only at extracting information about the events which the witness was relaying, but also acknowledged the silent moments, as well as allowing time to cry in cases where women felt emotional. The commissioners were also empathetic, assuring the witnesses that they were there for them; that their stories touched them and that they mattered.⁸¹ In an attempt to make these proceedings as comfortable as possible for women, an all-women panel was set up for the Special Hearings. This was also done in order to encourage women to speak freely about their experiences. The proceedings were led by Hlengiwe Mkhize, Joyce Seroke and Yasmin Sooka; however, this transpired only at the Johannesburg Special Hearings for women.⁸²

Without argument, it is quite clear that women had a very significant role to play during the struggle. According to Nomvula Mokonyane, a representative of the Federation for Transvaal Women (FEDTRAW), women deserve to be recognised for the role they played during apartheid. She further stated: “We do not deserve to be given favours, but we believe that women in this country also earn; they also deserve to be counted amongst those who played a role. Not

⁷⁹ Gobodo-Madikizela, p. 18.

⁸⁰ *Ibid.*, p. vii.

⁸¹ *Ibid.*, p. 18.

⁸² *Ibid.*, p. 17.

more as wives, not as mothers, but as women, as citizens of this country and as leaders. It has actually been proven through the dark days of apartheid and even now, through other struggles that women are still involved".⁸³ Mokonyane further stated that the motivation to appear before the TRC came from the urge to inform the world about the experiences women had, since they were mostly regarded as wives, daughters and sisters, when in actual fact, they were involved in the liberation of South Africa at first hand.⁸⁴ Sheila Masoke confessed to being tired of her identity being defined by men; she therefore came before the TRC to rectify her identity as a woman in her own right who had a very crucial role to play in the struggle against apartheid.⁸⁵ Lita Nombango Mazibuko who also appeared before the TRC at the Special Hearings for women, emphasised how her role in the struggle for apartheid should not go unnoticed and indicated: "I am not educated, but the contribution that I've put in within the ANC structures is quite massive".⁸⁶

However, although another opportunity was created for women to speak out, some women still conveyed their reluctance to come forward and share as they felt that their sufferings were not as severe as those of other people under the apartheid regime. For example, Jubie Mayet in her opening statement declared: "I just want to start off by saying that I was somewhat reluctant to come and testify, because my experiences under the old regime were nothing compared to what so many countless other people suffered, more terribly and in worse ways than I ever did. Not to say that my family and I did not suffer. My children, my mother and my brothers were all, obviously, traumatised in varying degrees by my unjust incarceration and subsequent banning".⁸⁷ Nonetheless, the Special Hearings aimed at convincing women that their stories mattered and that they were as important as those of other people who suffered during apartheid in South Africa.

The aims of these Special Hearings were fulfilled since most women who testified during these Special Hearings spoke of themselves as direct victims; however, some women still narrated their stories in the third person. For example, when Nomvula Mokonyane narrated her story, she

⁸³ Truth and Reconciliation Commission, "Special Hearings for women", <<http://www.justice.gov.za/trc/special/women/mokonyane.htm>>, 2009 (accessed 1/09/2011).

⁸⁴ *Ibid.*

⁸⁵ Gobodela-Madikizela, p. 18.

⁸⁶ Truth and Reconciliation Commission, "Special Hearings for women", <<http://www.justice.gov.za/trc/special/women/mazibuko.htm>>, 2009 (accessed 1/09/2011).

⁸⁷ *Ibid.*

spoke in a collective form, in most cases saying “we”, “us”, etc. It is understandable that she was representing several other women but referring to “we” even in instances where she was the one who experienced that form of ill-treatment, further emphasised that women still did not see themselves as primary victims. However, some women still preferred to speak at the Special Hearings rather than at the victim hearings, especially on issues related to rape. The Special Hearings allowed women to testify behind screens, before an all-women panel of commissioners and a largely female audience.⁸⁸ This further highlights the fact that the Special Hearings provided a comfortable, safe and favourable environment for these women. Nevertheless, some preferred only to make statements and did not appear before the Commission.⁸⁹ Even those women, who only made statements and did not appear before the Commission, further prove that more women were touched by the process as their statements still contributed to the truth recovery process.

Men were allowed to come before the TRC during the Special Hearings for women in order to relate the stories of their mothers, sisters or wives. For example, Simon Fonko Malakoane related the story of his wife’s death in 1982, showing that these hearings reached various people who were in essence, willing to relate their experiences.⁹⁰

2.5 The issue of sexual assault

The TRC did not define rape under its legislation; it was therefore simply put under the heading “severe ill-treatment” regardless of the circumstances under which it occurred.⁹¹ At the time, the South African law defined rape as “occurring between a man and a woman and involving the forced penetration of the vagina by the penis,” and acts of forced oral or anal sex, or penetration by foreign objects such as rats were not considered as rape.⁹² The TRC received about 8 000 statements of violations of human rights. About 300 dealt with sexual assault; of the 300, only 80

⁸⁸ South African Historical Archives, “Violence, Gender and Human Rights ...”, p. 12.

⁸⁹ *Ibid.*

⁹⁰ The Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/malakoan.htm>>, 2009 (accessed 1/09/2011).

⁹¹ Truth and Reconciliation Commission, Vol. 4, p. 296.

⁹² Krog, “Locked into loss and silence ...”, pp. 205-206.

were made by women. Only ten of the 80 dealt with rape which mostly occurred in KwaZulu Natal.⁹³

The law on rape was scrutinised after a graphic description of rape by Yvonne Khutwane, from the Western Cape during the Worcester victim hearings. She explained how soldiers penetrated her vagina using their fingers. She described how scared she was because soldiers are notorious for rape; how she constantly asked them for forgiveness and how she kept telling them that she was old enough to be their mother. This description shocked South Africans who were used to women being silent about gross violations against themselves, as well as a culture which tell women to be silent, especially about rape.⁹⁴ This became a challenge for the TRC which then had to grant amnesty to rapists, who could prove that they had committed the deed for political motives.⁹⁵

At the ‘Gender and the TRC workshop’, the first gender workshop by the TRC held on 19 March 1996, Jessie Duarte spoke about the issue of rape and how many perpetrators would argue that the rapes they committed were political. She spoke about how women were raped in prison or even on their way there in police vans and questioned whether this should still be viewed as political. She further indicated that “a rape whether political or criminal is a violent act against women as women. There was a loss of pride for women who were raped and speaking about the experience may be asking woman to recreate the loss of pride”.⁹⁶ At the opening of the Special Hearings for women, Miss Mtintso supported Duarte’s statement by stating that “behind every woman’s encounter with the Security Branch and the police, lurked the possibility of sexual abuse and rape.”⁹⁷

Beth Goldblatt argued that as much as violence against women needs to be politicised, policemen who raped women should not have been allowed amnesty, as amnesty was granted only if an act is associated with a political objective. She explained that she does not dispute the fact that rape should be understood within its political function, and not as a private crime; however, it should not be treated as “a political offence for the purpose of amnesty within the

⁹³ *Sunday Independent*, 12.04.1996, p. 4.

⁹⁴ Krog, “Locked into loss and silence ...”, p. 206. See more details of this specific testimony in Chapter 3.

⁹⁵ *Ibid.* p. 207.

⁹⁶ South African Historical Archive, “Gender and the Truth and Reconciliation Commission Workshop ...”, p. 3.

⁹⁷ Krog, *Country of ...*, p. 178.

commission's definitions".⁹⁸ She further argued that the aspect of rape in political liberation camps should also be addressed, because incidents of rape were reported by some women who had been in ANC camps in exile. In that case, those acts were not politically motivated and therefore such men should not have applied for amnesty. Joe Modise who was part of the ANC delegation at the TRC, admitted that ANC camp commanders in Angola had abused their positions and would, at times, rape female cadres. According to Modise the ANC leadership "put a stop to these offences after the problem came to their attention".⁹⁹ One could argue whether this means that these MK cadres had uncontrollable sexual appetites; that women in MK were sexual objects with which males could relieve themselves? This is an unacceptable justification and those in command should have been reprimanded.

Gertrude Shope, former head of the exiled ANC women's section, said that after the leaders of the ANC had been made aware of the situation in the training camps, the leaders then visited these camps and this resulted in a document being drawn up which mandated that women be considered for ANC delegations and positions. Unfortunately, even with this action, the issue of rape and sexual assault on women was not eradicated.¹⁰⁰ Miss Mtintso, a former journalist and member of the South African Students' Organisation, who later became a commander in the MK and then Chairperson of the Gender Commission, explained how she would be undermined by men in the training camps, who would also threaten to rape her and tell her that they knew she would not speak up about it.¹⁰¹ This woman was given an authoritative position in the MK; however, she was still intimidated by the same men she was leading. Therefore the ANC's efforts to eradicate these acts seemed to be in vain and in some circumstances, worsened.

Women did not share their experiences of rape and other sexual assaults mainly because they felt that they deserved what was happening to them. They felt a sense of guilt and worthlessness. In addition, they related that they did not share their stories because they did not want to revisit the pain that they had tried to suppress, as well as not wanting people to know what had happened to them because they did not want pity. They also did not want to be associated with the particular incident. Thandi Shezi related: "I thought I was a person who had a problem. That is why they

⁹⁸ Krog, "Locked into loss and silence ...", p. 9.

⁹⁹ *The Star*, 13.05.1997, p. 1; *The Star*, 16.05.1997, p. 14.

¹⁰⁰ *The Star*, 13.05.1999, p. 1.

¹⁰¹ South African Historical Archive, "Gender and the Truth and Reconciliation Commission Workshop ...", p. 10.

raped me. That is why they did what they did to me. I thought I was to blame for it. I didn't want people to know about what happened to me".¹⁰²

Miss Shezi, anti-apartheid activist, said that she could not tell anyone after she was raped in detention, not even her family. According to her, her mother found out about what happened to her only when she came before the TRC, where her mother heard the story with the rest of South Africa. She spoke of this incident only at the TRC victim hearings and said what happened to her during detention still affects her womanhood to this day. "I'm frigid; I'm cold. When I get involved with a man I get scared. I didn't tell a single soul about it. I don't want them to pity me. I don't want them to call me names."¹⁰³

Clinical psychologist, Nomfundo Walaza explained that "women who have been raped know that if they talk about it publicly, they will again lose something – privacy, respect maybe. If you know that a particular minister had been raped – what goes through your mind when you see her on TV? Another deterrent is that some of the rapists hold high political office today, so if you speak out you undermine not only the new government you fought for, but you destroy your own possibilities for a future. There is also a culture of not discussing these things with our own family".¹⁰⁴ This is an important statement by Miss Walaza because many women felt a sense of loyalty to their respective organisations and confessing to have been sexually assaulted would have undermined the liberation they had worked so hard for. Women felt their experiences were not as important as the process of liberation, as well as not wanting to put their organisations in jeopardy.

During the women's Special Hearings in Johannesburg, Miss Mtintso said: "When today they make their sobs, they must know that there's a flood of tears from those who did not dare to come here today. They must know that when they make their sighs when they remember, that many of us are groaning inwardly, because we are not yet ready to make those outward sighs of the pain. As they try to free themselves today of the burden, they must know that they are freeing some of us who are not yet ready, Chairperson. I speak as one of those ... I could not sleep last

¹⁰² Truth and Reconciliation Commission, "Special Hearings for women", <<http://www.justice.gov.za/trc/special/women/shezi.htm>>, 2009 (accessed, 29.09.2011).

¹⁰³ Krog, "Locked into loss and silence ...", p. 205.

¹⁰⁴ Krog, *Country of ...*, p. 178.

night, because I sat with myself; I sat with my conscience. I sat with the refusal to open those wounds”¹⁰⁵.

