ROUTLEDGE CONTEMPORARY SOUTH AFRICA

Afterimages of Apartheid

Photography and Resistance

Kylie Thomas

AFTERIMAGES OF APARTHEID

Afterimages of Apartheid shows how photographs of the past can be mobilised as a critical tool for understanding the ongoing effects of apartheid in contemporary South Africa.

Through close readings of significant images made during and after apartheid, the book shows how photography works as a means of documentation, commemoration, and resistance. Written by one of South Africa's leading scholars of visual history, the book considers the ways in which photographs can be used to contest impunity for state violence. *Afterimages* includes chapters on the Sharpeville and Marikana massacres, on the re-opening of cases of human rights violations that remain unresolved in the aftermath of the South African Truth and Reconciliation Commission, and on contemporary protests against the post-apartheid state. The book makes a powerful case for the role of photographs in drawing the viewer into the past time they represent, issuing a call to the living to remember, respond, and react.

This vivid account of the photography of apartheid will be of interest to students and researchers across the fields of South African history, visual studies, memory studies, art history, photography studies and transitional justice.

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Chapter 6 was first published as "Refusing Transitional Time: Re-Opening the Unresolved Truth and Reconciliation Commission Cases and the Future of Memory in South Africa" in *Remembering Transitions: Local Revisions and Global Crossings in Culture and Media,* edited by Ksenia Robbe. Berlin: De Gruyter, 137–157. A section of Chapter 6 is drawn from "Digital Visual Activism: Photographic Digital Heritage and the Re-opening of the Unresolved Truth and Reconciliation Commission Cases in Post-apartheid South Africa" in a special issue of *Photography and Culture*, (297–318), edited by Gil Pasternak.

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HOLDING VIGIL

This book includes images from the sites of two massacres and of multiple instances of violence perpetrated during and after apartheid. Some of the chapters of this book engage with the unresolved cases of enforced disappearances, torture, and murder committed by apartheid-era perpetrators that open a gruesome view into the brutal history of apartheid. I have opted not to edit the photographs included here, or to remove the traces of violence that they hold. This is because this book is about how photography can be used to contest impunity in the aftermath of apartheid.

In the South African context, the question of the right to know the truth about the past is linked not only to the destruction of records and access to those that remain, but to all the most painful and contested aspects of life in the country during and after apartheid. On 2 February 1990 the apartheid government unbanned the African National Congress, the South African Communist Party, and the Pan-Africanist Congress, and announced that Nelson Mandela and other political prisoners would be freed. That date also marked the beginning of a massive project on the part of the state to purge the documentation of crimes against humanity committed during apartheid, both to prevent the new democratic government from obtaining access to information, and because the perpetrators of these crimes feared that they would be prosecuted.[1] Yet, as South African historian Jacob Dlamini writes, in spite of the destruction of "forty-four tons of paper-based and microfilm records held by the National Intelligence Services (NIS)"[2] and the countless other documents that were incinerated in industrial furnaces or otherwise disappeared in the last years of apartheid, there are sufficient remnants "to pose difficult questions about the apartheid-era".[3]

Now, just more than thirty years after the end of apartheid, the latent potential of photographs and documents relating to the history of apartheid

and its legacy is being catalyzed, and in this sense, these images are addressed to us, those who view them in the present, and who hold the power to re-turn history. Although we are always too late to change what photographs show us has already occurred, we live before the history that is yet to come. This allows us to see that the map is still in the making and that whether we live in the time before catastrophic loss or before events to which we can be reconciled depends, at least in part, on the road we choose to make. To forge this path requires us not to turn away from images that form part of the painful inheritance of apartheid, but to try to see and act in ways that respect both the living and the dead.

Notes

1 On the destruction of archives during the last years of apartheid see Harris (1999).
2 Dlamini (2020), 14.
3 Dlamini (2020), 285.

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PREFACE

Truth and Lies, a photographic study of South Africa's Truth and Reconciliation Commission, begins with a photograph of a road in a landscape that is for me instantly recognizable as South African – a blur of veld-grass, a distant koppie, the sky bleached almost white.[4] And then of course, the trope of the road is by now a familiar one, the road to reconciliation, the path to democracy, the long walk to freedom. This road, however, seems to lead not to its vanishing point, somewhere over the horizon, but to its own end at the place where the road runs into the land. A road to nowhere. The end of the road. That can't be the meaning of this first photograph.

No, this road is one that extends to the edge of the page and draws my eye over the book's border to my own arm resting on my desk. A road I am travelling on then.

I begin to study the foreground. There is a large shadow that falls over the middle of the image and then a strange area of light, gravel I think, the texture of the tar. I examine this surface, these tiny points of light on dark that resemble a satellite photograph of a city or of outer space.

The road is not an invitation, it is an assertion, you are already on the road, even if you don't like to think so.

The facing page which precedes the image reproduces Nelson Mandela's famous concluding statement given from the dock at the Treason Trial in 1964:

> During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.[5]

What work do these words do now, for us in the present? What is the effect of positioning them alongside the road that interpellates us as travellers? What does it mean to find yourself alone on a road in the middle of nowhere accompanied only by these words, brave words, but not your own?

Is the ideal of a democratic society in which all persons live together in harmony and equal opportunity one for which we are prepared to die?

Sometimes it feels we are travelling backwards on this road, sometimes as if we are at a standstill. How do we move forwards? Some argue only by looking behind us, by studying the road already travelled.

And even this is not the beginning of the book.

Before this is the cover, and the photograph of two young men, one of them more a boy than a man, both of them bearing scars, their vulnerable torsos bare, and a long stare in their eyes, not quite accusatory, rather a depth of sorrow, a traumatic stare.

Thembinkosi Tshabe and Mxolisi Goboza photographed in the Free State Province in 1997. Both had been shot and wounded by police in Venterstad while participating in a Congress of South African Students demonstration in 1993. Goboza was eleven years old at the time, Tshabe was fifteen.

The body and the road.

A reminder that all is not metaphor.

The scar that travels the length of Goboza's stomach, curving around his navel and extending beyond the waistband of his pants. The sight of these exposed belly buttons makes me want to weep.

Truth and Lies the book is called. *Stories from the Truth and Reconciliation Commission in South Africa* by photographer Jillian Edelstein.

A book that contains just over 100 black and white photographs that, read collectively, provide a roadmap to the history of apartheid and the Truth and Reconciliation Commission (TRC). Preceding Edelstein's foreword, an introduction by Michael Ignatieff, and an essay by Pumla Gobodo-Madikizela, are five photographs of roads, and with the exception of the first image, all depict people walking along them. The captions reveal that the photographs are of roads in five different provinces, as if to say, "see, the whole country is on this road to reconciliation". It is interesting to note that the roads are increasingly populated, beginning with the empty (but symbolically full) road to truth and ending with a blurry image of a long row of blanketed workers. To the observant reader who takes note of the fact that the last image in the sequence was taken in 1984, these waiting figures might be read as signifying the long years of suffering before the end of apartheid. The other images of roads that open the book were not shot at the time of the TRC either, but were all taken in 2000, after the hearings drew to a close. The story these first five images narrate is a compelling one, it is a story we think we know, but after we read the captions, it is one we have to read over again. In a way these roads present us with a warning, a reminder that we do not *see* but *read* and that how and what we read is never neutral.

