

Chapter 6

"I Saw a Nightmare ...:" Violence and the Construction of Memory

The Disappeared

Such callous disregard on the part of government officials for the people they were facing in these confrontations took on even more-sinister connotations in the rather more shadowy space of police stations, prisons, hospitals, ambulances, mortuaries, and police wagons, into all of which a person could disappear on the way to silence or death. The police consistently refused parents information about the whereabouts of their children after the children had been arrested. They rarely allowed them to see their children in prison and detained them for long periods of time without charging them or allowing them legal representation. In these confused times, the search for missing children took parents along endless torturous paths between prisons, police stations, hospitals, and mortuaries, always half-expecting that a child would be found dead instead of merely detained. These searches were further darkened by the possibility that a child had fled the country to escape the grasp of the police.

When a police document listing deaths attributable to police fire is compared with the list of deaths published in the official Cillié Commission Report, it is revealed that seven people not accounted for. Their names have disappeared from the official statistics. Seven names do not make a conspiracy⁴³ but their disappearance, without so much as an explanatory mention, was evidence that there were processes by which the authorities of the South African state, whether they were police, judicial investigators, or government officials, deliberately distorted the record of their destruction—evidence of larger patterns of deceit and concealment. 50

The harrowing story of the search for Reginald Mshudulu provides an example of the countless ways in which the South African government sought to deny and conceal the collective biographies of the participants in the uprising. Albertina Mshudulu⁴⁴ was a domestic worker who lived in Guguletu, Cape Town. In an affidavit she described how, on August 11, 1976, her 22-year-old son Reginald told her he was going to see the "burning offices." That is the last time she saw him. He did not come home that night. (See: Affidavit - Albertina Mshudulu)

Albertina Mshudulu's story of the search first for her son and then, as the days passed without news, for his body, has pathos and dignity but, like the images of a recurring nightmare, it rang with futility. First she tried the Guguletu police station and they said that he was not there. Then she visited hospital after hospital: Tygerburg Hospital, Conradie Hospital, Groote Schuur. For Albertina Mshudulu, as for many other black South Africans given the runaround by the

very police and officials who had victimized them, these names marked the stations of yet another futile search for a family member who had fallen into the hands of the South African Police. Each time she had to find the fare for a taxi or a bus ride, money she could ill afford. Each time her son was not among the patients, his name not on any lists. She went back to the hospitals, the morgue, and the police stations again and again.

Along the way, Albertina Mshudulu gave up hope. The evasion and lies were too much. Weeks passed. In the end a telephone call came to summon her to the morgue. There, almost two months after he had gone missing, she found her son:

[H]e was the only one with his underpants on. His jacket had been taken away and was with his pants... In his jacket pocket was his reference book [an identity document] and also a packet of cigarettes...

[H]e had been shot in the forehead on the 11th August. ⁴⁵

The search for Reginald was over. But Albertina Mshudulu never got a **55** satisfactory answer to her questions about the circumstances that had led to his death or about why it had taken so long to find him. This haunting story exemplified the jarring consequences of bureaucratic deceit and the appropriation of knowledge that was part of public memory. It was a story that called the official history of Soweto into question. Such actions of the South African state, through its agents the police force, were endemic to South Africa under apartheid. That this was true was widely known, if not always acknowledged. These actions constituted a violent assault on the process of memory making. Indeed, the words of Archbishop Desmond Tutu, chairman of the *Truth and Reconciliation Commission*, uncannily echoed Albertina Mshudulu's testimony:

We cannot as yet make definitive evaluations of the evidence before us, but some patterns are beginning to emerge. One cannot fail to note, for instance, a pattern of callousness among police personnel who gave bewildered people a run around, refusing to tell them of the fate of a missing loved one. They were obliged to go from police station to police station, to hospitals and often finally to a mortuary to know the truth. *This was itself a form of torture.* We have noted, too, a form of collusion between some elements in the judicial system, some members of the medical profession and the security police. They managed to subvert what little justice there might have been. It is a collusion that has pointed to an abuse of power and a lack of accountability. [Emphasis added.]⁴⁶

The words and actions of those who experienced these events themselves were evidence of the impact created by such disappearances and by police efforts to conceal the numbers of the dead. They were also an example of a will to connect individual experience to the official public memory being constructed by the state and to force, however unsuccessfully, history to listen. Albertina Mshudulu appeared before the Cillié Commission on November 25, 1976. Flederman, the advocate who represented her, described to the Commission how Mshudulu "had

been about three times to each hospital, ... had been back three times to the morgue and ... could not find out anything." "The pain and the suffering" of going back repeatedly over a period of six weeks had upset her so badly "that she asked to give this evidence before the Commission."⁴⁷

"I was extremely upset," Mshudulu said twice during her testimony, and her words were full of disbelief at what she had been put through. But she did not let herself get confused by Judge Cillié's questions:

Mshudulu: I went to the mortuary at Salt River three times and on each occasion I was taken to the left wing side and on the last occasion only I was taken to the right wing. This is where I found my son. I asked why I had not been there before—I am sorry, I asked why I had not been *shown* there before.