The quotation above is a very sensitive statement by Miss Mtintso which highlights how some women would have wanted to come before the TRC but because of not being ready to face their pain, chose not to. She further stated that she has built armour around her pain; she has nursed it, has owned it and refuses to move away from that pain.¹⁰⁶ Some women have associated themselves with their pain in the sense that speaking about it would mean that they are giving away themselves, because their pain has become who they are. Without it, they would not be themselves. As confusing as it may sound, some women get strength from their pain; it is what keeps them going. This is very difficult to understand from an objective point of view, which in turn, makes it difficult to understand what exactly these women went through, or perhaps are still going through. Moreover why would they keep such pain within themselves and also believe that the pain is part of who they are? Miss Mtintso further stressed the importance of the nation in preparing women to come before the TRC. She stated: “Women that are here are hardly a third of the women who suffered in this country”.¹⁰⁷

2.6 Conclusion

With these Special Hearings for women the TRC created another opportunity for women to voice their own particular experiences of human rights violations. It is commendable that this gap in the TRC proceedings was timeously identified and rectified by the TRC by the creation of another, different platform within the parameters of the Committee’s mandate to give an additional voice to voiceless women.

Apart from one more opportunity to come forward, some women still kept quiet, especially about sexual offences because they felt that their weaknesses would be exposed, together with the fact that they were not able to stop these offences from happening also proves that they saw themselves as weak. Consequently, the process of identifying their offender and going to court or

¹⁰⁵ Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.doj.gov.za/trc/special/women/mtintso.htm>>, 2009 (accessed 1.09.2011).

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

having to testify may have been seen as dreadful, time-consuming exercise and at the same time, being reminded of what happened, which also came with different emotions.

From reading these different testimonies, it is evident that there is still a gap with regard to the atrocities committed against women, especially those that involved rape and other sexual assaults. The gap however does not lie within the ordinary citizen, but within women who hold positions in government, because from all the reasons that kept women silent, the aspect of loyalty holds the most weight. Therefore, it is very important to encourage women to speak, to let them know that as much as this was all in the name of liberation for the country, no-one should be subjected to rape for whatever reason.

The importance of women coming forward to share their experiences still needs to be addressed, because even in cases where a woman was a secondary victim, it still adds to the truth discovery process; that was their experience and it should be prioritised because it affected their lives in one way or another. Some women may have felt that their experiences were not important or were not as bad as those of other people, but the history of South Africa is incomplete without these stories. At present, the history of South Africa emphasises rather the role of men in the struggle, saying little about women's role. This silence should be rectified because women played a very significant role by assuming different roles in the absence of their men.

Chapter 3

WHAT WOMEN REVEALED DURING THE TRC VICTIM HEARINGS AND SPECIAL HEARINGS FOR WOMEN

3.1 Introduction

In order to get a clear and better understanding of the subject matter and the narratives shared by victims of gross violations of human rights as discussed in this chapter, background information to the struggle period in South Africa between 1960 to 1994, will first be highlighted.

In the 1960s, apartheid South Africa was characterised by a growing resistance against its policies. An action-reaction pattern is evident during this period where the government would pass certain laws and the people affected would react by resisting such laws, with the government then passing even harsher laws. This became a vicious cycle as the methods used by the government to silence the opposition grew even harsher and the people affected became even more militant in their approach. The 1960s were characterised by a more politically aware black population who organised mass protests and defiance campaigns. Such laws as the Native Laws Amendment Act of 1952, which imposed stricter influx controls, thus giving black people the status of migrant labourers in white towns and only allowing them citizenship in the reserves,¹⁰⁸ fragmented families and in the process increased poverty amongst black people. The problem of poverty forced men to seek jobs in towns, leaving their wives to take over their households, where the wives became mothers, fathers and breadwinners.

The African National Congress (ANC) and Pan-Africanist Congress (PAC) were banned after the introduction of the Unlawful Organisations Act¹⁰⁹ in 1960, following the Sharpeville massacre.¹¹⁰ This became detrimental to the process of the struggle against apartheid in the sense that there was no collective organisation to mobilise people. In 1963, the National Party (NP) government introduced new measures which allowed for 90 days' detention without trial. In

¹⁰⁸ J. Simons and R. Simons (eds), *Class and colour in South Africa, 1850-1950*, p. 274.

¹⁰⁹ P. O' Malley, "The heart of hope: Apartheid Legislation 1948-1990", <<http://www.nelsonmandela.org/omalley/index.php/site/#/03/v0wdrx/04/?01828/05/v01829/06/v01902.htm>>, s.a. (accessed 30.09.2011).

¹¹⁰ Protest march organised by the PAC against the carrying of passes on 21 March 1960 where police opened fire on fleeing protesters. Sixty-nine people died in the incident and about 180 were wounded.

1965, this was increased to 180 days. The Terrorism Act was introduced in 1967 which gave absolute power to the South African police in the sense that they could “arrest any person suspected of committing acts of endangering the maintenance of law and order or conspiring or inciting people to commit such acts”.¹¹¹

Most people in the 1960s were arrested under the Suppression of Communism Act passed in 1950. This law stipulated that any literature or publication that promoted the objectives of communism were regarded as unlawful and therefore banned. This law was extended to the 1970s, defining communism as “any doctrine that aimed at bringing about any political, industrial, social or economic change in the Union by the promotion of disturbances or disorder, by unlawful acts or omissions or by the threat of such acts and omissions”.¹¹²

After the banning of the ANC and the PAC in April 1960, many leaders of the liberation movements were jailed, placed under house arrest, banished into foreign areas or exiled. This caused the liberation movements to become inactive for a long period. During the 1960s, Prime Minister B.J. Vorster created a set of security laws that turned South Africa into a police state. These laws suppressed any protests against the regime and attempted to silence any opposition in every way possible. Black people then came up with a movement which would encourage a consciousness among black people who would reject any form of oppression, and reject the apartheid policy in all its forms.¹¹³ The Bureau of State Security (BOSS) created by Vorster in 1966 reported directly to him. This security police force helped all chiefs who headed Bantustan governments to deal with their opponents. The actions of the security force seemed to be working as they instilled an uneasy peace in South Africa after the Sharpeville massacre, as well as tracking down Umkhonto we Sizwe (MK) and *Poqo*¹¹⁴ activists.¹¹⁵

The period 1960 to 1970 was marked by a number of political events, i.e. the Sharpeville massacre, the formation of MK and *Poqo*, the Rivonia Trial in 1963,¹¹⁶ and the Trial of Samson

¹¹¹ Mandela, p. 98.

¹¹² Giliomee and Mbenga (eds), pp. 322-323.

¹¹³ S. Terreblanche, *A history of inequality in South Africa, 1652-2002*, p. 349.

¹¹⁴ The military wing of the PAC, which sought to initiate an armed uprising in South Africa.

¹¹⁵ T. Lodge, *Black politics in South Africa since 1945*, p. 157.

¹¹⁶ The Rivonia Trial took place between 1963 and 1964 in which ten leaders of Umkhonto we Sizwe were tried for 221 acts of sabotage aimed at overthrowing the apartheid government.

Ndou and 21 others in 1969.¹¹⁷ For every action taken by the oppressed, the government would react with even harsher and stricter laws. After the pass protest on 21 March 1960, the government banned public meetings on 24 March and a state of emergency¹¹⁸ from 30 March to 31 August 1960 was imposed, in terms of the Public and Safety Act of 1953, which stipulated that the state could declare a state of emergency and suppress the normal operation of law.¹¹⁹

By May 1960, about 1 600 people had been detained and were held without the right of access to lawyers or even family. Ultimately, about 18 000 people were arrested and more than 11 000 of them were detained under the emergency regulations.¹²⁰ During the 1970s, especially after the Soweto uprisings, a new political atmosphere in South Africa was created and a new pattern of resistance emerged, as many black young people became more involved in politics. Through the Black Consciousness Movement (BCM), the young people learnt more about the banned ANC, also getting the chance to skip the country for military training abroad through the help of the BCM.¹²¹

The 1980s, on the other hand, were marked by increased turmoil in South Africa, political unrest and harsher disciplinary measures by the NP government. The new constitution was introduced in 1983 which allowed for the South African parliament to consist of three legislative houses: the House of Assembly for white people; the House of Representatives for ‘coloured people’; and the House of Delegates for Asians. Black people were however, not represented in parliament.¹²² P.W. Botha, the then President of South Africa, also built up a strong army, using substantial amount of rands to purchase military equipment, thus making the South African army the strongest in the Southern Hemisphere.¹²³

Resistance grew stronger with the establishment of the United Democratic Front (UDF) in 1983. This organisation became a voice for anti-apartheid resistance. It also became an umbrella organisation for more than 600 organisations in total which linked trade unions, women’s and

¹¹⁷ They were charged under the Suppression of Communism Act relating to ANC activities.

¹¹⁸ This implied, amongst other measures, full police power without appeal to a court of law.

¹¹⁹ M. Fullard, “State repression in the 1960s” in B. Magubane (ed.), *The road to democracy in South Africa*, Vol. 1 (1960-1970), pp. 343-344.

¹²⁰ *Ibid.*, p. 344.

¹²¹ C. Price, *Steve Biko: They fought for freedom*, p. 28.

¹²² Readers Digest Association of South Africa, *Illustrated history of South Africa: The real story*, p. 473.

¹²³ H. Adam and K. Moodley, *South Africa without apartheid*, pp. 66-67.

youth organisations, religious bodies, civic associations, and sports clubs.¹²⁴ There was soon chaos in South Africa, especially in townships, and government sent more than 35 000 troops into black townships. Thousands of people were detained and nearly 2 000 blacks were killed in political violence during 1985 alone.¹²⁵

In the 1990s, violence between the ANC and the Inkatha Freedom Party (IFP) intensified in Kwa-Zulu Natal. These conflicts had been in existence since the 1980s, but became worse in the early 1990s. Many killings took place during this period, such as the incident in Imbali Township in Pietermaritzburg when 16 gunmen ambushed the car of IFP official, Abdul Awetha as he was driving his children to school, killing the three children. Another incident occurred when Councillor Albert Vilakazi was attacked for the sixteenth time when his house and car were gutted. More incidents occurred and by the end of March 1991, the death toll since the beginning of the year had risen to 725. More incidents were revealed during the TRC proceedings.¹²⁶

From the testimonies of the women appearing at the TRC, one is able to get an idea of the kind of torture experienced from 1960 to 1994 by women. Many atrocities were committed against women during the apartheid era. However, as much as a certain percentage of women came forward to relate their stories, there still remained a gap left by the women who did not come forward. Nevertheless, the importance of even one woman's testimony should be emphasised because it contributed towards the truth discovery process which was the main aim of the TRC.

For the purpose of this chapter the researcher will reflect on what women conveyed during the TRC proceedings; what they really revealed about their experiences and whether they spoke about healing and forgiveness before the TRC. Three case studies are also included of three women who appeared before the TRC. The researcher conducted interviews with these women as they looked back, approximately 15 years later, on whether the process did in fact work for them or not.

Why report on these stories? Apart from the truth discovery process, women told their stories and for many, that was the end of it. This chapter is aimed at reminding people of what happened; what other people had to go through during the struggle against unjust apartheid laws,

¹²⁴ H. Kennedy, *Power, pride and prejudice: The years of Afrikaner nationalist rule in South Africa*, p. 343.

¹²⁵ D. O'Meara, *Forty lost years: The apartheid state and the politics of the National Party, 1948-1994*, p. 326.

¹²⁶ A. Jeffrey, *People's war: New light on the struggle for South Africa*, pp. 313-315.

especially women as they are the least recognised group. Many South Africans have little knowledge of what the TRC was all about. When I explain to some people the scope of my research, I almost always see puzzled and uninterested faces. This study sets out to be a reminder of the atrocities faced by South Africans, especially women, in the name of a democratic government.