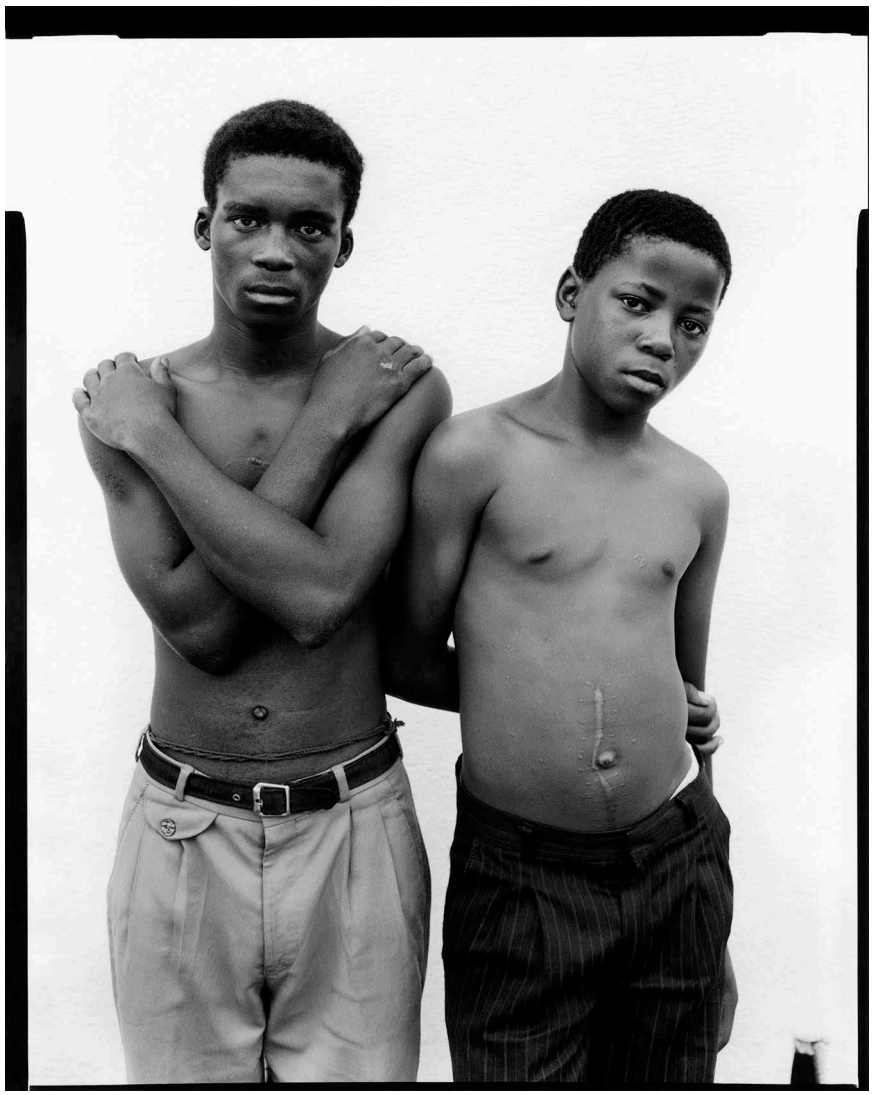

FIGURE 0.1 Thembinkosi Tshabe (left) and Mxolisi Goboza, Free State Province, March 1997
Photograph by Jillian Edelstein

The trope of "the road" in order to describe South Africa's transition to democracy is so familiar that by 2002, when Edelstein's book appeared, photographs of roads could provide readily legible visual shorthand for the work of the TRC. The slogan "Truth: The Road to Reconciliation" appeared on the banners of the Truth and Reconciliation Commission Hearings and

continues to appear on the Commission's website. The iconic images of the long queues of voters in the first democratic elections in South Africa photographed from above reinforce this notion of our movement towards freedom as the forging of a path towards a liberated future. These photographs represent a human trail, a living 'road' that marked our national passage from apartheid to post-apartheid and that provide us with a picture of ourselves, all of us moving in the same direction. According to the slogan of the TRC, it is Truth that carries us along this road, moving towards not so much a place but a state of being.

The statement, "Truth: The Road to Reconciliation" asserts both that truth will set us on the road and that we are certain of where it is the road will take us. The slogan reassures us in the way of religious certainty – consider for instance Jesus' claims (or at least those made on his behalf): "I am the Way the Truth and the Light" and not, "I might be the Way, the Truth and the Light". A certain claim, a grand claim, and yet tricky to interpret.

"Truth: the Road to Reconciliation" conjoins the road and the traveller and in this way elides the question of the relation between the road and those who journey along it. Does the road pre-exist its travellers, or are we and this road of truth in a mutually constitutive relation? And if it is the case that we are not merely journeying but engaged in the construction of the road, is the route we will follow always already traced out? And if so, what is this teleological force capable of mapping the future? I can think of a few options – the first is Nelson Mandela on his long walk to freedom, at first advancing towards us through the gates of Victor Verster Prison, then taking our hands and jiving with us as we are liberated from apartheid, then, in what can only be understood as a miraculous renewal of personal and political energy, leading us forwards, bringing us together, and then striding beyond us towards an embrace of rugby and past jailers, to Zackie Achmat's house in an HIV-positive t-shirt, and even to tea in Orania with Betsie Verwoerd. He left us behind.

Then, of course, there is Archbishop Desmond Tutu who not only led us but carried us, some of us crying, others kicking and screaming, most of us refusing to apologise, across the finish line at the rendezvous of truth and reconciliation. The Archbishop never veered from the path.

Or the angel of history, who flew ahead even of him, perhaps this is our invisible cartographer, endlessly charting our catastrophic course.

But where does this leave us, we blind followers?

Is Reconciliation, in fact, where we want to go? And even if it is must the road lead us so directly there? Must we travel always and only on what we might want to think about as "the national road"? Is it not possible to turn off, to take an arterial route, perhaps even to visit some other destinations first? Do we already know all we need to about "Lies: the well-heeled path to apartheid-era cover-ups"? What about the road to rage?

What about the barely visible footpath to sorrow, mourning, and grief?

If truth is the road to reconciliation what happens to truth when we get there? Does arrival constitute the end of the road? Is it that we pour all our truth out in the making of the road so that when we reach our destination, we no longer need it? Can we turn around and travel back again, searching for signs and clues we missed the first time round? And if so, what if we find the road is no longer one we recognize, not the same path we trod before? If we recognize that we do not know the truth about the past now, that we cannot access it, what kind of road of truth did we imagine ourselves to be travelling on before?

Where is it that this road goes, this mesmerizing road in Edelstein's book?

Seventy-six pages into *Truth and Lies*, the photograph of the road recurs. This time the image extends over two pages and bears the identificatory signs of a photograph, the film edges visible and a blurry overexposed area in the foreground that signifies movement, presence. These signs mark and disrupt our reading of the photograph as aesthetic object. This is not a symbolic landscape, a metaphoric road.

This time the photograph has a longer caption. It reads: "The road between Cradock and Post Chalmers, Eastern Cape, February 1997".[6]

I would like to leave this road.

The road – a long accusation.

FIGURE 0.2 The road between Cradock and Post Chalmers, Eastern Cape, February 1997
Photograph by Jillian Edelstein

The road as injunction.

Between this photograph of the road and the place to which it takes us are twenty pages of photographs of murderers and the families of those they killed, including five images of the notorious farm called "Vlakplaas", the base for the special section of the South African Police responsible for the abduction, torture and murder of anti-apartheid activists.

Vlakplaas, like its satellite operation, Post Chalmers, a place in the Eastern Cape not far from the town of Cradock, was also the site where many murders took place. Post Chalmers is the much less well-known site where numerous activists were interrogated, tortured and killed. Edelstein's book contains three photographs of this place, all taken in 1997.

The first is "Post Chalmers, near Cradock, Eastern Cape, 1997".[7] A fence, a sign, a thornbush. Andre van Heerden Post Chalmers Holiday Farm. And overleaf notes from Jillian Edelstein's diary:

> 10 February 1997 – Post Chalmers is a disused and desolate police station off the national road some twenty miles from Cradock. A convenient rural jailhouse. The sign which announces Post Chalmers as a Holiday Farm is the first untruth. Barbed wire runs the course of the property which is scattered with African thorn trees. It was here that brutal tortures and murders took place. The Pebco Three and Siphiwo Mtimkulu among others were detained here and the police came and went as they pleased during what were often [sic] illegal incarcerations. Another lie would be to suggest that anyone held here had a chance of leaving with their lives.[8]

Alongside these notes is a photograph made at Post Chalmers. The dark sky, seeming to emanate from the building itself, and the textured wasteland that constitutes the foreground of the image form a stark contrast to the cheerful, unprofessional font that placidly asserts "Post Chalmers Holiday Farm" across the side wall of a white house, a wall without windows or doors.

A photograph that shows the lie and yet that also shows us nothing at all.

The next image shows two doors which seem to open the façade of the house to expose two identical cells and a concrete courtyard and one or perhaps two closed doors, which, it would seem, open onto more cells. A horrible symmetry. That these doors open inwards towards us and not outwards, and that they open onto an enclosure that blocks our view of the distance our eyes seek when we find ourselves looking through a window or doorway, draw our eyes down to the concrete floors which are marked with areas of dark. The photograph is in black and white – it is not possible to identify what these markings are, but they evoke blood stains. The image tells us that these silent cells are empty now, but still there.

Who owns this place? What has become of it? What are we to do with it? What is it that we see when we gaze into this strangely shallow abyss?