Cillié: *Isn't it they asked why you had not been there before? Did they ask you why you had not been there before?*

Mshudulu: No, I asked them why they did not *show* me the right hand wing side on the first three occasions.

Cillié: So you asked why *they* had not taken you there before?

Mshudulu: Yes. [Emphasis added.]⁴⁸

I have emphasized the relevant phrases in this excerpt to highlight Judge Cillié's subtle rhetorical shifting of blame for the confusion to Albertina Mshudulu. He implied that she had simply not been asking the right question and that she had not gone to the right place. The turn of phrase "*Isn't it ...*," peculiar to South African English, is a general tag-question inviting assent. Judge Cillié's use of it in this context can be taken as quite deliberate, since the phrase probably derives from "*nie waar nie?*" (isn't that so?)⁴⁹ in Afrikaans, his mother tongue. That Mshudulu herself asked to give evidence before the Commission, combined with her gentle insistence on her version of what had happened, amounted to a refusal to be silenced and to submit to Cillié's representation of the experience. **60**

As described in Chapter 3, "Official Stories," there were two distinct parts to the Cillié Commission: On the one hand 324 boxes of evidence were compiled by the Commission during its investigations as well as more than 10,000 pages of transcripts of hearings documenting the voices of more than 500 witnesses, participants, experts, and commentators. On the other, the Cillié Commission published a two-volume Report in the early 1980s, years after the uprising and after many difficult historical developments had shifted the focus away from it. It

summarized, analyzed, and commented on the events of the Soweto uprising, thus producing what must be understood as the South African government's official version of events, a major part of the state's discourse. Violence—both discursive and practical—shaped its investigations as well as the writing of the Report. Under the convenient protection of the South African Archives Act, these documents and court exhibits were closed to public scrutiny even though the initial investigatory hearings were public. Official sources and government documents carry with them information about their nature and about the historical context in which they were produced. Like the body of Albertina Mshudulu's son, these documents were hidden away. (See also: Chapter 1: Introduction on archives and to Chapter 3: Commission of Inquiry - Cillié.)

In the courtroom itself, the violence of the institutional setting and the callousness of the investigators became apparent in the words of the state's advocate, Dr. *Percy Yutar* (See also: Chapter 1: "Documents" and Chapter 3: "Nature of the TRC Commission Hearings.")

Yutar: I am sorry you have had all this trouble, but could you just help me, I just want to make quite certain. Was your son aged about 23?

Mshudulu: 22.

Yutar: M'Lord, then this is the person recorded on page 3 right at the very top, DR 2044. And you do not know where he was shot, do you? At what place? Because here it is recorded at bottle store No. 3 at the Bantu Administration Building, Guguletu. You do not know that?

Mshudulu: At the mortuary they said to me it was NY 1.

Yutar: We cannot find the corresponding one unless there is a misprint here. Page 6 of EXHIBIT 155, 11th August, which refers to bottle store No. 3, at Langa. That is the only one we can trace. You have no other information you can help us to find out where this took place?

Mshudulu: It took place in NY 1, not Langa.

Yutar: The shooting?

Mshudulu: The shooting was in NY 1.

Yutar: At Guguletu?

Mshudulu: Guguletu, Section 2.⁵⁰

Preoccupied both with the place of the shooting and a relentless, in this context

nitpicking, need for exactness, advocate *Yutar* coldly evaded the fact that Albertina Mshudulu was going to continue to get only "unsatisfactory answer[s]" in the search for her son and the story of his death. The Commission addressed neither the circumstances of the death nor the cruel indifference of the system and its officials toward Mshudulu during her search. In the final report of the Commission, the circumstances surrounding Reginald Mshudulu's death were described briefly and without any further comment or mention of him or his mother's search.⁵¹ The final entry about Reginald Mshudulu himself can be found in the Cillié Report at annexure F, which contains the name of and details concerning each person who, "according to the information before the Commission," died during and as a result of the rioting:

Personal particulars	(a) Name; (b) race, sex and age;	(a) MSHUDULU, Welili Reginald; (b) Black male, 23 years
Medical jurisprudence Particulars	date and place of (c) injury and/or (d) death; (e) post-mortem number (f) cause of death; (g) further particulars;	(c) (d) 77.08.12 guguletu; (e) 2044/76 (f) gunshot wound in head, (g) concentration of alcohol in blood wa 0,15 gm per 100 ml;
Legal particulars	(h) inquest number (i) finding (j) further particulars	(h)452/76 Wynberg; (i) no person is liable; (j) —
Factual particulars	(k) circumstances;	(k) the deceased was killed by the SAP during the commission of arson at the BAAB offices

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Source: *Cillié Report*, vol. 2, annexure F, SAP South African Police, BAAB Bantu Affairs Administration Board, p.96.