3.2 Stories revealed about physical forms of torture

A very popular method of torture used by the police was keeping their detainees standing for long hours. Miss Deborah Marakalala, during the prison hearings held on 21 July 1997, related how she was tortured during her detention. She said that she would have to answer questions standing and was not allowed to sit down. During her detention, she was pregnant and it was even more difficult for her to withstand torture of any kind. She said: “At that time they started assaulting me; I became lame from my waist downwards, as if I had pins and needles in my body. I lost my balance, fell and messed myself”.¹²⁷ Because of these forms of torture, Marakalala suffered a miscarriage. She related how it all happened saying: “The one day I felt weak; I lost strength and late that afternoon I started vomiting. I still asked to see a doctor but I was told the doctor would not come. On the third day I collapsed; that was the time I was actually having a miscarriage and my baby was in a tube. I was there under male police guard. They inserted tubes and I was handcuffed to the bed so that I could not escape. During my time at the hospital it was male policemen who were guarding me. My family never came. There was only this sister who came to see me and the police who guarded me in shifts”.¹²⁸

Another account of longstanding was by Mrs Zahrah Narkedien, a former MK cadre, who was arrested in Nigel on her way to Botswana. She explained how she was made to stand for hours on end during her interrogation and that it was not the only form of torture she endured. She explained how police used other forms of torture when they realised that she was not willing to talk, “they started to realise that I was enduring that kind of abuse so they started to take a plastic bag; I need to show you for you to get an idea. They took a plastic bag, a dark blue one, which I couldn’t get, then one person held both my hands down and the other one put it on my head and

¹²⁷ Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/marakala.htm>>, 2009 (accessed 29.09.2011).

¹²⁸ *Ibid.*

then they sealed it so that I wouldn't be able to breathe and kept it on for at least two minutes, by which time the plastic was clinging to my eyelids, my nostrils, my mouth and my whole body was going into spasms because I really couldn't breathe. They'd do it to me for about three times, but I still wasn't prepared to surrender to them. I was willing to just suffer it out and then they decided I had to do physical exercises".¹²⁹

Mrs Narkedien said she was made to do press ups making her "lie on the floor and do all kinds of physical exercises lifting my body with my hands; what they call press-ups and then reducing the fingers until I had to pick myself up with two fingers. By then I couldn't because my body was tired; it was sore and I had to drop it and lift it up and I was hurting my knees every time I dropped it. While I was down they would kick me and tramp on me. They did this for hours on end ... as I said any physical pain did not matter, because I just sort of transported myself out of there".¹³⁰ This was unfortunately not the end of the torture for Mrs Narkedien who also spoke about her experience of being strangled by one of her interrogators. She gave an account of it as follows: "He would strangle me and lift me right off the ground and then just drop me like that, grab me by the hair and throw me down and pick me up".¹³¹

Although Mrs Narkedien is an Indian woman she still suffered severely. Thus, there was an untrue belief that only black people suffered under apartheid. Other individuals of different races who were seen as a threat to the government were also abused in some way, although it may be true, that the forms of torture varied according to race. For example, Mrs. Jean Middleton who was arrested with the group known as the 'Bram Fischer and fourteen others' recalled how black women in prison would be physically assaulted. She said that "through a window we used to see women, black women prisoners carrying things sometimes. However fast they tried to run, the wardresses would urge them on by whipping them with those long leather straps attached to their keys and sometimes there would be a baby on a woman's back so the baby got whipped ... it was a very cruel place".¹³²

¹²⁹ Truth and Reconciliation Commission, "Prison Hearings", <<http://www.doj.gov.za/trc/special/prison/narkedie.htm>>, 2009 (accessed 29.09.2011).

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² Truth and Reconciliation Commission, "Prison Hearings", <<http://www.doj.gov.za/trc/special/prison/middleto.htm>>, 2009 (accessed 29.09.2011).

Mrs Deborah Matshoba commented on the abuse suffered by detainees at the hands of the wardresses. One would expect that these women would be sympathetic to other women, but they made the detainees' lives a living hell. When she was detained in 1976, she was at the Old Fort Prison¹³³ together with Winnie Mandela, Wesper Smith, Joyce Seroke, Fatima Meer and Sele Moklana; a very strong group who were especially outspoken about human rights violations which took place in prison. This group one day discovered that female prisoners were not allowed to wear panties and subsequently took the matter up with the prison authorities, which resulted in women being allowed to wear panties. This was not the only violation they fought against. One night they heard screams from children, "clamouring for their release ... I [Matshoba] remember Winnie waking us up one night and saying 'Women, we are not going to sleep!' We started banging doors and calling until the Adjutant came and wanted to know what was happening. We said we wanted to see the Security Police; what are these children doing in prison? The next day the children were released except those that were charged, like Sibongile Mkhabela and others".¹³⁴

In December, Mrs Matshoba was released and six weeks later was re-arrested in Pietermaritzburg. She suffered greatly at the hands of the police and the white wardresses who would hand her over to the police without recording it. She explained her torture saying, "They hand-cuffed me and put and manacled my ankle on a big iron ball. They made me stand the whole night. There was no chair, but I was given a pen to write a statement, tell them everything about myself and my involvement in SASO (South African Students' Organisation). I was an executive member of SASO at that stage. I wrote a brief history of myself. It was Saturday. Sunday I continued the same thing. They kept on tearing the papers and telling me to write. The third night I started becoming delirious and my legs were swelling. I think that was on Monday, by Thursday, no Tuesday, by Tuesday I was counting nights and this man started beating me up. He held a towel, strangled me with a towel and started bashing my head against the wall".¹³⁵ She continued saying, "obviously I was very weak. I was being given food, but I was not made to sit down. I could not sit down and when I collapsed they kicked me. Eventually, I must have passed

¹³³ The Old Fort Prison was also known as Number Four. Prominent political prisoners who were kept in this prison included Nelson Mandela, Joe Slovo, Bram Fischer, Albert Luthuli and Robert Sobukwe.

¹³⁴ Truth and Reconciliation Commission, "Special Hearings for women", <<http://www.doj.gov.za/trc/special/women/matshoba.htm>>, 2009 (accessed 29.09.2011).

¹³⁵ *Ibid.*

out. I was bleeding. I must have passed out because when I came to wake up, I was lying on the floor all wet. They must have poured water over me and threw a packet of pads at me. I got to the bathroom and I could see that I was menstruating and I was just wondering how he realised that”.¹³⁶ She further stated that the beatings lasted for a whole week but she was still not willing to talk.

How these women found the motivation to stand up to such harsh forms of torture in the name of the struggle and not break down when being interrogated is amazing and should not go unnoticed. The fact that these women were able to overcome this cruel treatment should not go unrecorded and unrecognised.

The following discussion is a case study of a woman who was part of the ANC during apartheid and despite the violence between the organisation and the IFP in KwaZulu-Natal in the 1990s and despite what happened to her family, she is still a loyal member of the ANC.

CASE STUDY 1: Mrs. Clara JabhileKhumalo

Mrs Khumalo appeared before the TRC on 11 September 1996 to relate the tragic incident which took place on 8 June 1993. She described the incident saying:

“On the 7th of June, when I was coming back from work, I was told that the KwaZulu Police were with the Inkatha group, and they went to all the comrades' houses searching for the comrades. And I told them that probably they [KwaZulu Police with the Inkatha group] were coming to my place. I slept very late that night keeping vigil, and I just could not sleep because I was somehow scared. And just when I was about to fall asleep I heard the sound of shattering glass at the sitting-room, and I realised that probably they were starting to attack us. And I heard the window shattering, and I could see some petrol pouring. And just when I was about to run away I saw some fire. The house was being set alight. Mndeni [one of her sons] as well as Sifiso Mposula [her son's friend] were sitting in the kitchen, and they said they heard the sound but they never paid much attention. But when they went to look through the window they could not see anyone, and they went to investigate at the dining-room and at the sitting-room, and they found that the place was set alight at that time. And we met at the

¹³⁶ *Ibid.*

passage. He [Mndeni] was coming to tell me that the sitting-room was on fire. And at that time the whole house now was on fire. I went to check on my grandchildren. The other one was six and a half and the other one was two and a half years old. And I tried to pull the blanket on which they were sleeping. The elder one managed to escape on his own, and when I opened the bedroom, just when I was about to go out I realised that I was burning, I was on fire at that time, and my clothes were also burning. When I went into the kitchen I decided to roll myself on the floor so that I could extinguish the fire, and I saw Mndeni pulling out the bedspread, and he threw it over me to extinguish the fire. I picked myself up and decided to go out because I did not want to die inside the house. And the children refused me permission to go out [because it was dangerous], but we ultimately went out through the kitchen door.

And as we were still standing on the stoep I heard a voice saying, 'Here are the dogs', and by that time Cabangani [son] was saying that and they [her sons] were running towards the gate, and they were picking up some bricks and stones. And when they came back running I thought they had come to take some weapons in the house, because when we went out we were unarmed, only to find that at that time they [her sons] had been shot. Just when I turned around to look at them when they were from the house I saw Sikhumbuzo, who was in front of me – Sikhumbuzo Mabaso [one of the attackers]. There were two of them but I don't remember the other one. I looked at Sikhumbuzo because I knew him. Sikhumbuzo shot four times. He had a gun. Cabangani at that time was standing in front of the door, and he kept on urging me to come back into the house, and at that time my clothes were burnt up and I was naked, and I was just standing there on the stoep. And I looked at this person in the eyes, because I always told myself that if you look at a dead person there is always that picture that remains embedded in your mind. I don't know whether I shut my eyes, but later on I saw them that they were no longer there. I put on a hose pipe, trying to put out the fire in my bedroom.

And Cabangani told me that he had been shot at that time, and I came close to him and I saw that his arm was bleeding and I could see that he had a fracture, and the other bullet was on the right arm, and I said he must point out to me which place else he was shot. Then I said, 'You are not going to die. Let's go and get you a car to take you to the hospital'. We went to

Simelani's [neighbour] house and we asked him to take my son to the hospital, and he duly took us to the hospital. I got discharged on the 2nd of August. And when we came back we were having problems, because at that time we could not get any rest, and my children had gone to section 7 [at Emadadeni] and the police, ZP police [KwaZulu Police] used to come, and we knew that thereafter the Inkatha group would come to attack us. And ultimately the community at Madadeni said their children should come and keep vigil and keep security in my yard. We could not get any rest. We only got rest when Msadafi(?) [Slang for South African Defence Force] came. The first time they [referring to the South African Defence Force] tried to attack us, but the second time I undressed and showed them that I had been attacked and I had been burned, and we were the ones who got injured, so they could see the injuries and they promised that they [the South African Defence Force] would secure us.

But we had problems because the KwaZulu Police used to come. At one stage they took Cabangani whilst he had the plaster of Paris [Unclear] and they said he was attacking certain houses. And we even fetched my brother, who was a policeman, and he is the one who went to the station commander who was on duty that day, and he got some documents from the hospital that proved that at the time this attack took place Cabangani was at the hospital. They [police] thereafter didn't want to speak to me; they wanted to speak to Cabangani. That's when they started harassing us, because even after Sikhumbuzo [Mabaso – one of the attackers] went around shooting ANC youths we discovered that the ZP Police was arresting our children, and they were made to do frog jumps from one area to the other. And Station Commander Mthethwa at that time, when we approached him as parents as well as ANC members he threw tear-gas canisters at us. That's when they went to fetch other people to come and release our children. We never got any rest, because even at work I was being harassed. Whoever was speaking to me would be ostracized and would be regarded as an enemy, and they would ask the person as to what he was saying to me. Even today I don't have rest at work. I am working at Madadeni Hospital.”¹³⁷

After reading Mrs Khumalo's tragic incident, the researcher was assisted by Arthur Zwane

¹³⁷ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/newcas/day2.htm>>, 2009 (accessed 18.07.2011).

who is the Chairperson of the ANC in Newcastle, to locate her. We scheduled an appointment for 26 August 2011, when I went to her house in Newcastle to meet her. She was, at first, reluctant to talk to me because she said one can never be too trusting these days. She however, welcomed me into her home. During our discussion, her son was also present and I also felt it appropriate to appear with an elder who would explain to her the scope of my research and the reasons for being there better than I could. I decided that we would rather have a discussion than a formal interview, because I had the feeling that she did not want to be in the same setting as the TRC. She first told me what had transpired on 8 June 1993, and then showed me where it all happened, trying to hold back her tears. She said that the only thing that survived that fire was her coffee table which she still uses to this day. She showed me the ceiling which still had not been fixed because of a lack of funds. When I asked about the reparations from the TRC, she said that it was “peanuts”; one couldn’t do much with that kind of money.