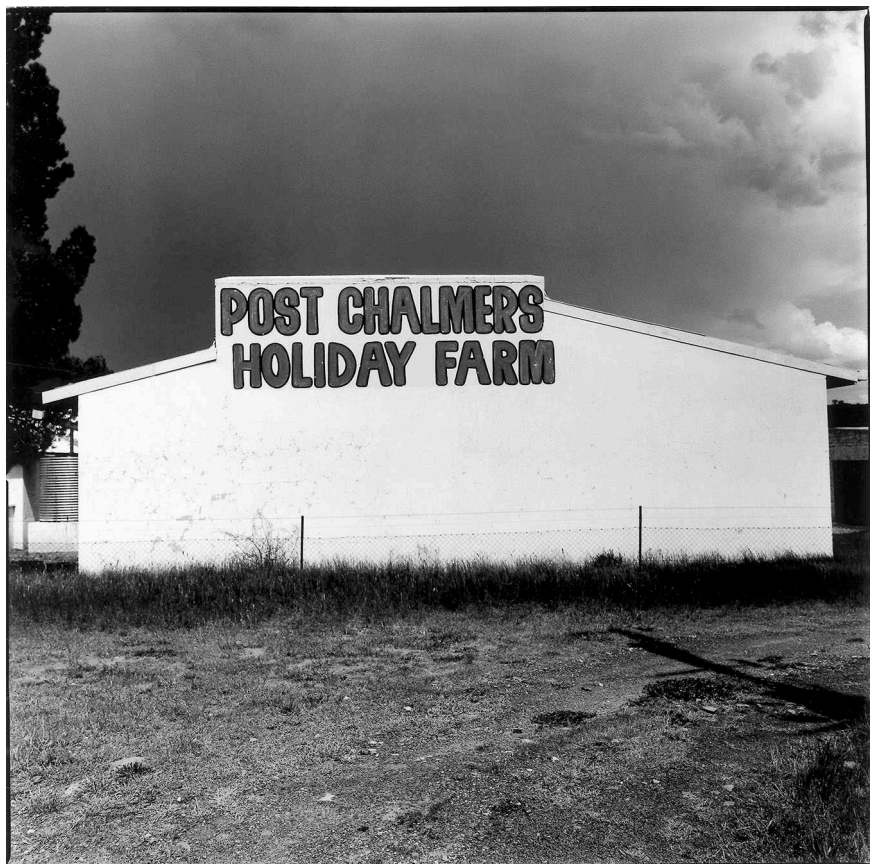

FIGURE 0.3 Post Chalmers, near Cradock, Eastern Cape, 1997
Photograph by Jillian Edelstein

Photographs are conventionally understood to work against forgetting and as providing us with a form of external memory. In an essay entitled "Uses of Photography" John Berger writes that "Memory implies a certain act of redemption. What is remembered has been saved from nothingness".[9] Yet what we are faced with in this photograph of the interrogation cells at Post Chalmers is the nothingness from which we cannot be saved, an image that materializes what Jacques Derrida has termed, writing of the Nazi death camps, "the hell of our memory" and that I would translate here, as the hole in ours.[10]

This photograph does not provide answers but is itself a question. It is the very undoing of the transcendental forms of logic encoded in the hymns I learned as a schoolgirl under Christian National Education: Seek ye first the kingdom of God and his righteousness, ask and it shall be given unto you, seek and ye shall find, knock and the door shall be opened unto you, allelu

FIGURE 0.4 Cells where activists were detained, interrogated and tortured, Post Chalmers, 1997
Photograph by Jillian Edelstein

allelujah. Edelstein's photograph of the cells at Post Chalmers conjures events that we cannot transform, make sensible or imbue with transcendent significance. This is an image that draws us in only to confront us with a horrifying palimpsest, doors that open onto a terrifying enclosure from which there can be no escape.

In April 1982, anti-apartheid activists Siphiwo Mtimkulu and Topsy Madaka were tortured and killed at Post Chalmers. According to the testimony given by police officers Gerrit Erasmus, Hermanus du Plessis, Gideon Nieuwoudt and Nic van Rensburg at the TRC, after they shot Mtimkulu and Madaka, they placed their bodies on piles of wood, doused them with diesel and burnt them overnight. The following morning, the security police officers claimed to have gathered the remains of their victims and placed them in

plastic bags which they threw into the Fish River. All the officers responsible were granted amnesty for the murders of Madaka and Mtimkulu.

In May 1985, Sipho Hashe, Champion Galela and Qaqawuli Godolozi, also known as the Pebco Three, were murdered at Post Chalmers. Gideon Nieuwoudt was refused amnesty in this case and was arrested in 2004. In the aftermath of his arrest, Eugene de Kock, also known as "Prime Evil" for his role as commander of the Vlakplaas counter terrorism unit, spoke to journalists Christelle Terreblanche and Jeremy Gordin and stated:

> I will tell you that the generals don't want Nieuwoudt prosecuted. Because, if he folds, if he starts talking, well, there's stuff that's going to come out – stuff implicating them – that's going to make Vlakplaas have seemed like a picnic.[11]

Security Branch *askari* Joe Mamasela's testimony about the murder of the Pebco Three appears alongside the photograph of the cells at Post Chalmers in *Truth and Lies*:

> It was brutal. They were tortured severely. They were brutalized. I strangled them. They were beaten with iron pipes on their heads, kicked and punched. They were killed, they died one by one. *I have never seen anything like it in my life.* It was blazing hell on earth.[12]

Close attention to Mamasela's use of language here reveals his tortured attempt to speak the horror of Post Chalmers. The statement begins with the depersonalized phrase "It was brutal" and then slides into the passive form "they were tortured", "they were brutalized". And then the brief statement that marks not only Mamasela's presence at the scene as witness but indicts him as one of the murderers, "I strangled them". At the same time Mamasela states, "I have never seen anything like it in my life".

What are we to make of this strange assertion that undoes the relation between seeing and acting? Of course, in one sense what Mamasela means is "I *had* never seen anything like it in my life *before*, but I saw it then and it was blazing hell on earth".

But this is not what he said. If we take these words literally, they constitute a denial of responsibility. For if we must see what we have done in order to recognize that we have done wrong, Mamasela claims not to have seen. In his effacing of bearing witness to his own acts of violence Mamasela provides a way to trace the production of the abyss.

At the end of the Truth Commission Hearings there were more than 500 cases of people who had disappeared under apartheid that were left unresolved. The government mandated the Missing Persons Task Team to search for those who had disappeared, most of whom had been murdered by the Security Police, and to return their remains to their families.

In 2007, the Task Team began forensic archaeological investigations at Post Chalmers. What they found there revealed the accounts given by the Security Police at the TRC about those they killed to have been saturated with lies. After finding the charred ground where the bodies of those murdered at Post Chalmers had been burnt, the team spent several weeks scooping 20,000 litres of raw sewage from the farm's septic tank, and then sieving, drying, and sorting it, to search for human remains. They found 250 kilograms of burnt material – charred bones, burnt tyres, coal, wood, a watch strap, coins and keys. By this time three of the four Security Policemen responsible for the murders of Mtimkulu and Madaka had died.

Sometimes the end of the road is not reconciliation but reconciliation's end.

Notes

4 Edelstein (2001).
5 Edelstein (2001).
6 Edelstein (2001), 76.
7 Edelstein (2001), 118.
8 Edelstein (2001), 118.
9 Berger (2013), 54.
10 Derrida (2005), 46.
11 In 1996, Eugene de Kock was convicted for the murder of 89 people and sentenced to 212 years in prison. He was released on parole in 2015. See Terreblanche and Gordin (2004).
12 Edelstein (2001), 120.