Mshudulu's affidavit and her appearance before the Cillié Commission, on the face of it perhaps an exercise in futility, was an example of the sometimes persistent, often stubborn, almost always active engagement of the individual with the historical context. Albertina Mshudulu may not have done this consciously, but her affidavit and her appearance before the Commission created a historical record, however small, however much, in the end, only a footnote to the official history. It was an act and a historical record that will forever wrest the death of Reginald Mshudulu from the silence and the oblivion the state sought to consign it to, just as her search countered the state's attempts at deception and concealment.

Her affidavit and her testimony represent the need of the individual to understand and make public and known the further violence inflicted by the

indignities that shooting and riot victims were subjected to. The momentary horror of the search for Reginald masked the more terrible truth behind deaths such as these: the extreme deadliness of these encounters between the police and the children and the subsequent callousness with which the dead and their survivors were treated.

Notes:

Note 43: Alessandro Portelli in *The Death of Luigi Trastulli and Other Stories: Form and Meaning in Oral History* (Albany: State University of New York Press, 1991) makes a similar remark with respect to a headline, in the Italian newspaper *L'Unita*, that, being sympathetic to the labor movement, referred to the death of one worker at the hands of the police as a "'police massacre.' One dead does not make a massacre; but the hyperbole prepares the shift of Luigi Trastulli's death from news to epic, which is found in many later oral versions, and which is also implicit in the article's sudden shift from the past tense to the historical present" (p. 4). In another part of his work, he once again, by paying close attention to what at first seems like a chronological flaw or inconsistency in the oral evidence, manages to take apart the way in which such unruliness reflects shifting, but essential, meanings, the way in which individuals try to "translate" their personal experience of historical events into a larger social context and memory: "The most widespread and significant 'error' (too common to be explained with faulty individual memories) is the shifting of the date and context of the event [the death of Luigi Trastulli in a clash with police on 17 March 1949] from the 1949 anti-NATO rally to the street fighting subsequent to the layoff of two thousand workers from the steel factory in October 1959" (p. 2). There are two important influences here from Portelli's work that I will claim for my own analysis. One is the attention to detail, however bewildering, not so much for what it says about the historical accuracy of the source or about the verifiability of the data or evidence but for how such inconsistencies point to otherwise hidden, even if guessed at, processes of deception, historical trickery (by omission at best, through outright lies at worst) being possibly at play. The other is the close attention to language, especially metaphor, in the various sources—again, not to make simple assertions about the relatively transparent efforts of various "speakers" to give the story their own spin but to explain those efforts as markers of significant attempts to impart historical meaning, to transform the function of an event for a specific political, possibly historical, purpose, and to explain the discursive processes by which this is achieved over time.

Note 44: The following is excerpted from: Albertina Mshudulu, affidavit submitted to the Centre For Intergroup Studies, University Of Capetown, SAB K345, vol. 192, file 2/4, part 7.

Note 45: Ibid.

Note 46: Archbishop Desmond Tutu, chairman of the Truth and Reconciliation Commission, introduction to the first interim report of the Cillie Commission in 1996.

Note 47: Advocate Flederman, transcript of testimony by Albertina Mshudulu, SAB K345, vol. 145, file 2/3, part 13, Commission Testimony vol. 63, pp. 3262-64. Mshudulu was represented and questioned by Flederman.

Note 48: Albertina Mshudulu, testimony, SAB K345, vol. 145, file 2/3, part 13, Commission Testimony vol. 63, p. 3264.

Note 49: It is a substandard colloquialism, similar to the German *nicht wahr?* In this instance, it is similar to the (American-)English legal question, "Is it not true that ...?" Branford and Branford, *A Dictionary of South African English*, 4th ed, s.v. "nie waar nie."

Note 50: Albertina Mshudulu, testimony, SAB K345, vol. 145, file 2/3, part 13, Commission Testimony vol. 63, p 3265.

Note 51: The events of 11 August 1976 are also described in Appendix 1 of the Cillié Report, 2:141-43.