Mrs Khumalo’s motivation to testify before the TRC was mainly due to the fact that she wanted to know why that was done to her family; why people felt the need to burn down her house and try to murder everyone in her family. Mrs Khumalo who still has burn scars on her arms and face and probably her whole body, said that even though the experience was very traumatic for her, having to relate it all over again was like re-living the horror. She however stressed the importance of talking about something as it also serves as a healing process, even though she would not want to do it again. After the tragic incident, she said that her grandchildren would experience nightmares and that is when she realised that this traumatic incident had a negative effect on them. The TRC then assisted the children and recommended that they see psychologists. According to her, that really worked for them because the nightmares stopped. However, she still suffers the pain of what happened because the people who did this to her family are walking freely and carrying on with their lives as if nothing had happened, when, on the other hand, her family is struggling to make ends meet.

Mrs Khumalo believes that the ANC has betrayed her family. She said: “It’s amazing how people who were in the struggle to liberate this country are the ones who are still suffering”. Her son is unemployed because he was unable to finish school, and the ANC in Newcastle

know the role she and her son played in the struggle, but the ANC politicians are the only ones who are reaping the fruits of the freedom fighters' hard work. She further added that she would not stop being part of the ANC, but that there is too much corruption in the organisation, especially in the Chairperson's office because only family and friends benefit from the organisation. She hoped that I would perhaps assist her in getting her son a job at least, even if it is cleaning the streets; anything that could help, because they are living off her pension money.

With regard to forgiveness, Mrs Khumalo is not willing to forgive those people who did this to her family, because they are living their lives well and she is still struggling. She said that there is no justice at all and it would have been better if these people had paid for what they had done to her family. As much as coming before the TRC may have been therapeutic in some way for Mrs Khumalo, she clearly stated that given the chance, she would not do it again because she does not see how the TRC helped her.¹³⁸

This typical story highlights people's expectations of the TRC, where many people had expected that after appearing before the TRC, their lives would change dramatically for the better. This is however, not the situation in Mrs Khumalo's case who still feels that the ANC government especially, owes her a lot for the time she dedicated to the struggle, as well as the suffering her family endured throughout apartheid and even up to this day. She blames it all on the struggle, but says that she does not regret ever being a part of the ANC and fighting an unjust political system.

The TRC should have been more transparent from the outset towards the expectations of the people. They should have made people understand that the main aim of the proceedings was to hear their stories and if, in any way, they might be able to help they would do so. It may have been mentioned on paper, but it is clear from Mrs Khumalo that this was not communicated to her. The TRC would ask the victim towards the end of a hearing if there were any expectations of them. At this point, it should have been made clear whether the TRC would be able to help or not; because that process, in itself, created more expectations.

¹³⁸ N. Mbatha Private Collection, *Interview with C. J. Khumalo*, 26.08.2011.

Apart from the above descriptions, the nature of physical abuse to which the women were subjected included amongst others, being hung through a window and threatened to be dropped; hit with a wet towel; blindfolded, handcuffed and assaulted; being strangled with a towel; deprived of sleep; and having one's head bashed against a wall.¹³⁹ Overall, it is clear that women suffered a variety of severe physical abuses.

3.3 Stories revealed about psychological forms of torture

The psychological abuse the women had to endure included verbal abuse; attempts to weaken the victim mentally; psychological terror tactics such as threats made against families and/or witnessing the torture of other detainees; and humiliation.¹⁴⁰ This was done with the aim of making the victim incapable of further activities after their release.

The *Final Report* of the TRC indicates that it was not possible for the Commission to diagnose actual disorders or psychological problems based on the statements and testimonies at the hearings. However, post-traumatic stress disorder, depression, anxiety, sleep disorders, memory loss, emotional numbness, chronic irritability, physical illness, the disruption of interpersonal relations and social functioning, are typical symptoms that result from gross violations of human rights.¹⁴¹

Mrs Narkedien explained what the effect of being in prison had had on her life. She explained: "I'm out of prison now for more than seven or ten years, but I haven't recovered and I will never recover, I know I won't, I have tried to. The first two years after my release I tried to be normal again and the more I struggled to be normal, the more disturbed I became. I had to accept that I was damaged, a part of my soul was eaten away as if by maggots, horrible as it sounds and I will never get it back".¹⁴² Mrs Narkedien was in isolation for seven months. She described that period as the most painful ever and she further said: "I don't even want to describe psychologically what I had to do to survive down there. I became so psychologically damaged that I used to feel that all these cells are like coffins and there were all dead people in there because they were not there, no-one was there, it was as if I was alive and all these people were dead. I was so disturbed

¹³⁹ Truth and Reconciliation Commission, Vol. 4, pp. 301-303.

¹⁴⁰ Truth and Reconciliation Commission, Vol. 5, p.128.

¹⁴¹ *Ibid.*, pp. 129-130.

¹⁴² Truth and Reconciliation Commission, "Prison Hearings", <<http://www.doj.gov.za/trc/special/prison/narkedie.htm>>, 2009 (accessed 29.09.2011).

but I would never, never let the wardresses know”.¹⁴³ It is amazing how even through all that pain and suffering, these women managed to remain sane. They knew for what they were doing it and were not willing to give up, even when they had nothing else to hold on to. This demonstrates that they were willing to put their lives on the line, all in the name of the struggle for liberation.

It is commonly known that men mostly experienced death-row. A female on death-row was unheard of. However, during the prison hearings, Miss Theresa Ramashamola told her story about being on death-row. She was arrested in 1984 as part of a group who were known as the ‘Sharpeville Six’. Amongst five men, she was the only woman. She related how difficult it was as a woman to find herself in that kind of situation. She said: “Whilst on death row, it was quite difficult for me because what hurt me was that as most people talked to me, were saying, asking why were you the only woman on death row”.¹⁴⁴ This must have been the most humiliating period for her, having her womanhood being questioned. She further stated how that hurt her and how she could not understand “what kind of a woman was I who was this unfortunate to be on death row and what I was arrested for, if we can trace back in time, we cannot find anything”.¹⁴⁵ She also related how she was robbed of her womanhood and her life in general, since she could not get it back after prison.¹⁴⁶

Another form of psychological torture suffered by women was when they did not know to where their loved ones had disappeared. Mrs. Erica Doreen Motshabe Kokunsi spoke during the victim hearings held in Bloemfontein on 2 July 1996, of her son who disappeared in 1976. When she heard that her son had died, she said: “I felt my shoulders going down, I felt very depressed. I prayed that the Lord would try and heal me because I felt as if there was a hole in my heart, because now it was dawning to me that my child had died in 1985. I was a little bit disturbed. I feel like am going mad because I don’t know where my son died. Maybe if I could know where his corpse is and what killed him I could rest”.¹⁴⁷

¹⁴³ *Ibid.*

¹⁴⁴ Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/ramasham.htm>>, 2009 (accessed 29.09.2011).

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

¹⁴⁷ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/hrvbloem/bloem1.htm>>, 2009 (accessed 29.09.2011).

The emotions suffered by family members when they did not know to where their loved ones had disappeared, can never be explained by a person who has never been in that kind of situation. The psychology behind it; the hope that the individual may appear at any time; the torture of not knowing whether they are alive, dead, have a shelter, have clothes, have food to eat, or whether they are able to survive without their family around them, created a significantly negative effect on the family as a whole.

The next case study is of a woman whose brother-in-law went missing in 1976. It should be noted how the family was harassed after the disappearance of the brother and how the family reacted to all of this, as well as how favourably Mrs Mnyazana speaks of the TRC.

CASE STUDY 2: Mrs Victoria Mnyazana

Mrs Mnyazana came before the TRC victims hearings held in Newcastle on 10 September 1996. Mrs. Mnyazana told the story of her brother-in-law, Blessing Thembinkosi Mnyazana who disappeared on 24 December 1976.

She said that since Blessing was involved in politics, after he had disappeared, the police continued coming to their home to look for him or for any evidence that could lead to his whereabouts. She said: “They continued harassing us, coming to our place looking for his photos and most of the time they would come with guns, and whenever there was any relative who had come they would come looking for him having guns and they ask this particular relative as to where he was coming from ... This went on, and they used to come and get my mother-in-law, and they would swear at my mother-in-law, they would harass and do all sorts of things”.¹⁴⁸ She requested that the Commission find out where her brother-in-law was and if he were still alive; if not, then find out where he was buried. “Maybe we could fetch him and bury him in a decent manner”, she added.¹⁴⁹

Fifteen years later the researcher conducted an interview with Mrs Mnyazana, trying to find

¹⁴⁸ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/newcas/day1.htm>>, 2009 (accessed 18.07.2011).

¹⁴⁹ *Ibid.*

out whether she was granted her wish by the TRC and whether she had received healing from the process, or not. The interview was held on 23 July 2011. I went to her house in Newcastle so that she would feel safe in her own surroundings. The woman was very welcoming to me and invited me into her home. I also found out that she is a relative, which eased some of the tension a little. We then had a discussion and she told me how her family was devastated after the disappearance of her brother-in-law. She said that the family was still coming to terms with the sudden disappearance of their beloved son and brother, but the Security Branch could not have cared less. All they wanted was to see Blessing behind bars. She mentioned how the police would make surprise visits; demanding Blessing's photographs, demanding that they tell them where he was hiding and, at times, they would turn the house up-side down searching for clues that could lead to Blessing's whereabouts.

She also spoke about one night on her way back from night school where she was giving class. She said that when she got home, the Security Branch were inside the house, heavily armed and they had turned her bedroom up-side down because the suitcase she was using had Blessing's name on it, so the police thought that he may have returned. She spoke about how she fought them that night because they were really invading her privacy and were already tired of the Security Branch coming to their home. This harassment continued for about six months until they realised that the family really did not know anything.

Unfortunately, the Commission could not find out about Blessing's whereabouts. They believe that he probably did not cross the border because he was not recorded as having crossed the border, or if he did, that he had perhaps changed his name. However, the family has had to live with this. She said that the death of Blessing's parents could have been due to stress over the disappearance of their son.

After the TRC, she and Mr David Mnyazana, Blessing's father who also appeared before the TRC, were given R2 000 each to see a psychologist. She says this really helped the family a lot because they were able to talk about how this had affected them and in the process heal their wounds. The psychologist suggested that they erect a memorial tombstone whether in the garden or in the bedroom, just to show that Blessing's memory lived on. This was

however not done until Mr Mnyazana passed away. She said that when they received reparations from the government of R30 000, they were then able to erect the tombstone in their living room.

Mrs Mnyazana allowed the researcher to take a picture of the tombstone which is very dear to their hearts, as it is the only remaining picture of David that the family has.¹⁵⁰



This is erected on their dining room wall. It reads:

In loving memory of our beloved brother Thembinkosi S.B. Mnyazana. Born in 1958 and went missing in December 1976. We honour you brother Long live

Message: IMINI INGEDLULA IZINYEMBEZI ZOME KODWA THINA ASISOZE SAKULIBALA¹⁵¹

It seems that the Mnyazana family has learnt to accept that their beloved brother will not be coming back. According to Mrs Mnyazana, when the TRC told the family that they could not find any evidence that could lead to Blessing's whereabouts, they lost all hope. Now they have learned to accept his death and this tombstone has been their way of survival and acceptance.

¹⁵⁰ N. Mbatha Private Collection, *Interview with V. Mnyazana*, 23.07.2011.

¹⁵¹ Translation of Xhosa words: Message: 'Days may pass, tears may dry but we will never forget you'.

Even though they do not know whether he is alive or dead, they regard him as someone who has died because the family has lost all hope of his being alive.

3.4 Stories revealed about the psychological effects of torture

The TRC's understanding of gross violations of human rights clearly integrated psychological or mental torture as part of its portrayal of torture. However, it is not easy to distinguish between physical and psychological abuse. In this case, women were more eager than men to speak about the psychological effects and problems that go hand-in-hand with human rights violations.¹⁵² The fact is that these traumatic events are burnt into a victim's mind and memories have an influence on accompanying emotions such as anger, feelings of worthlessness, guilt and feeling suicidal. Thus, it seems that the psychological effects of human rights violations may be multiple and the implications may extend beyond the individual.¹⁵³

Do the women who suffered human rights violations ever recover from what happened to them? Are they able to move on with their lives and be who they used to be? Is it even possible that they get their lives back on track? It seems as if they can never go back to who they used to be, because what they experienced has had a huge impact in their lives, physically, psychologically and mentally. It is true that physical assault does not go alone; it is accompanied by psychological effects. These women were also affected psychologically from what they experienced. Some forms of torture specifically dealt with the psyche. Women, who experienced any kind of abuse, whether physical, psychological or sexual, were adversely affected and in turn, this dramatically changed who they were and how they viewed the world.¹⁵⁴

Should a woman who lost her husband be regarded as a secondary or primary victim? The last case study highlights this issue, as it is about a woman whose husband died in front of her.