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INTRODUCTION

Against Impunity

FIGURE I.1 Women protesting the injustice of the apartheid regime, Vanderbijlpark, near Sharpeville, outside of Johannesburg, 21 March 1960, the day of the Sharpeville Massacre
Photograph by Ian Berry. © Ian Berry/Magnum Photos

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A photograph made on the 21 March 1960 shows two women who are protesting against the apartheid regime (Figure I.1). "We want to celebrate freedom not fascism" the sign carried by the woman in the photograph reads – a sign of refusal that gestures to a different possible world. A world in and of the future, but also a world outside and beyond apartheid. The photograph was taken not far from Sharpeville, the place that became infamous later that same day, when police opened fire on a group of protestors who had gathered to protest against the pass laws.[1] More than 91 people were killed by the police, many of them shot in the back as they tried to flee, and at least 238 people were injured.[2]

In the foreground of the image is a Black police officer wearing a pith helmet, viewed from behind, his wide trousers pulled up slightly too high, creating an effect that would be comical were it not for the group of three white police officials standing alongside him, a reminder that the violence of apartheid is not only brutal, but sinister. Their uniforms, and the profile of the man who could perhaps be writing out a charge sheet or arrest warrant, evokes images of Nazi officials. Indeed, this photograph was taken just 15 years after the end of the Second World War and the apartheid state made no attempt to hide its affinity with Nazism. In its reference to freedom from fascism, this sign of resistance links the struggle against the apartheid regime to anti-colonial struggles across the continent, and to resistance movements that rose up against fascism in Europe. The woman who holds the sign appears resolute, but afraid, while her companion stares directly at the police officers and does not hide the contempt she feels for the police – the poster she carries is not visible to us, but her disdainful facial expression and posture provide an indication of the message she bears. In the far corner of the photograph, standing in the fenced area that contains a derelict children's playground, are two young girls who appear to be anxiously watching the confrontation between the women and the police. In its ideal form, a playground is a place of freedom, but in the version we see here, the merry-go-round is empty and the metal structures housing the broken tyre swings conjure gallows more than play equipment.[3] The desire for freedom that this photograph documents was to be met with increasing brutality by the apartheid state, a regime of racist violence that remained in place for close to fifty years, the aftereffects of which continue to determine life and death in South Africa today.[4]

The end of apartheid in 1994 and the birth of the "new" South Africa was marked by the introduction of what remains the most progressive Constitution in the world, a document designed to overturn the iniquitous order of colonial and apartheid rule. The new Constitution came into force at the same time as the South African Truth and Reconciliation Commission (TRC) commenced its work to investigate and convene public hearings about gross violations of human rights committed during apartheid, from the time of the Sharpeville Massacre on 21 March 1960, to the intense period of

political violence in the years immediately preceding the transition to democracy in 1994.[5] The TRC hearings were held across the country and opened a space for South Africans of all races to begin the pained and painful process of reckoning with apartheid. In many ways, as others have noted, that process was both enabled and restricted by the inclusion of the controversial "amnesty for truth" clause.[6] If perpetrators of apartheid-era crimes came forward and disclosed the truth about what they had done, and if it could be shown that these crimes were politically motivated, they could be granted amnesty and evade prosecution. The Commission was not vested with judicial powers, but it could and did refer hundreds of cases involving human rights violations to the National Prosecuting Authority. These cases were meant to be pursued once the Commission had completed its work and delivered its final report in 1998.[7] Since that time, however, not one of the perpetrators refused amnesty by the TRC has been successfully tried and convicted for crimes committed during apartheid, and no one has ever been punished for the crime against humanity that was apartheid itself.[8]

This book is concerned with the problem of impunity for the crime of apartheid, and with how photographs, as a medium of temporal return, can serve as a way to contest this failure of accountability. The question of how impunity in the past is bound to injustice in the present is the thread that runs through the chapters that are assembled here, which focus on acts of individual and mass violence committed during and after apartheid, and on practices of refusal and resistance. *Afterimages* does not provide a chronological account of the history of apartheid any more than it offers a coherent explanation of the post-apartheid condition. Instead, it holds a record of some of my attempts not only to understand, but to rail against, the bitter legacy of apartheid and the violent events that have occurred in its wake. I am concerned here with how impunity for apartheid – as system and state-form *and* as acts of violence committed by the regime – has created the conditions of possibility for impunity for human rights violations in the present.[9]

Necrocapitalism: Sharpeville-Marikana-Stilfontein

The preface to this book reflects on the national failure to face up to the implications of all that remains unresolved in the aftermath of the TRC. Written more than ten years ago, it marked the beginning of my research focusing on the problem of impunity in the aftermath of apartheid. A short time after that essay was published, the Marikana Massacre took place, and threw the effects of the failure to address the systemic violence of apartheid into sharp relief. On 16 August 2012, members of the South African Police Service murdered 34 people who were participating in a strike at Lonmin Platinum Mine in Rustenburg, not far from Johannesburg. This massacre was the first to take place in South Africa after the end of apartheid and, as I

have noted elsewhere, it can be understood as marking the end of the first period of the South African transition.[10] The massacre was followed by waves of protest against the persistence of colonial and apartheid era ideologies and structures, and against the corrupt practices of the ANC-led government during the Presidency of Jacob Zuma. Marikana fundamentally transformed social relations in the post-apartheid state, creating a rupture between the post-liberation government and the people. New political formations emerged in its wake, including the founding of the Economic Freedom Fighters (EFF), a new political party that, like the Pan Africanist Congress (PAC), grew out of, and opposed, the ruling African National Congress (ANC).[11] Since Marikana, the political landscape has become increasingly fractured, and the deep sense of betrayal in the aftermath of the massacre is one of the causes for the loss of the ANC's parliamentary majority in the 2024 national elections.[12] In spite of the role he played in bringing about the massacre, Cyril Ramaphosa was elected as President of South Africa in 2018, and re-elected for a second term in 2024.[13]

This book traces the root cause of this massacre backwards through time, and reads Marikana in relation to the Sharpeville Massacre in 1960. To read the visual record of the two massacres alongside one another is to produce a double exposure, a composite image that surfaces how the violence of the past is bound to that of the present. In both instances, the indelible afterimages that remain in their wake are of the moment when police opened fire with live ammunition and people are seen attempting to flee from their bullets, and of the bodies of the dead and wounded lying on the unforgiving highveld earth. Separated in time by five decades, the parallels between these devastating events complicate and even undo attempts to mark a clear temporal break between the apartheid past and the post-apartheid present. To see these two massacres in relation is to see how impunity casts a dark shadow over the present, and how the failure to hold perpetrators to account for the crime against humanity that was apartheid is bound to the persistence of racial capitalism and the forms of violence it produces and upon which it depends. Impunity has made the repetition of these forms of violence not only possible, but inevitable.

In March 1960, when the Pan-Africanist Congress called on Black South Africans to stay away from work, to leave their passbooks at home and to present themselves in groups at police stations around the country, thereby giving themselves up for arrest for transgressing the pass laws, they intended to challenge the apartheid regime through peaceful protest. On 21 March 1960, police opened fire on the approximately 5,000 people who had gathered at the police station in Sharpeville, an area situated 60 kilometres from the city of Johannesburg. The horror evoked by images of people lying dead and wounded in the streets surrounding the police station was amplified by accounts of how the majority of those who were killed had been shot in the back while fleeing police gunfire, and set in motion the events that would define the decades of repression, violence, and struggle that followed.

Although the protest at Sharpeville was not technically a strike, the mass action that took place on March 21 1960 led to work stoppages and carried with it the threat of a general strike.[14] In his account of the Sharpeville Massacre published in the *New Age* on March 24 1960, ANC activist and journalist Joe Gqabi wrote, "Monday's events marked virtually a general strike in the Vereeniging and Vanderbijl Park area, Iscor [South Africa's state-owned Iron and Steel Corporation] suspended operations due to the absence of its African labour force".[15] Sharpeville is situated in South Africa's industrial heartland, 20 kilometres from the Coalbrook mine, which at the time produced 40,000 tons of coal each week, and the same distance from Sasolburg, the town established by the state-owned South African Coal, Oil and Gas Corporation in 1954, and where the world's first oil-from-coal plant was based. On 21 January 1960, exactly two months before the massacre at Sharpeville, the worst mining disaster in South Africa's history took place at Coalbrook North Mine when 900 underground pillars that were used to support the tunnel roofs disintegrated and the tunnels collapsed. One thousand people were trapped underground, at least 437 of whom did not survive.[16] While the Coalbrook disaster was eclipsed by the political consequences of the Sharpeville massacre, it not only, as historian Alan Cobley writes, "set the tone for the febrile atmosphere and tumultuous events of that year in South Africa", but serves as a clear and bitter indication of how apartheid's laws and practices were bound to racial necrocapitalism and its attendant indifference to human life.[17] It is worth noting here that a Commission of Inquiry and a judicial inquest were held to investigate the cause of the catastrophe at Coalbrook, and, in what Cobley describes as, "a remarkable ruling", the Commission found that the deaths were caused by violence.[18] More than 400 people were killed due to negligence on the part of the managers of the mine, and yet, "despite the unequivocal findings of the joint inquiry and inquest, […] neither the mine engineer nor the mine managers were prosecuted for their part in precipitating the disaster".[19]

If Sharpeville finds its mirror in the massacres that preceded and followed it during and after apartheid, the Coalbrook disaster finds a dreadful parallel in the events precipitated by the launch of a national police operation named "Vala Umgodi" or "Close the Hole".[20] The South African Police Service, along with 3,000 members of the South African National Defence Force, initiated Operation Vala Umgodi in December 2023 in order to bring an end to informal mining at the 6,100 mines that are no longer in official use. While there are criminal gangs involved in the illicit trade in minerals, the state's crackdown on informal mining criminalises migrants and does not distinguish between those who are held captive and those who are extorting them and profiting from their labour. In 2024, at the Buffelsfontein gold mine in Stilfontein, thousands of artisanal miners, better known as "zama zamas", were trapped underground for several months by the police, who sealed the exits as well as the routes for the delivery of essential supplies. News reports

of the siege showed aerial views of the shaft into which the miners descended, and into which it is impossible to see more than a short distance before the aperture in the earth closes in darkness.