CASE STUDY 3: Mrs SeipatiMlangeni

Mrs SeipatiMlangeni appeared before the TRC on 2 May 1996 together with her mother-in-

¹⁵² Truth and Reconciliation Commission, Vol. 4, p. 303.

¹⁵³ *Ibid.*, pp. 304-306.

¹⁵⁴ *Ibid.*

law. She related the following story of the death of her husband:

Mrs Mlangeni and her husband – BhekiMlangeni - went out to a movie and then went to have drinks in a tea room. “He took out this parcel which had almost been unwrapped and there was a small box with cassettes, on one of which was written: *Evidence, Hit Squad*. He said he had received this parcel and one might see that there was no evidence here that they are talking about, probably nothing in the cassette. We then went home in a taxi. When we arrived there, he didn't even stay; I was undressing, as he connected the earphones ... (witness very upset). I saw him connecting these earphones; he didn't hear me because the last thing I said to him was why he didn't connect it to the hi-fi, so that I could also listen. I don't even think he even heard a thing of what happened, what was in the cassette, within seconds I heard a big explosion, a big noise, I thought it was a gun. I ran away, I tried to get out of the window and then I couldn't get out of the window and I came through the door and the last thing I saw was him falling down slowly ... (witness very upset).

When I ran away I ran inside the main house and I was calling out. When I went to mum's room I don't know if I found her asleep because I was just shouting, I just said he was in the garage, in the garage and I started running away and one gentleman held me and I ran back home and police were there looking for a statement, I just saw two ambulances and I began to hope. I was confused; I thought he was also in one of those ambulances, when I went inside ... (witness upset). With regard to my issue, the person who did this has been found. I want this person to come out, and this person is already on trial, it's Eugene de Kock. What I'd like the Commission to find out from him, I'm not clear how Bheki's name got involved as a sender into the parcel. Other issue that I have been getting from newspapers is that Eugene de Kock says he's going to ask amnesty from you. I contest this. Eugene, when he did what he did, he knew that somebody would die. Today I'm a widow; I'm an outcast in our society because I'm a widow. In our community and our society you are associated with all sorts of things when you are a widow because of a person who didn't think through when they were doing this, so that when this person comes to you to ask for amnesty, how do you forgive such a person? If I can find an answer to this question, how do you go about forgiving this person who is a cruel murderer, who killed a defenceless person who'd never killed anyone,

to a person who'd never raped anyone, a person who never committed any crime, who was just fighting for peoples' rights but without carrying a gun? I would love the Commission to assist me there.”¹⁵⁵

I got hold of Mrs Mlangeni through a friend who is a relative of hers. After reading her story on the TRC website, I was afraid to interview her because I just didn't think anyone would get over such a tragic incident. I didn't want her to re-live the experience because of me. However, because she was already expecting me and she sounded very willing to talk, I proceeded with the telephonic interview.

I could pick up from the notes that she cried a lot during the hearing as at some point, she was given time to compose herself outside. Therefore, this was a very daunting task for the researcher to undertake. Mrs Mlangeni went before the TRC because she wanted to know why they did what they did to her husband. She wanted the person who planted that bomb to come forward and say “I did it”. She basically wanted the TRC to further investigate the murder of her husband.

Furthermore, she stated how emotional she was and coming before the TRC was like re-living the same experience all over again, “but I was excited about getting to know exactly who was presiding that day and getting to share my story was a form of therapy for me”, she added. According to Mrs Mlangeni, briefers played an important role in the process, consoling her because she really cried a lot. However, this was the only assistance as she did not get help from the TRC because “it only helped those who were seeking amnesty; my family lost a breadwinner and in the process we suffered a lot; what the TRC did was not enough”.

When her husband passed away, she was only 24 years old, and the experience of being a widow at that young age traumatised her even more. She said that as a widow in the black community you become an outcast, because you are expected to behave in a certain way and you are also treated differently. For example, in a taxi you have to sit at the back because you

¹⁵⁵ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/methodis/mlangeni.htm>>, 2009 (accessed 22.08.2011).

are deemed bad luck; all this contributed to her trauma – “I wasn’t a full human being”, she said.

With reference to reparations, she believed that R30 000 was not enough. According to her, it was “just money to ... *umthobanhliziyó*¹⁵⁶ ...what can you do with that money?” She further stated that her expectations from the TRC were not met “especially when it comes to De Kock. The TRC should have done a follow-up and told me how the case was proceeding”. She says that new developments on the case were discovered via the media and the TRC should have let her know because she requested, during the hearing, that they find out what really happened that day. She felt that instead of hearing about it through the media, the TRC should have prepared her first by letting her know how the case was proceeding. She also strongly believes that De Kock should have been punished as there needed to be a balance between her suffering and that of the perpetrator. She further emphasised the loss of a father; that her children had to spend the rest of their lives with no father figure. With regard to the TRC, Mrs Mlangeni felt that the TRC should have ensured that her children should have received the same quality education that her husband would have provided for them, had he still been alive.

Mrs Mlangeni also shared how her documents were lost just before she appeared before the TRC and she had to give another testimony all over again. She said that given the chance to appear before the TRC again, she would not take it because “it was a waste of my time. Maybe the TRC tried, but they didn’t do it properly”. She then made reference to the Truth Commission of Rwanda, saying that perpetrators paid for the crimes they committed; therefore, those in South Africa as well, should have been tried so that they could feel the same pain suffered by their victims. Mrs Mlangeni felt that the TRC did not play the role that they were expected to play. She said: “We had high hopes, but the victims suffered more than the perpetrators”. She further stated that the TRC should have gone down to the victims’ level in order to understand exactly what happened to them. She also mentioned that to the Commissioners, this was just a job where they would get paid and their priorities did not lie with helping people – “It was all a job to them”, she added. She further emphasised that a

¹⁵⁶ A Zulu word meaning ‘compensation that did not mean much’.

balance should have been sought between the victims and the perpetrators, as most families lost their breadwinners and “it’s not fair that people who suffered back then, still suffer now while the perpetrators live freely with their families.”

With regard to forgiveness, Mrs Mlangeni said that she has not forgiven. She says that she expected the perpetrator to suffer as much as she suffered. She believes that the TRC protected the perpetrators more than the victims.¹⁵⁷

Mrs Mlangeni not only lost a husband, she also lost a breadwinner and the father of her children. This then had a negative effect on her children and her family life as a whole. She had to take over the role of a mother and a father, as well as becoming the breadwinner, because life had to go on after her husband’s death. She emphasised how difficult life had become after her husband’s death and how their children could have received a better education had he still been around. From this case study, one notes three things that were lost, namely: economic loss after the death of the breadwinner; cultural loss in the sense that Mrs Mlangeni was treated differently after her husband’s death as she lost her identity in the community; as well as a negative effect on the children and the loss of a proper family life in general.

3.5 Stories revealed about the influence of economic loss

Many women suffered economic loss at home, mostly after the death of their breadwinners. In the previous chapter, Mrs Madela was discussed; she lost her house after the death of her husband and when authorities sold her house without consulting her she was never given the money or compensated in any way. Lephina Zodwa Thobela, on the other hand, lost her job because she was labelled a terrorist. This all started with her son’s sudden disappearance. Her family suffered continuous harassment by the police. Her house was burned down and two of her children were killed during the attack. She said: “This disturbs me because I want to know as to who killed my family and my soul will never rest. I will never be at peace with myself if I do not

¹⁵⁷ N. Mbatha Private Collection, *Interview with S. Mlangeni*, 26.08.2011.

know as to who killed my family ... we had come to get used to the harassment by the police, but I do not believe that they had to go to an extent of killing members of my family”.¹⁵⁸

According to Miss Ramashamola: “As far as life is concerned, personally if they would have hanged me at that time, it would be much better; it would have been painful then and that would be it. If I wasn’t alive now, I would not have a lot of debits to my name, owing anybody”.¹⁵⁹ She lost her job while she was in prison and after her release, it was difficult for her to pick up the pieces and carry on with her life, which is why she feels death would have been a better option.¹⁶⁰

After the death of Nokuzola Fulani, Mrs Nokuzola Carol-Anne Fulani’s husband, she said that she struggled financially because he was the breadwinner. She requested that the “Commission take care of me and my children because from the salary that I get, I cannot fulfil all the things that I would like to do for them because it is too little. When things get really difficult, I think that if Jacobs was alive, I would not be in such difficulty”.¹⁶¹

A chain reaction was often the result of a physical disability and/or psychological problem which would have an effect on finding employment and as a consequence, add to a person’s economic difficulties. This condition obviously placed an extra burden on the extended family, which in turn, caused disruptions in interpersonal relationships, simply because the victim or the affected person would become too much of a burden to the family. The fact that in most cases young people would get arrested or go missing placed an economic burden on the family who had hopes for the young person obtaining employment and becoming the breadwinner at home. This then increased the burden on women, which also shows that women did not only experience physical, psychological and sexual difficulties, they also had the burden of taking care of their families and ensuring that some form of income was being generated.

¹⁵⁸ Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/thobela.htm>>, 2009 (accessed 1.09.2011).

¹⁵⁹ Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.justice.gov.za/trc/special/prison/ramasham.htm>>, 2009 (accessed 29.09.2011).

¹⁶⁰ *Ibid.*

¹⁶¹ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/hrvpe1/day1.htm>>, 2009 (accessed 07.10.2011).

3.6 Stories revealed about the effects of poor hygiene and other health factors

Because of the laws during the apartheid era which allowed police to detain people without trial and without informing their families of their whereabouts, some women went without a change of clothes for months. Some women in prison were not given prison clothes into which to change, while some would be held in isolation for long periods without any form of contact with the outside world or even allowed a bath. Miss S. Naidoo, who was held under Section 6 of the Terrorism Act in 1969 at the Old Fort Prison, told of her experience during her detention. She was held in solitary confinement throughout. She said: “I wasn’t even allowed out for a shower or a bath, water was brought to me and I wasn’t even allowed to empty my own bucket ... I had no letters, no contact with my family. I have no idea where I was held”.¹⁶²

Mrs Narkedien was also not allowed a bath or to change her clothes. She said: “All these days I was wearing the same clothing, just a dress and I was also menstruating at that time which I told them so I couldn’t stand so long and I was bleeding a lot”.¹⁶³ Even in these circumstances, she was still not allowed a bath.

Miss Matshoba, during her detention in Pietermaritzburg prison, was refused medication during her asthma attacks. She said that after a week of interrogation, she was sent to another police station where the rooms and linen were “filthy, swarming with lice, LICE and the blankets stinking and reeking of urine and I was thrown in there”.¹⁶⁴ She said that one policeman gave her an asthma spray after he had spoken to her and realised that she was not crazy. Moreover, since they were not allowed to see a doctor, she hid her asthma spray and tablets behind the toilet. When she asked for a doctor, one policeman would tell her: “We are waiting for you to die; we have realised your weak point and we do not have to torture you anymore. With your asthma, you will go naturally and we cannot be held liable for that”.¹⁶⁵ Added to her being sickly, she could wash her body only at a tap outside. She said that it was the only place available for her to

¹⁶² Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.justice.gov.za/trc/special/prison/naidoo.htm>>, 2009 (accessed 29.09.2011).

¹⁶³ Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/narkedie.htm>>, 2009 (accessed 29.09.2011).

¹⁶⁴ Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.doj.gov.za/trc/special/women/matshoba.htm>>, 2009 (accessed 29.09.2011).

¹⁶⁵ *Ibid.*

wash and she had no other choice “except to wash there with a bar of red carbolic soap that they had given me, because my washing rags were at the, were left at the prison. I had to use the same cloth for the teeth as well”.¹⁶⁶

One of the most important essentials in a woman’s life is keeping her body clean. This basic need was violated and became a form of humiliation for women which undermined their womanhood, especially during their menstrual period. This is a private matter to every woman and having that aspect of their lives exposed in that way, must have had a significant psychological impact on these women prisoners.

3.7 Stories revealed about sexual assault

“I was just alone at the back of the *hippo* and they were just driving - it was pitch dark outside. They alighted the *hippo* and then they came to take me out of the *hippo*. One of them said to me can I see what I have put myself in, and then they asked me when did I last sleep with a man. I was so embarrassed by this question. And I felt so humiliated - I informed them that I have nobody - I didn’t have a partner and then they asked me with whom am I staying. I informed them that I was with my family. The other question that they asked me is how do I feel when they - when I am having intercourse with a man. This was too much for me because they were repeating it time and again, asking me the same question, asking me what do I like with the intercourse do I like the size of the penis or what do I enjoy most. So the other one was just putting his hand inside me through the vagina, I was crying because I was afraid that we have heard that the soldiers are very notorious of raping people. This one continued putting his say [Unclear] finger right through me, he kept on penetrating and I was asking for forgiveness and I was asking them what have I done, I am old enough to be your mother. But why are you treating me like this - this was very-very embarrassing.”¹⁶⁷

This was the first graphic account of rape by Miss Khutwane [as already mentioned in Chapter 2], who was part of the ANC during the apartheid era. She gave this account during the TRC proceedings held in the Western Cape. This account thus compelled the TRC to scrutinise the

¹⁶⁶ *Ibid.*

¹⁶⁷ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/worcest/ct00530.htm>>, 2009 (accessed 07.10.2011).

South African laws regarding rape. After this account, many women who had, in the past, been ashamed to talk about their sexual assaults were able to, even though this kind of assault was the least spoken about form of human rights violations during the TRC proceedings.¹⁶⁸

Mrs Jean Middleton spoke about how women's sexuality was used to torture them when in prison. She said that during inspections, "you stood naked and you would have to jump and show that you aren't carrying anything in your ... I can't describe its effect on you very well, because you go slightly crazy and it's very difficult to describe your own craziness, but, ... yes!"¹⁶⁹

Mrs Narkedien remarked: "I had to strip naked for about three or four prison wardresses. I had to strip naked and they would go through everything ... I had to stand fully naked and I used to say never. I'm not going to take my panties off for you, you do all the searching and when you're finished I pull it down quickly and I had to do that every single day for two and a half months, when I returned (from interrogation) it was the same process. When you're menstruating, they still want you to pull your panties down".¹⁷⁰

Winnie Makhubela, who was 14 years old when she was assaulted by a group of men [from the IFP] together with her friend, who unfortunately, did not live to tell the story, said: "We bought meat and left the shop, but just before we arrived home, we met some men who asked us where we live? We told them where we lived. We told them that we're living at 12th, they said come lets go to the meeting. When we arrived at Thokoza, they put us through the windows. After that they undressed us and they raped us. After they had raped us, they threw us out of the window and they started shooting at us. They started chopping us with knives and some police came and the police asked us where do we live? I told them I lived at 12th. They phoned for an ambulance and the ambulance took me to the hospital".¹⁷¹ According to Miss Makhubela there were also women present when they were raped and these women were applauding the perpetrators and seemed happy to see this happen to the two girls. The men slapped them even more when they

¹⁶⁸ For more information see Krog, "Locked into loss and silence..." and South African Historical Archive, "Gender and the Truth and Reconciliation Commission, pp. 10- 12.

¹⁶⁹ Truth and Reconciliation Commission, "Prison Hearings", <<http://www.doj.gov.za/trc/special/prison/middleto.htm>>, 2009 (accessed 29.09.2011).

¹⁷⁰ Truth and Reconciliation Commission, "Prison Hearings", <<http://www.doj.gov.za/trc/special/prison/narkedie.htm>>, 2009 (accessed 29.09.2011).

¹⁷¹ Truth and Reconciliation Commission, "Special Hearings for women", <<http://www.justice.gov.za/trc/special/women/mahlophe.htm>>, 2009 (accessed 01.09.2011).

pleaded with them not to do what they were doing. She said that they used huge bush knives to stab them.¹⁷²

Miss Nozibonelo Maria Mxathule who was taken by the police with other fellow comrades on their way back from a funeral, explained how she and the other comrades were tortured by the police. She said that after a meeting they had held, they all dispersed and the police started to chase them. A few of them were captured. She further stated that “in Mr Plaatjies Street the police appeared. There were white policemen amongst these black policemen. Some of us sought refuge at Mrs Boyeni’s house ... I hid myself underneath the car. They managed to get some of the comrades from different houses. They pulled me underneath the car, kicked me and assaulted me. They really tramped on me. Those that I managed to see as they took us in kombis and caspers [police van]. They took us to a guest house. At this guest house they let us in, we were bleeding. They ordered us to strip naked. They were in a line, a row. They told us to face the wall. We stripped naked, all of us, against the wall, boys and girls the same. They assaulted us. They assaulted us timeously, because I was already dizzy at the time ... the policemen ordered us to kiss the wall, some of them kicking us. They assaulted us a lot. They threw us out on the grass and poured water on us and left us there. At about six o’clock to seven in the morning, they woke us up and ordered us to leave. We could not, it was difficult. Some of us were taken by caspers and some had already passed away. We were lying on the lawn. Some were taken to the mortuaries”.¹⁷³ Although this account focuses more on physical and psychological torture, this woman nevertheless, spoke about the humiliation that came with being asked to kiss walls and appear naked in front of all those men.

The humiliation suffered by women with regard to their sexuality cannot be fully explained or grasped. Many women are still not able to share their painful details. The narratives shared are some of the many incidents that took place. The value and importance of these women coming forward to relate their experiences should be emphasised.

¹⁷² *Ibid.*

¹⁷³ Truth and Reconciliation Commission, “Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/mxathule.htm>>, 2009 (accessed 01.09.2011).

3.8 Conclusion

It is clear from this chapter that human rights violations may activate a flow of physical, psychological and interpersonal problems for victims, which in turn, may have an influence on the family, the community and the surrounding social structure.

The experiences discussed above are different from one another, but they all have one thing in common: all these women suffered and all of them had their human rights violated. Be it on a secondary or a primary level, the fact remains that these women all suffered in one way or another. It should also be noted that a number of people submitted their statements to the TRC but did not get the chance to come before the Commission to relate what had happened to them. Owing to time constraints and the number of atrocities committed on a large number of people, it was impossible to allow all the people who submitted statements to appear before the TRC. However, one should realise that South Africa is a wounded country and if these stories are never told, then South Africans will not have the slightest idea of how people suffered during the apartheid regime and at the hands of some members of the liberation movements, as well as the violence that occurred generally due to apartheid - a crime against humanity.

CHAPTER 4

WHAT WE KNOW NOW ABOUT HUMAN RIGHTS VIOLATIONS AGAINST WOMEN

4.1 Introduction

The previous chapters provided a review of the violations of which women spoke about during the TRC proceedings in order to get a comprehensive understanding of the stories revealed by women and the violations they encountered. This chapter highlights the findings that were made by the TRC on the narratives shared by women. The chapter will also assess the aspect of forgiveness and reconciliation and whether it was achieved within the TRC's lifespan.

4.2 Findings on women

The *Final Report* of the TRC emphasised that in most cases, women often told stories of violations inflicted on others and recounted not much about what they had experienced themselves. In cases where women related their own experiences, they would often not give much detail about the incidents. The TRC however, acknowledged that women too suffered direct gross violations of human rights, many of which targeted and exploited their womanhood.¹⁷⁴

The *Final Report* concluded that “the state was responsible for the severe ill-treatment of women in custody in the forms of harassment and the deliberate withholding of medical attention, food and water. Women were abused by the security forces in ways which exploited their vulnerabilities as women, for example, rape or threats of rape, and other forms of sexual abuse, threats against family, children, removal of children from their care, false stories about illness and/or death of family members and children and humiliation and abuse around biological functions such as menstruation and childbirth. Women in exile, particularly those in camps were subjected to various forms of sexual abuse and harassment, including rape”.¹⁷⁵

¹⁷⁴ Truth and Reconciliation Commission, Vol. 5, p. 256.

¹⁷⁵ *Ibid.*

From the testimonies of women, it can be gathered that the abuse inflicted upon them disrupted family lives. An example is forced removals, where people had to move to remote areas or reserves where there was a lack of resources. The pressure of getting one's family settled in a foreign area was, in itself, an element of pressure on family dynamics. The laws of influx control compelled women to remain in the rural areas, making them more dependent on their husbands' income from the mines and other jobs in the cities. When these men found new women in the cities and started new families, this meant that less money was being sent home and therefore, exacerbated poverty and pressured women to take on the role of the breadwinner. For many years women were not allowed to own property in cities or towns. This then left women to assume the role of mother, father and breadwinner, because men would spend most of their time at work or with their urban families. This meant that women had to bear the brunt of taking responsibility for running the home and bringing up the children. While it is true that men experienced hardship under apartheid, women in addition, carried the economic burden that accompanied it. Women were mainly responsible for ensuring that there was food for the children, that they had clothes and that they received an education. The absence of the father did not mean that all these necessities were neglected; the woman understood that life had to go on and that the children needed her. Thus, she had to ensure that at all times that these particular needs were being met. Even women who worked in the cities were reduced to low-paying domestic work, farm labourers or in some cases were self-employed, selling sorghum beer, which was however, illegal.¹⁷⁶

These circumstances also robbed the children of the privilege of having a father figure in their lives and many children, during that period, grew up without a father. Winnie Mandela, in her autobiography, discussed how her daughters were affected by what was happening to her. She said that "any man could have been broken by that type of thing. Worse things have happened to people in the struggle, but for a sixteen-year-old girl, it was very hard to take. It was the hardest thing for me to take as a mother, that your commitment affects those who are very dear to you. That shattering experience inflicted a wound that will never heal. Of course I was bitter, more than I've ever been."¹⁷⁷

¹⁷⁶ L.S. Graybill, *Truth and Reconciliation in South Africa. Miracle or model?*, p. 100.

¹⁷⁷ Mandela, p. 25.

Other factors which contributed to the disruption of family life were the separation of family members due to abduction, arrest, detention, restrictions and the exile of family members. A typical example is Winnie Mandela whose husband, Nelson Mandela, dedicated almost all his life to politics. She was left pregnant and had to take care of their children without her husband's presence. During that time, she was in and out of prison and at times restricted to her home in Orlando West. During the 1970's she was also banished to Brandfort, in the Free State where she could not speak the language, let alone knowing anyone in that area. During this period, Nelson Mandela was in prison. Prisons were very unsavoury places at the time, with manual labour being the order of the day.¹⁷⁸

One other aspect which still leaves a gap in the history of South Africa is sexual assault. Few women came forward to talk about their experiences of sexual abuse with many choosing to remain silent. According to M. Oelofse, it may well be that most women did not come forward, especially those who were sexually assaulted in MK camps abroad, simply because they did not want to discredit the movement,¹⁷⁹ and since they had worked so hard to democratise and finally rule it; revealing such stories would have put the organisation in bad light and in jeopardy. Thus, they rather remained silent to protect the ANC. Women's sexuality was, in most cases, used to undermine the female activists and in the process strip away their dignity. Many stories about sexual assault were however, left unsaid.

Nevertheless, it was revealed during the TRC that women were raped: during interrogations; in vans on their way to police stations; by fellow comrades in training camps; and at times, by opposition parties in order to undermine the other party. The fact remains that sexual assault was used as a tool to get to the enemy, and perhaps that is why most women did not want to come forward and reveal such atrocities, because they felt that they had to go through all of it as part of the struggle.

In conclusion, we now know that women were assaulted, their bodies searched while in detention, vaginal intrusions were carried out; they had to star-jump naked, they were electrocuted; they were not given adequate medical care especially when pregnant leading to miscarriage; they were placed in solitary confinement for weeks and even months; they were

¹⁷⁸ *Ibid.* See also N. Mandela, *Long walk to freedom*.