In January 2025, the bodies of 78 people who died as a result of dehydration and starvation were retrieved from the depths. Hundreds of emaciated survivors, the majority of whom were undocumented migrants from Lesotho, Mozambique, and Zimbabwe, and who were forced to labour for criminal overlords, were arrested by the police and charged with trespassing, as well as with the illicit possession of gold. Among those who resurfaced and who were detained and arrested and later deported, were at least 96 undocumented children, some as young as 14.[21] Although the police claim that there are no remaining survivors or bodies below the ground, it is difficult to know the exact number of people who were killed as a result of the police siege, nor how many people remain trapped in the mine.[22] As Rosalind Morris notes, "in the languages spoken in this area, the same word is used for the mine and the hole in which a coffin is placed".[23]

The forms of violence and impunity that have characterised the three decades since apartheid's legislative end is the result of the state's complicity with the same oligarchs who dispossessed Black South Africans during apartheid, and who accrued massive profits through exploiting the labour of those they oppressed, as well as that of hundreds of thousands of workers from neighbouring countries. Racial capitalism is the term most often used to describe the forms of exploitation fomented in South Africa during the time of slavery and colonial rule, as well as during the apartheid regime.[24] I make use of this concept in this book, and I pair it, and sometimes replace it, with the term necrocapitalism.[25] I use the latter term to describe the forms of social, political, and economic organisation that depend on and produce death.[26] The history of apartheid makes evident that racial capitalism has always been necrocapitalism, but it is in the abandoned mines and spoil tips of the present, and in the pit toilets in which children drown, and on the cold ground outside of the Constitutional Court in Johannesburg where the elderly victims of apartheid have camped out for over a year and a half while the leaders of the new state ignored their campaign for reparations, that the long-term aftershock of the deathly logic set in motion by the apartheid regime takes effect.[27]

Post-Apartheid Scotoma

In the chapters that follow I am concerned with ways of seeing, and of failing to see, the connections between the post-apartheid present and the apartheid past. In the first chapter I point to how, in spite of the significance of the Sharpeville Massacre and its effect on the history of South Africa, the details of what occurred there have largely been swallowed in the maw of impunity. That the number of people who were killed and injured at Sharpeville has

been grossly underestimated for so long can be linked to the Commission of Inquiry that exculpated the apartheid state, as well as to the political complexities and erasures of historiography after apartheid's end. Photographs made at Sharpeville (as well as images thought to represent the massacre but which were in fact made in different places and at different times) were instrumental in drawing attention to the violence of the regime and in inspiring and galvanising activist movements against apartheid in numerous places across the world, eventually constituting the largest transnational solidarity movement in history. I argue for returning to the visual archive of the massacre, not only to read what took place there with greater care, but to understand how images of that time might help us to perceive the connections between the struggle for freedom then and now.

The second chapter focuses on the Marikana Massacre of 2012, when 34 striking mine workers were shot dead by the police at Lonmin Platinum Mine. In an ironic twist of history, on the day after what are routinely, and incorrectly, termed "the tragic events" that took place at Marikana, then-President Jacob Zuma issued a call for a national day of mourning, just as the President-General of the ANC, Chief Albert Luthuli had done before him in the aftermath of the Sharpeville Massacre in 1960.[28] But while Luthuli, in his statement after the massacre at Sharpeville, called for a mass stay-away, Zuma called for South Africans to return to the work required for "rebuilding and healing" and insisted that "we will not be derailed from the progress we have made as a country since 1994".[29]

> The events of the past few days have unfortunately been visited upon a nation that is hard at work, addressing the persistent challenges of poverty, unemployment and inequality. We undertake this work in conditions of peace and stability, working with all sectors in our country. We also work with international investors and development partners who have over many years derived great benefits from working in, and associating with South Africa. We assure the South African people in particular, that we remain fully committed to ensuring that this country remains a peaceful, stable, productive and thriving nation, that is focused on improving the quality of life of all, especially the poor and the working class.[30]

Zuma's statement exposes how, within the flawed logics of the current state, the miracle of South African social cohesion will result from capitalist production rather than by undoing inequality and the pursuit of justice. Zuma's claim that the day after the massacre was "not a day to apportion blame" but instead "a day for us to mourn together as a nation" invokes some of the central questions I take up in this book about the relation between impunity and ongoing forms of injustice, and about how the failure to hold those in power to account, delimits, if not negates, the possibilities of and for

collective mourning. Indeed, to argue that the 17 August 2012 was not a day for "blame, finger-pointing or recrimination" and that such acts would necessarily imply that conflict would escalate, and national healing would be held in abeyance, is to draw on tropes and practices established through the negotiated transition to democracy in 1994.[31] It invokes the inclusion of amnesty as a key part of the workings of the South African Truth and Reconciliation Commission, and the contentious notion that the legacy of systemic human rights violations could be overcome through individual acts of forgiveness. It is perhaps unsurprising that the Commission of Inquiry into the events that took place at Marikana, just like the Commission set up to investigate the events that took place at Sharpeville, ultimately held no one to account. In a report by the Centre for the Study of Violence and Reconciliation on redress in the aftermath of the Marikana massacre, Malose Lange, Hugo van der Merwe and Jordi Vives-Gabriel write:

> it is clear that the state has failed to fulfil most of its obligations and remains responsible for delivering on the rights of victims to reparations according to international standards and recommendations spelled out in the Farlam Commission report. Furthermore, the state has yet to take appropriate steps to fully investigate, punish and redress the alleged participation of the company, Cyril Ramaphosa and others in the Marikana massacre.[32]

At the time of the massacre, former trade union leader and South Africa's current President, Cyril Ramaphosa, was a non-executive director of Lonmin and a shareholder in the company. As I describe in more detail in the second chapter, the Commission of Inquiry into the events that took place at Marikana show that Ramaphosa drew on his political influence to ensure that the strike was treated as a criminal matter rather than as a labour dispute. His intervention opened a way for the police to introduce tactics and weapons unsuitable for public order policing that resulted in a massacre of 34 people, 18 of whom were unarmed individuals who were killed at close range. In Chapter 2, I read the counter-forensic images made by photographer Greg Marinovich of the site where miners who fled from the police were executed. I argue that Marinovich's photographs serve as an indictment of the impunity of the present and hold out the possibility for justice in the future.

Figuring Justice

The idea that photographs can provide a medium for prefigurative justice is at the centre of my readings of photographs made by made by anti-apartheid activist Gille de Vlieg of people who were subject to vigilante violence in the 1980s. In Chapter 3 I draw on de Vlieg's images to argue that the failure to

hold the apartheid-era police to account is bound to police brutality in the present, and that this in turn is linked to forms of vigilante violence and the practice of necklacing that continues in the aftermath of apartheid.

In the fourth chapter I focus on the case of Siphiwo Mtimkulu, who was 22 years old when he was murdered, along with his comrade, Topsy Madaka, by the Security Police on 14 April 1982, at Post Chalmers, the disused police station that served as an extra-legal killing site on a remote farm in the Eastern Cape. The murderers of Siphiwo Mtimkulu and Topsy Madaka testified at the Commission and ostensibly disclosed the full truth about how these young men were killed. Although they showed no remorse, they were granted amnesty for their deeds. However, after the Commission completed its work, the Missing Persons Task Team conducted investigations at the site where Mtimkulu and Madaka were tortured and murdered and found evidence that the Security Police had lied about how they disposed of the bodies of their victims. In this way the Security Police robbed the families of those they killed of the closure they so desperately needed.

I argue for how photographs of Mtimkulu, taken after he was first arrested and tortured by the police, and before he was killed, can be understood to hold a latent, revolutionary, force. In the fifth chapter I connect these images from the 1970s and the unresolved history they contain to the resurgence of student activism in South Africa between 2014–2016.[33] Frustration and anger at the failures of the post-apartheid state in the wake of the Marikana Massacre precipitated the large-scale protests against the persistence of racism and colonial forms of power that began on university campuses, and that became a movement calling for the end of the Zuma Presidency. One of the notable aspects of these protests has been a visible return to the 1970s, to the time of anti-apartheid activist Steve Biko and the emergence of the Black Consciousness movement, and the student uprising of 1976. The fifth chapter argues that the return to the spirit of resistance of the 1970s and 1980s might be understood as something like the force of embodied history, a sign of how the apartheid past continues to shape the present in contemporary South Africa, and of how the demands articulated by the students of the 1976 generation have not yet been met.

At the time of the 2014–2016 protests I worked at Stellenbosch University, an institution that was reserved for white students during apartheid and that played a key role in the development of the ideology of apartheid. I formed part of the Open Stellenbosch collective, a student-led activist group, and we campaigned to change the university's discriminatory language policy which meant that Black students were still being made to learn in Afrikaans; to call for reparations for those who were forcibly removed from the area where the university is sited; to take down the monuments and change the names of buildings that honour apartheid-era ideologues; to protest against the presence of Wouter Basson, also known as Dr Death, the former head of the apartheid state's Biological and Chemical Weapons Programme, who was

teaching medical students at the university; and to expose the racism and corruption of university Council members.[34]

An image that was widely circulated during the protests encapsulates the central claim of the protestors that the struggle for freedom in South Africa has not been achieved. The photograph shows a large crowd of students at the University of Cape Town in 2015 engaged in perhaps the most common South African pastime – waiting.[35] If not for the student at the centre of the image who appears to be cognizant of the photographer and who is shown holding a poster that contains a single date, 1976, followed by a question mark, the large gathering could be mistaken for a group of young people waiting for a concert to begin. Many of the students who make up the multi-racial crowd are engaged in lively conversation. It is a far cry from the protests of 1976 that are widely regarded as the turning point in the struggle against apartheid, the moment when the young people of the country rose up and defied not only the state but also those members of the older generation who opposed the armed struggle, and during which hundreds of protestors were shot and killed by the police.

One possible reading of the poster is that the students are asking "Is this still 1976?", "Are we stuck in time?" Another way in which the poster can be understood is less as a question than an accusation directed at those who currently hold power in the country: "Why have you forgotten 1976 and those who died in the struggle against apartheid?"; and even more acutely: "Why have you betrayed not only us, the so-called 'born-free' generation, but why have you betrayed the cause of those who died for freedom?" The double meaning of the question holds together the paradoxical way in which apartheid remains – both as that which has been repressed and forgotten, and as that which continues to structure the present.

The high-speed revolutionary fervour of the 2015–2016 student uprisings stands in sharp opposition to the grinding slowness of the judicial system and the obstructive machinations of apartheid-era perpetrators and of the state. In the sixth chapter, "Refusing Transitional Time", I turn to the landmark judgement in the case of the re-opened inquest into the death of anti-apartheid activist Ahmed Timol, who was killed by the Security Police in October 1971. Timol was detained and tortured, and his body was flung from the tenth floor of John Vorster Square Police Station, now Johannesburg Central Police Station. The Security Police who murdered him claimed that he had committed suicide.

The Security Police officers responsible for Timol's death did not appear before the TRC, and it would take 40 years of struggle on the part of his family before the inquest would be re-opened. By that time, only three of the 30 Security Police officers implicated in his murder remained alive. I focus on the critical intervention made by Ahmed Timol's nephew, Imtiaz Cajee, who has devoted his life to seeking justice for his uncle and his family. The re-opened inquest into the murder determined that Timol had not committed suicide in detention as the Security Police alleged, but that he was murdered.

Cajee's work, alongside the Foundation for Human Rights, former TRC Commissioners, the Apartheid Era Victim's Families Group, advocate Howard Varney, lawyers, and activists, has opened the way for other unresolved matters that were referred by the TRC for prosecution to finally be heard. In 2019, the Johannesburg High Court ruled that the National Prosecuting Authority had failed in its duty to pursue the TRC cases and that it had been prevented from doing so due to political interference.

On 5 February 2019, ten of the commissioners who served on the Truth and Reconciliation Commission wrote a letter to President Cyril Ramaphosa, calling for a Commission of Inquiry to be established to investigate why more than 300 cases of gross violations of human rights committed under apartheid that were meant to be investigated after the TRC drew to a close, have not been pursued. They argue,

> Post the TRC the story of post-apartheid justice in South Africa is a shameful story of terrible neglect. Both the SAPS [South Africa Police Service] and the NPA [National Prosecuting Authority] colluded with political forces to ensure the deliberate suppression of the bulk of apartheid era cases.[36]

In their letter, the former TRC Commissioners argue that:

> The failure to investigate and prosecute those who were not amnestied represents a deep betrayal of all those who participated in good faith in the TRC process. It completely undermines the very basis of South Africa's historic transition. The failure stands as a betrayal of victims who have been waiting for the criminal justice process to take its course and has added considerably to their trauma. Indeed, the policy or approach to allow perpetrators to escape justice adds insult to the suffering endured by victims. Above all, the failure stands as a betrayal of all South Africans who embraced the spirit of truth and reconciliation in order to move beyond the bitterness of the past. The failure is wholly inconsistent with the spirit and purpose of South Africa's constitutional and statutory design in dealing with crimes of the past.[37]

The Commissioners' letter serves as a reminder that the findings of the TRC were intended as the beginning rather than as the end-point of engaging with the history of apartheid in pursuit of justice. At the time the TRC hearings drew to a close, no-one could have anticipated that it would take so long for the investigations into cases of torture, murder and enforced disappearances to begin, nor that justice itself would be perpetually deferred. The letter, sent 16 years after the final TRC report was completed, also raises the question of why a coherent societal response to the failure of the state to prosecute these cases has been so slow to emerge.

On 20 July 2021, 36 years after the murder of the anti-apartheid activists known as "the Cradock Four" – Fort Calata, Matthew Goniwe, Sicelo Mhlauli, and Sparrow Mkonto, an application to the High Court was lodged by their families to compel the NPA to take action with regards to these unresolved cases.[38] Lukhanyo Calata's affidavit stated:

> I bring this application in my capacity as the son of Fort Calata, one of the Cradock Four. I also bring this application on behalf of all South Africans who respect the rule of law and who seek justice for those murdered and harmed during the apartheid era.[39]

The respondents in the case include the National Director of Public Prosecutions and Minister of Justice and Correctional Services, as well as high-ranking apartheid-era officials, including former Lieutenant General Christoffel Van der Westhuizen, the man who ordered that the activists be "permanently removed from society"; Craig Williamson, former head of Security Branch Intelligence; Adriaan Vlok, former Minister of Law and Order; and former State President, FW de Klerk, along with 11 others implicated in the murders. De Klerk died in 2021, Vlok died in 2023, and Hermanus Barend du Plessis, who was the last living suspect, died in 2023.[40]

On 20 January 2025, 25 families of activists murdered by the Security Police during apartheid, supported by the Foundation for Human Rights, filed an application for Constitutional damages against the South African government for failing to pursue the TRC cases.[41] This book engages with a small number of these critical cases in an attempt to show how the implications of failing to prosecute apartheid-era perpetrators is bound to the impunity for violence perpetrated by the state in the present.

The conclusion to this book focuses on a series of photographs made by the Security Police that were used as evidence to verify their accounts of how activists who were killed at John Vorster Square Police Station in the 1970s died. These photographs relate to the case of Ahmed Timol, and to that of Matthews Mabelane, an anti-apartheid activist who was murdered by the Security Police on 15 February 1977. I argue that these patently fabricated images expose the lies they were designed to conceal and that to engage with them in the present in order to hold those who produced them to account is to refuse to allow the violence and erasure of apartheid to lay claim to the future.