¹⁷⁹ Oelofse, *Remembering the truth: An oral history perspective ...*, p. 297.

raped by the interrogators or prison warders; they had foreign objects pushed up their vaginas; their fallopian tubes were flooded with water, and they were also tear gassed. These are the physical forms of torture which were recounted in the testimonies they made to the TRC.

Psychological forms of torture were also used; for instance, being told that their children were very ill or they had died; being told that a member of their family had died or they would die, if the woman refused to speak during an interrogation; humiliating women, undermining their sexuality and insulting them as women in order to break down their sense of integrity. Most women were told that they were not good enough mothers or wives because they chose rather to be involved in the struggle than to take care of their families. They were made to feel that they were not good enough in order to destroy their political will and resistance.

Cultural norms prevented women from speaking, being a sell-out to the organisation or even fearing what the perpetrator might do in case they came forward. However, the favourable environment of the Special Hearings allowed women to share their experiences. In spite of this, many a woman was still reluctant to come forward, probably fearing how the audience would receive her story or how she would feel after revealing it.

The TRC however, became a platform for women to reveal what they had been in the past afraid of, to speak about. Many women mentioned that even their family members were hearing what happened to them for the first time when they revealed it in front of the TRC; for example, Kedibone Dube and Thandi Shezi who spoke about sexual violence against them.

During the victim hearings held in Pietermaritzburg on 18 November 1996, Mr Alan Lax - member of the Human Rights Violations Committee - said the following: "It's become clearer by the day that our freedom was solely or fully dependent upon the women of this country and we wouldn't have been here had you not gone through the hardships that you did. You have endured so much, and we would like to tell you that you have got courage and strength ... probably we wouldn't be here if you hadn't done what you did. Now I have a firm belief that this Commission ought to have a special hearing especially designed to hear about the trauma that women went through during the period of fighting for freedom".¹⁸⁰

¹⁸⁰ Truth and Reconciliation Commission, "Human Rights Violations", <<http://www.justice.gov.za/trchrvtans/hrvpmb/pmb1.htm>>, 2009 (accessed 19.10.2011).

4.3 Forgiveness and reconciliation

Volume five of the *Final Report* of the TRC stated that: “with the Commission’s short lifespan, and limited mandate and resources, it was obviously impossible for the Commission to reconcile the nation”.¹⁸¹ The Commission acknowledged that not everyone who came before the TRC experienced healing and reconciliation.¹⁸²

According to Desmond Tutu in his book, *No future without forgiveness*, “forgiving and being reconciled are not about pretending that things are other than they are. It is not patting one another on the back and turning a blind eye to the wrong. True reconciliation exposes the awfulness, the abuse, the pain, the degradation, the truth. It could sometimes even make things worse. It is a risky undertaking, but in the end it is worthwhile, because in the end there will be real healing from having dealt with the real situation. Spurious reconciliation can bring only spurious healing.”¹⁸³

Forgiveness is not about forgetting; Tutu stressed that “in forgiving, people are not being asked to forget. On the contrary, it is important to remember, so that we should not let such atrocities happen again. Forgiveness does not mean condoning what has been done. It means taking what has happened seriously and not minimising it, drawing out the sting in the memory that threatened to poison our entire existence.”¹⁸⁴

Forgiveness as such was not a requirement for the purpose of the TRC, and the Commission never demanded forgiveness but merely created a space for forgiveness to take place. Regardless of the tortures most victims experienced, some were willing to forgive, while others could not. Mrs Narkedien said: “I do forgive my torturers. It’s just that the kind of person I used to be, I could never be again. That’s the reality; I’ve come to terms with it”.¹⁸⁵ Nomonde Ntabeni, who was shot during the Soweto Riots while walking with a friend from the shops, said: “If those culprits could come in front of me, I will feel better, because I will ask them what happened and

¹⁸¹ Truth and Reconciliation Commission, Vol. 5, p. 350.

¹⁸² *Ibid.*

¹⁸³ D.M. Tutu, *No future without forgiveness*, p. 218.

¹⁸⁴ *Ibid.*, p. 219. See also *The Daily News*, 4.7.1997, p. 2.

¹⁸⁵ Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/narkedie.htm>>, 2009 (accessed 29.09.2011).

why they did what they did”.¹⁸⁶ Miss Ntabeni’s case is understandable; how do you forgive people who have not asked for your forgiveness? Tutu however, emphasises that forgiveness is a loss which liberates the victim.¹⁸⁷

Even in cases where the perpetrator has not asked for forgiveness, the victim should forgive so that they can let go of the past and in the process set themselves free of the burden. Sylvia Ngcobo, whose husband was shot by Inkatha members and about a month later died in hospital, said: “I don’t want anybody to get arrested because this won’t help, but I want to be helped. I want God to help us, those who are living, to come to terms with all this, to live peacefully.”¹⁸⁸

Reconciliation could not have been achieved in the few years of the TRC’s existence. It was never the TRC’s claim to be able to achieve reconciliation, but rather to promote it and make a contribution to a reconciliatory process in South Africa. Consequently, it is the responsibility of society as a whole to play an active role in making the reconciliation processes in the country a success. With regard to healing, the whole process of sharing narratives was aimed at also bringing about a healing process. According to Mrs Mnyazana and Mrs Mlangeni, the fact that they were able to share their experiences also opened doors for the healing process to take place. However, as with forgiveness, healing is an exceptionally complex, personal matter. These concepts are part of a long-term process that requires time and patience.

4.4 Conclusion

It became clear that women filled a variety of roles during the struggle and suffered the full range of human rights violations. Victim hearings and especially Special Hearings for women created a space for them to tell their stories in a different setting; otherwise, they would not have shared their stories.¹⁸⁹ It is true that during the Human Rights Violation Hearings, it was mostly women who came forward; however, what really happened to *them* was not largely shared. There still remains a huge gap of stories left untold. We know more of what women went through, though it cannot be confirmed, unless particular women come forward and share their

¹⁸⁶ Truth and Reconciliation Commission, “Children’s Hearings”, <<http://www.justice.gov.za/trc/special/children/ntabeni.htm>> 2009 (accessed, 29.09.2011).

¹⁸⁷ Tutu, p. 219.

¹⁸⁸ Truth and Reconciliation Commission, “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/hrvpmb/pmb1.htm>>, 2009 (accessed 29.09.2011).

¹⁸⁹ Oelofse, *Remembering the truth: An oral history perspective ...*, p. 304.

experiences. That is why it may seem that it was mostly men who suffered under the harsh laws of apartheid and that women were in the background or rather, secondary victims. The fact that women were the support system for these men meant that they also played a major role in the struggle. It should be emphasised that even raising children in the absence of a father, is in itself, a contribution towards the struggle against unjust laws, because the men trusted the women to handle the household while they were away.

The testimonies revealed that the TRC hearings represented many other women who were voiceless; other women who are still nursing their wounds and still trying to get over the sufferings they went through during the period under discussion. These testimonies, even though on a large scale, do not represent even half the atrocities committed against women, still make a huge impact on the process of truth recovery and truth discovery. These narratives continue to reveal what women went through and should therefore, be publicly acknowledged.

The fact that some women were able to share, means that the TRC was able to reach out to the community. Nonetheless, the question remains whether these testimonies were enough to paint the full history of South Africa in the period 1960-1994.

CHAPTER FIVE

EVALUATION

The Truth and Reconciliation Commission of South Africa (TRC) became a platform where women engaged the nation on their struggles and experiences during the apartheid era from 1960-1994. The TRC became more sensitive to women and their own stories and encounters as the hearings proceeded. The Commission aimed to restore the dignity of the victims through storytelling; however, on the part of the women involved, there was certainly a concern for a loss of dignity, especially in cases where they related stories of sexual assault. The TRC should therefore be an example to future truth commissions in other countries to take this very sensitive issue into account and be more responsive and empathetic to the narratives of women, as well as ensuring that the procedures put in place for them to reveal their experiences are conducted in a comfortable and safe environment.

Human rights violations affected many more people than simply the direct victim. Even though gross violations of human rights were inflicted on women, this still had a ripple effect on whole families. The sufferings of a woman have a negative impact on more than the individual and subsequently, often spill over into whole communities. As much as the suffering of a child cannot be separated from the mother's, so too is the mother's suffering to the family as a whole. These sufferings considerably affected family dynamics which also influenced the community at large.

People who came before the TRC had different expectations of the Commission. After most hearings, if not all, the Chairperson would ask what the victim's requests were to the TRC. Some people requested education for their children, houses, jobs, etc. The TRC should have been clearer from the outset on how expectations could be met and whether the Commission would be able to assist in that regard or not. Some people, whose expectations were not met, felt that the TRC was a waste of their time and the Commission did not fulfil its promises. People would, at times, leave the TRC with misconceptions; for example, Mrs Mlangeni felt that the TRC should have told her how her case was proceeding instead of hearing about it in the media. She feels that the TRC should have warned her of new findings and the fact that the TRC did not keep her

informed, made her feel as if she did not matter at all. Future truth commissions should be aware of false expectations and be clear on what can be realistically expected from a truth commission.

The holding of Special Hearings by the TRC was significant, although it is regrettable that there were none held in the Eastern Cape region. This area is infamous for human rights violations during the apartheid era. It is not clear why such hearings were not held in this area. The Commission should have explained the reasons for this decision in the *Final Report*.

The TRC reports are not made easily available to the public. Fortunately, the hearings are available on the internet; however, not many South Africans, especially the black population, are computer literate. The *Final Report* volumes are also expensive, making it difficult for citizens with a low income to purchase them. This, in essence, means that the information is available only to a minority and not accessible to most people at grass-roots level.

According to Mrs Mnyazana and Mrs Khumalo, they received R2 000 each so that they could consult with psychologists. Mrs Mlangeni, on the other hand, did not receive any money in this regard. The Commission should have been uniform in its approach towards the victims and the decision to grant certain victims money for the services of a psychologist. Practically, this means that the victims were not treated equally and/or their experiences were not viewed on the same level. This issue led to a great deal of dissatisfaction amongst the victims who were not compensated.

According to Mrs Mlangeni, the statement which she had given to the TRC went missing; she therefore had to make a new one before her appearance. This proved negligence on the part of the Commission, as Mrs Mlangeni was not the only person whose statement went missing. Miss Lita Nombango Mazibuko also mentioned that her statement had gone missing before she appeared before the TRC.¹⁹⁰ Whether these statements went missing on purpose, or through pure carelessness or by mistake, is unknown to the researcher.

Regarding sexual assault, there still remains a big gap in the untold and the unknown. In most cases, the atrocities committed against women were the least reported and which also accorded them little acknowledgement. Women should have been persuaded in different ways to come

¹⁹⁰ Truth and Reconciliation Commission, "Special Hearings for women", <<http://www.justice.gov.za/trc/special/women/mazibuko.htm>>, 2009 (accessed 1/9/2011).

forward on issues related to sexual assault with the assurance that they would be protected. Even when the Special Hearings for women took place, only a few experiences of sexual assault were reported, making it the least known violation of human rights in South Africa. On the other hand, it seems as if the reality in South Africa of this type of assault is a totally different picture.¹⁹¹

The Commission made a significant contribution towards the truth recovery process in the history of South Africa. It gave victims a platform to share their stories and in the process, hope that they would experience some form of healing. Many atrocities of the apartheid era were unknown and the TRC process attempted to amass new knowledge, acknowledgement and closure. However, in the case of women, only a small portion of those who experienced violations of human rights came forward, which means that there are still many stories left untold. The stories which were revealed do not represent all the women who suffered in South Africa. Yet, it should be realised that regardless of the small percentage of women who came forward to relate their own violations, those who did, actually made a significant contribution towards the TRC mandate, because people now have an idea of what women went through. It is now known that women too experienced severe violations of their human rights in the period 1960-1994.

The history of South Africa is not complete unless the stories of women are mentioned. It will replace the misconception that men alone played an important role in liberating the country. This script is aimed at highlighting the role which women played and the violations they experienced in their struggle to liberate all South Africans. These stories of women can add to a growing body of knowledge of apartheid policy and may also assist in understanding the pain and suffering experienced by many women, mostly of colour, under apartheid.