On 11 March 2025, almost 50 years after Mabelane was killed, the Minister of Justice and Constitutional Development approved the re-opening of the inquest into his death.[42] The grief that the Mabelane family have suffered has been magnified by decades of waiting for their loss to be recognised and for justice to be done.

"Dying in Front of You"

In 2020, members of the Khulumani Galela Campaign staged the first of five years of protest outside South Africa's Constitutional Court in Johannesburg.[43] After decades of campaigning for the right to redress for human rights abuses suffered during apartheid, and in the face of the refusal of the state to release reparations payments through the President's Fund, Khulumani members, many of whom had been beaten, tortured, or shot during apartheid, and who had never received the healthcare, psychological support, or reparations they needed and were promised, began to sleep on the hard ground outside of the court.[44] Formerly a prison complex under colonial, white settler, and apartheid rule, where Mahatma Gandhi, Albert Luthuli, and Nelson Mandela amongst others were imprisoned, the Constitutional Court is both a powerful symbolic site and a place where the post-apartheid promise of the progressive realisation of social justice is defended. That it is a site where the rights guaranteed by the Constitution take spectral rather than material form was made clear as the protest dragged on for several months, and then years. Khulumani members continue to wait for a response from the government, while court officials hurry past them, and security guards manhandle them, and prevent them from accessing water and sanitation facilities in the building. Nomarussia Bonase, Khulumani's national organiser, issued a statement that makes clear that the disregard of the state has strengthened Khulumani's resolve:

> We, Khulumani Support Group are victims and survivors of apartheid human rights violations. We have been fighting for more than 20 years for reparation, redress, and rehabilitation. But the government does not care about the victims. The basic things our government promised us: to get proper medication, to receive proper financial help, to get individual educational help. Today, two decades later, they have given us none of those. But we will never give up. We are giving them an ultimatum: give us reparation now. If not, we will go and die in front of you.[45]

Bonase's assertion that if the government fails to provide what apartheid victims need to survive, "we will go and die in front of you" is not a concession of defeat – rather it is a refusal to be made invisible and an insistence on the right to protest, not only against the injustice of being denied reparations by the post-apartheid state, but against political erasure.[46] It is also a painfully accurate prediction: since 2023 six protesters have died, of illness, age, unhealthy living conditions, and the stress of sleeping outside the Constitutional Court.[47]

Afterimages is animated by the question of the political effects of "dying in front of you", both in the moment of the physical encounter when protest meets the violence of the state, and with how visual media, particularly photography, can work to keep resistance visible. Collectively, the chapters

included here take up the question of how photography can work to extend the duration of these forms of political appearance, often in the face of determined efforts to erase the crimes of the past, to evade accountability in the present, and to ensure impunity in the future. Photography is a medium of return and photographs enable us to see what is no longer there. In this sense photographs are a medium for, and of, history. At the same time photographs are futural, the meanings they contain are held in a state of latency, to be developed over time, brought to the surface and activated by those who engage with them, often long after they were made. In this way photographs do something more than document what has occurred and can be understood as a medium of resistance. Photographs make it possible for us to trace what would otherwise be invisible, the desire for a different world. In allowing us to see backwards, photographs also enable us to see what was not there at the time the image was made, but that has become visible in the intervening time. In this book I read photographs as an open letter to the future and as a summons, both to decipher the messages from the past and to resist the injustices of the present.

I draw the title of this book from a poem by Audre Lorde.[48] In "Afterimages", Lorde writes of the photographs that she saw in newspapers in New York that depicted the mutilated body of Emmett Till, a Black teenager who was murdered by white supremacists in Mississippi in the United States in 1955. Lorde describes how these images remain with her, years later: "However the image enters its force remains within".[49] Afterimages remain visible even after what you have seen no longer remains in front of you. Afterimages can still be seen even when you close your eyes and try to look away. The photographs I read here provide a tangled map to traverse the violent history of South Africa, forwards and backwards, backwards and forwards. They take us both to the desolate execution site at Marikana, where the struggle for freedom against fascism seems to meet its ultimate end, and return us again to the unflinching faces of the women who provide instruction about the courage required to continue the struggle for justice and to overcome despair. To celebrate freedom, not fascism.

Notes

1 In the 1950s, the newly elected National Party passed a series of repressive laws, including the Population Registration Act (1950) and the Natives Laws Amendment Act (1952), which required all Black South Africans to carry a passbook through which the state controlled and severely restricted their movements.

2 As I note here and discuss in greater depth in the first chapter of this book, for more than fifty years the statistics for the massacre at Sharpeville have been based on the apartheid police records, which include only 69 people killed and 180 people wounded. Accounts by family members of those who were killed and injured, and of people living in Sharpeville who were witness to the massacre, as well as research conducted by Tom Lodge and, more recently, by Nancy Clark and Bill Worger show these figures to have grossly underestimated the number of victims. The figures I

include here are drawn from Clark and Worger's book and, as they argue, should not be regarded as a definitive list. See Clark and Worger (2024), 271.

3 In the 1960s more people were executed in South Africa's prisons than in any other time in the country's history. See Laun (2018), 124.

4 For a brief history of apartheid and its ongoing effects, see van der Merwe (2023).

5 For a concise overview of the workings of the Commission, see former TRC commissioner Mary Burton's study Burton (2016).

6 As Erik Doxtader and Philippe-Joseph Salazar note, "While several international human rights organisations warned during the Commission's design that the provision of amnesty would yield a dangerous amnesia, the TRC's linking of victim-centred hearings and a public (and conditional) amnesty process has been held up as a viable way to balance the political requirements of nation-building and the obligations of justice". See Doxtader and Salazar (2007), xi. In his critical reading of the TRC, Jaco Barnard-Naudé argues that the inability to grant reparations constitutes a central lack in the workings of the Commission, equalled by what he terms an abundance of amnesty. See Naudé (2024), 2. For a detailed analysis of the amnesty process in the South African TRC, see Sarkin (2004).

7 The first five volumes of the TRC report were released in 1998 and the final two volumes were made public in 2003. www.justice.gov.za/trc/report/.

8 On 14 April 2025, a landmark decision was made in the case of the murder of four members of the Congress of South African Students (COSAS) – Eustice 'Bimbo' Madikela, Ntshingo Matabane, Fanyana Nhlapo and Zandisile Musi (collectively known as the COSAS 4). At the Johannesburg High Court, Judge Dario Dosio ruled that the two surviving Security Branch officers implicated in their murder, Tlhomedi Ephraim Mfalapitsa and Christiaan Sebert Rorich, will be tried for abduction and murder and will also stand trial for the crime against humanity of apartheid. This will be the first time that the charge of the crime against humanity of apartheid will be included in a criminal case. See: https://unfinishedtrc.co.za/press-release-cosas-4-trial-judgment-on-the-crimes-against-humanity-charges/.

9 The TRC has been widely critiqued for focusing on individual incidents rather than recognising the systemic nature of the violence of apartheid. See Mamdani (2002). In this book I draw attention to how the singular and the systemic are conjoined, and how the atrocities committed by the Security Police cannot be disconnected from the wide-scale structural violence of the apartheid state, and how this legacy affects the present.

10 Thomas (2018).

11 Greg Marinovich observes that "It was on this dusty field [at Nkaneng, in Marikana] that the ANC's worst fears came to life" when expelled former ANC Youth League President, Julius Malema, visited the area on 18 August 2012. Marinovich (2016), 192. The opposition political party, the Economic Freedom Fighters was established the following year.

12 The political consequences of the massacre for the ruling ANC began soon after the massacre and culminated in the 2024 elections. See Bond (2014).

13 At the time of the Marikana Massacre, Ramaphosa held shares in Lonmin and was a non-executive director at the company. He used his position within the ANC to call on the Minister of Police, Nathi Mthethwa and the Minister of Minerals, Susan Shabangu to engage with the strike as a criminal matter rather than as a labour dispute.

14 The protests led by the PAC on 21 March 1960 followed the Defiance Campaign Against Unjust Laws that was launched by the ANC in 1952 and occurred in the context of growing international support for a boycott of South African goods.

15 Gqabi (1960), 5. Joe Gqabi was imprisoned for 12 years on Robben Island. After his release, he worked with the ANC in exile in Botswana and then headed the ANC office in Zimbabwe. He was assassinated by a South African hit-squad in Harare, Zimbabwe on 31 July 1981.