For the oral history interviewer, the importance of ensuring that the women are not re-traumatised during an interview cannot be stressed enough. One should understand that for the researcher it may be a way of getting information; however, for the woman, it is her life story that she is sharing and something that greatly affected her life. Therefore, sensitivity should be maintained at all times. There are many difficulties involved in getting these women to speak,

¹⁹¹ See *Volksblad*, 4.10.2011, p. 6 for more detail on the latest rape statistics in South Africa. According to the South African Police, conservatively nearly 55 000 rapes occur per year. Apparently more women are raped in South Africa as in countries where an actual war is going on.

and it will not come easily; the researcher may expect reluctance on the part of these women and be ready to conduct the interview on their own terms.

Further research on this topic is strongly recommended. Reflecting on what happened 15 years ago with a focus on women testifiers appearing before the TRC and whether the TRC process worked for them; how their lives have been changed, if at all; if they have experienced healing; or if the process was simply all in vain, can be a challenging research topic for future researchers.

Although the work of the TRC has ended, it is now the responsibility of the government, as well as all South African citizens, to ensure that there is peaceful co-existence in the country and reconciliation between perpetrator and victim.

SOURCE LIST

I. PRIMARY SOURCES

A. ARCHIVAL SOURCES

South African History Archives, University of the Witwatersrand:

The Beth Goldblatt and Sheila Meintjes Papers

- AL3119f: * Gender and the Truth and Reconciliation Workshop, 19 March 1996.
 * Gender and the Truth and Reconciliation Commission: A submission to the Truth and Reconciliation Commission, May 1996.
 * Special Hearings for women, 15 August 1996.
 * Violence, Gender and Human Rights – An examination of South Africa’s Truth and Reconciliation Commission. Paper presented to the Law and Society Association Meeting in St Louis, Missouri by Beth Goldblatt, 29 May 1997.

The Gertrude Fester Collection

- AL3135f: * Apartheid’s residue – Women’s lives, struggles and testimonies: Challenging patriarchal lenses, July/August 2001.

B. OFFICIAL PUBLICATIONS

Statute and Legislation:

Republic of South Africa. “Promotion of National Unity and Reconciliation Act No. 34” in *Government Gazette* 361 (16579), 1995, pp. 1-48.

C. INTERVIEWS

Khumalo, C.J. – Newcastle, 26.08.2011.

Mlangeni, S. – Ladysmith, 23.08.2011.

Mnyazana, V. – Newcastle, 23.07.2011.

II. SECONDARY SOURCES

A. BOOKS

Adam, H. and K. Moodley. *South Africa without apartheid: Dismantling racial domination*. Cape Town: Maskew Miller Longman, 1987.

Boraine, A. *A country unmasked. Inside South Africa's Truth and Reconciliation Commission*. Cape Town: Oxford University Press, 2000.

De Kock, E. (as told by J. Gordon). *A long night's damage: Working for the Apartheid State*. Saxonwold: Contra Press, 1998.

First, R. *117 Days: An account of confinement and interrogation under the South African 90-day detention law*. Oxford: Heinemann, 1973.

Gilliomee, H. and B. Mbenga (eds). *New history of South Africa*. Cape Town: NB Publishers, 2007.

Graybill, L.S. *Truth and Reconciliation in South Africa. Miracle or Model?* London: Lynne Rienner Publishers, 2002.

Human Rights Program Harvard Law School and World Peace Foundation. *Truth Commissions: A comparative assessment – an interdisciplinary discussion held at Harvard Law School in May 1996*. Cambridge: Harvard Law School Human Rights Program, 1997.

Jeffrey, A. *People's war: New light on the struggle for South Africa*. Johannesburg: Jonathan Ball, 2009.

Kennedy, H. *Power, pride and prejudice: The years of Afrikaner nationalist rule in South Africa*. Johannesburg: Jonathan Ball, 1991.

Khoisan, Z. *Jakaranda Time. An investigator's view of South Africa's Truth and Reconciliation Commission*. Observatory: Garib Communications, 2001.

Krog, A. *Country of my skull* (2nd edition). Parktown: Random House, 2002.

Krog, A. *et al. There was this goat: Investigating the Truth Commission testimony of Notrose Nombovu Konile*. Scottsville: University of KwaZulu-Natal Press, 2009.

Lodge, T. *Black politics in South Africa since 1945*. Johannesburg: Ravan Press, 1983.

Mandela, N. *Long walk to freedom. The autobiography of Nelson Mandela*. Randburg: Macdonald Purnell, 1994.

Mandela, W. *Part of my soul went with him*. New York: W.W. Norton & Co., 1985.

Martin, M. *Coming to terms: South Africa's search for truth*. New York: Public Affairs, 1999.

Moser, C.O.N. and F.C. Clark (eds). *Victims, perpetrators or actors? Gender, armed conflict and political violence*. London: Zeb books, 2001.

O'Meara, D. *Forty lost years: The apartheid state and the politics of the National Party, 1948-1994*. Randburg: Ravan Press, 1996.

Posel, D. and G. Simpson (eds). *Commissioning the past. Understanding South Africa's Truth and Reconciliation Commission*. Johannesburg: Witwatersrand University Press, 2002.

Price, L. *Steve Biko: They fought for freedom*. Johannesburg: Sached Books, 1996.

Readers Digest Association of South Africa, *Illustrated history of South Africa: The real story*. Cape Town: Reader's Digest, 1994.

Sarkin, J. *Carrots and sticks: The TRC and the South African amnesty process*. Schoten: Intersentia Publishers, 2004.

Segal, L. and P. Holden. *Great lives: Pivotal moments*. Auckland Park: Jacana, 2008.

Simons J. and R. Simons (eds). *Class and colour in South Africa, 1850-1950*. London: International Defence and Aid Fund for Southern Africa, 1983.

South African Democracy Education Trust. *The Road to Democracy in South Africa*. Cape Town: Zebra Press, 2004.

Terreblanche, S.A *history of inequality in South Africa, 1652-2002*. Pietermaritzburg: University of Natal Press, 2002.

Truth and Reconciliation Commission. *Truth and Reconciliation Commission of South Africa Report*. Volume 4, 5. Cape Town: Juta & Co, 1998.

Tutu, D.M. *No future without forgiveness*. London: Ebony Press, 1999.

Verwoerd, W. and M. Mabizela (eds). *Truth as drawn in jest. Commentary on the Truth and Reconciliation Commission through cartoons*. Claremont: David Phillip Publishers, 2000.

Wells, J. *We have done with pleading: The women's 1913 anti-pass campaign*. Johannesburg: Ravan Press, 1992.

B. ARTICLES

Graybill, L.S. "The contribution of the Truth and Reconciliation Commission towards the promotion of women's rights in South Africa" in *Women's Studies International Forum* 24(1), 2001, pp. 1-10.

Oelofse, M. "Restoring the human spirit: The Truth and Reconciliation Commission and the place of forgiveness in the reconciliation of the rainbow nation" in *Journal for Contemporary History* 29(3), December 2004, pp. 199-220.

C. NEWSPAPERS

Cape Argus, 31.01.1997.

The Citizen, 05.02.1997; 15.09.1998; 02.12.1998.

The Daily News, 04.07.1997.

Democracy in Action, 1.09.1996.

Mail and Guardian, 23.01.1997.

The Natal Witness, 09.12.1998.

Sowetan, 30.07.1998; 05.11.1998.

The Star, 13.05.1997; 16.05.1997.

The Sunday Independent, 12.04.1996; 05.12.1996; 22.02.1998.

Sunday Tribune: 01.06.1997, 14.09.1997; 22.11.1998.

Tribute, 31.08.1996.

Volksblad, 4.10.2011.

D. ELECTRONIC SOURCES

Durban Ethekwini Municipality. "Dorothy Nyembe", <<http://www.durban.gov.za/durban/discourse/history/famous/politics/dorothy>>, *s.a.*

Graybill, L. "The contribution of the Truth and Reconciliation Commission toward the promotion of women's rights in South Africa", <<http://www.sciencedirect.com/science/article/pii/S02775395000016066>>, January-February 2001.

Gobodo-Madikizela, P. "Women's contributions to South Africa's Truth and Reconciliation Commission - Women Waging Peace Policy Commission", <http://www.huntalternatives.org/download/11_women_s_contributions_to_south_africa_s_truth_and_reconciliation_commission.pdf>, 2005.

O' Malley, P. "The heart of hope: Apartheid Legislation 1948-1990", <<http://www.nelsonmandela.org/omalley/index.php/site/#/03/v0wdrx/04/?01828/05/v01829/06/v01902.htm>>, *s.a.*

South African History Online. "Charlotte Maxeke", <<http://www.sahistory.org.za/people/charlotte-n%C3%A9e-manye-maxeke>>, *s.a.*

Truth and Reconciliation Commission. "Children's Hearings", <<http://www.justice.gov.za/trc/special/children/ntabeni.htm>>, 2009.

Truth and Reconciliation Commission. "Human Rights Violations", <<http://www.justice.gov.za/trc/hrvtrans/helder/ct00776.htm>>, 2009.

Truth and Reconciliation Commission. "Human Rights Violations", <<http://www.justice.gov.za/trc/hrvtrans/methodis/mlangeni.htm>>, 2009.

Truth and Reconciliation Commission. "Human Rights Violations", <<http://www.justice.gov.za/trc/hrvtrans/hrvbloem/bloem1.htm>>, 2009.

Truth and Reconciliation Commission. “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/hrvpe1/day1.htm>>, 2009.

Truth and Reconciliation Commission. “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/newcas/day1.htm>>, 2009.

Truth and Reconciliation Commission. “Human Rights Violations”, <<http://www.justice.gov.za/trchrvtans/hrvpmb/pmb1.htm>>, 2009.

Truth and Reconciliation Commission. “Human Rights Violations”, <<http://www.justice.gov.za/trc/hrvtrans/worcest/ct00530.htm>>, 2009.

Truth and Reconciliation Commission. “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/marakala.htm>>, 2009.

Truth and Reconciliation Commission. “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/narkedie.htm>>, 2009.

Truth and Reconciliation Commission. “Prison Hearings”, <<http://www.doj.gov.za/trc/special/prison/middleto.htm>>, 2009.

Truth and Reconciliation Commission, “Prison Hearings”, <<http://www.justice.gov.za/trc/special/prison/ramasham.htm>>, 2009.

Truth and Reconciliation Commission. “Prison Hearings”, <<http://www.justice.gov.za/trc/special/prison/naidoo.htm>>, 2009.

Truth and Reconciliation Commission. “Special Hearings for women”, <<http://www.justice.gov.za/trc/women/mokonyane.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.doj.gov.za/trc/special/index.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women” <<http://www.doj.gov.za/trc/pr.1996/p960815a.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/mahlophe.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.doj.gov.za/trc/special/women/matshoba.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.justice.gov.za/trc/women/mazibuko.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/shezi.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/masote.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.doj.gov.za/trc/women/mtintso.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/thobela.htm>>, 2009.

Truth and Reconciliation Commission.“Special Hearings for women”, <<http://www.justice.gov.za/trc/special/women/mxathule.htm>>, 2009.

University of Pennsylvania – African Studies Center. “South Africa: Truth and Reconciliation and Gender”, <http://www.africa.upenn.edu/urgent_action/apic_832html>, 28.08.1996.

University of the Witwatersrand. “Traces of truth: documents relating to the South African Truth and Reconciliation Commission”, <http://truth.wvl.wits.ac.za/cat_descr.php?cat=2>, *s.a.*

E. THESES

Oelofse, M.M. *Remembering the truth: An oral history perspective on the victim hearings of the Truth and Reconciliation Commission of South Africa, 1996-1998*. Unpublished Ph.D thesis, University of the Free State, 2007.

F. PAPERS PRESENTED AT CONFERENCES

Oelofse, M.M. “Silent voices, hidden women: The Truth and Reconciliation Commission’s unfinished business”. Paper presented at the fifth Annual National Oral History Conference on “Hidden Voices, untold stories and veiled memories: Oral history perspective and knowledge”. East London, 7-10 October 2007.