16 Simons (1961), 54.
17 Cobley (2020), 81.
18 Cobley (2020), 92.
19 Cobley (2020), 93.
20 Operation Vala Umgodi has, as of February 2025, led to the arrest of more than 18000 people and to the deaths of more than 89 people. The police consider the operation to be a great success. See "Officers honoured for their commitment to fight illegal mining" (2025).
21 South African Government, "Social Development on undocumented children and persons involved in illicit mining at Motlosana", *Government* (2025).
22 According to Nteboheng Phakisi-Portas, David van Wyk, Esther Makhetha and Eric Mokuoa, "Those detained were immediately sent to prison cells or to the local hospital, depending on their condition. Most of them were so emaciated that their bodies could not retain food or water. It is impossible to determine if any of those who were hospitalised or detained in prison cells died after detention". See: Phakisi-Portas et al. (2025).
23 Morris (2024), 8. The same word "ungodi", was used by the police in operation Vala Umgodi, which instantiated the mine as a space of death.
24 The ways in which racial capitalism defined apartheid was theorised by key thinkers in the South African liberation movement such as Bernard Magubane and Neville Alexander. See Magubane (1979) and Alexander (1979). See also the edited collection of Alexander's writings, Enver and Motala, eds., *Against Racial Capitalism* (Pluto Press, 2023). See also Levenson and Paret (2024) and Bhatthacharyya (2024).
25 The term necrocapitalism was first used by Bobby Banerjee in essays published in 2006 and 2008. See: Banerjee (2006) and Banerjee (2008).
26 My reading of post-apartheid necrocapitalism draws on Achille Mbembe's theorisation of necropolitics and necropower as developed in his essay, "Necropolitics", *Public Culture* (2003), and in the book of the same name, *Necropolitics* (Duke UP, 2019).
27 In 2025 operation "Vala Umgodi", a siege operation launched by the South African police to bring an end to informal mining resulted in the deaths of 78 people at Stilfontein mine. In 2014, five-year-old Michael Komape drowned in a pit latrine at his school in Limpopo Province. Members of the Khulumani Galela Campaign have been sleeping outside of the Constitutional Court in Johannesburg in protest against the failure of the state to award reparations to victims of apartheid since 2020. See Nkadimeng (2025); Brener (2019); Seidman (2020).
28 To define the massacre as a "tragedy", as Zuma does, is to naturalise structural violence and to evade the question of accountability. Although no police officers were killed or severely injured on the day of the massacre, Zuma's statement collapses the killing of the 34 striking workers on the 16th of August 2012 and the deaths of the two police officers who were killed in the days preceding the massacre into one another: "The loss of life among workers and members of our Police Service is tragic and regrettable". See "Statement from President Jacob Zuma" (2012).
29 "Statement from President" (2012)
30 "Statement from President" (2012)
31 "Statement from President" (2012)
32 Langa et al. (2022), 12.
33 On the student movements, see Booysen (2016).
34 See Isaacs (2015), Thomas (2015), and "Open Stellenbosch" (2015). On the university's language policy, see Hill (2025).
35 The photograph by Imraan Christian can be viewed on the photographer's website: www.imraanchristian.com/about1.
36 Sooka and Ntsebeza (2019). On the suppression of the TRC cases, see du Toit (2022) and The Truth Commission and Its Burdens (2024).

37 Sooka and Ntsebeza (2019).
38 On the Cradock Four case, see Bizos (2018).
39 Foundation for Human Rights, Founding Affidavit (2021).
40 Bhengu (2023).
41 An overview of the case can be accessed through the Foundation for Human Rights: https://unfinishedtrc.co.za/wp-content/uploads/2025/01/OVERVIEW-of-CONSTITUTIONAL-DAMAGES-and-COMMISSION-OF-INQUIRY-CASE.pdf. See also, Cruvellier (2025).
42 "Press Release: The Minister formally reopens inquests into the deaths of Matthews Mabelane and the enforced disappearance of Boiki Tlhapi", *Foundation for Human Rights* (2025). https://unfinishedtrc.co.za/press-release-the-minister-formally-reopens-inquests-into-the-deaths-of-matthews-mabelane-and-the-enforced-disappearance-of-boiki-tlhapi/.
43 On the Khulumani Support Group see Norval (2009).
44 The President's Fund was set up specifically to offer support for victims of apartheid and holds over R2 billion in unspent funds.
45 Nomarussia Bonase, Khulumani Support Group Organizer, in Seidman (2020).
46 Khulumani's Galela campaign is ongoing. See https://groundup.org.za/article/protesters-sleep-outside-the-constitutional-court-demanding-apartheid-reparations/.
47 I am grateful to Judy Seidman and Nomarussia Bonase for sharing this information with me.
48 Lorde (1997), 339. The poem can be accessed online at the Poetry Foundation here: www.poetryfoundation.org/poems/42582/afterimages.
49 Lorde (1997).

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1

SEEING SHARPEVILLE

On 21 March 1960, approximately 5,000 people gathered outside of the police station at Sharpeville, not far from Johannesburg, to protest against being forced to carry reference books, also known as passbooks or as the "*dompas*" (stupid pass), documents of dispossession issued by the apartheid state that limited and strictly controlled the movement of Black people. Arriving without their passes, in accordance with calls made by leaders of the Pan-Africanist Congress, their intention was to give themselves up for arrest. Those who assembled there had been told that they would be addressed by a government official, and they waited at the site as additional police officers arrived, including senior members of the Security Branch. At 1.30pm, without issuing a warning to the crowd instructing them to disperse, the police opened fire and within two minutes, shot 1,344 rounds of ammunition into the crowd. Although the brutal suppression of protest was by no means a new phenomenon in South Africa, it was Sharpeville that led to international condemnation of the regime.[1] Photographs that show that people were killed while fleeing from the police were circulated around the world and did more than depict the violence of apartheid – they exposed it as unjustifiable even to those who previously had turned a blind eye to the atrocities of the National Party regime. In December 1966 the United Nations declared apartheid a crime against humanity.[2]

Sharpeville and its aftermath had a seismic effect on the struggle against apartheid. In the wake of the killings, and after a brief, temporary suspension of the pass laws, the South African government declared a State of Emergency, arrested thousands of people, and banned political opposition. The two key movements opposing the state, the African National Congress (ANC) and the Pan-Africanist Congress (PAC) were forced underground. This led to the formation of the ANC's armed resistance movement,

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Umkhonto we Sizwe (MK), and Poqo, the armed wing of the PAC, which, from 1968, was known as the Azanian People's Liberation Army (APLA). Commentators at the time, and in the years of struggle that followed, recognised the massacre as a critical turning point in the country's history. Although it is so often referred to as a "watershed moment" and in spite of the Commission of Enquiry into the event, the details of what occurred at Sharpeville were not made clear at the time, and have become increasingly blurred in public memory with each passing year.[3]

This chapter draws attention to some of the long-standing blind spots in seeing and failing to see Sharpeville, and begins to trace something of the visual history of the massacre. Returning to the visual record of Sharpeville brings the gaps in knowledge about the massacre into focus, as much as it offers a way to consider why these gaps remain, and how this might be thought in relation to the violence of the present, and in particular to the massacre that took place at Marikana, at Lonmin Platinum Mine near Rustenburg, approximately an hour away from Johannesburg, on 16 August 2012. On that day, 52 years after the Sharpeville massacre, and 18 years after the legislative end of apartheid, 34 people were shot dead by the police and at least 78 were wounded, most of whom had been shot with R5 assault rifles while attempting to flee. The photographs taken at Sharpeville and Marikana hold the potential, as all photographs do, to enact a return to the time of the event and to see it from the vantage of the present, and to insist that we bear witness to those who appear before us. However, my intention here, and throughout this book, is not only to consider what images of apartheid depict, but to draw attention to how they move us towards something that they do not portray. The resonant force of these images lies in how, flickering between resistance and disappearance, they surface again and again to remind us that justice has been deliberately obstructed, and has not yet been done.

Recounting the Massacre

Massacres are ruptures in the ongoing time-space of state-sanctioned violence. As aberrations to the everyday, relentless violence that structures social order, they lay bare the capacity of the state to eliminate those who oppose it. In their exposure of forms of violence that are not meant to be seen, image archives of massacres hold a form of resistant potential, and at the same time, are always under threat of erasure. An archive of a massacre marks the impunity of the state and holds the potential for its unmaking. To see this, however, is always to have seen too much. Sixty years after Sharpeville, it remains difficult to say exactly what occurred there, to identify people who appear in images of the massacre, living or dead, or to specify exactly how many people were killed by the police. Some of the famous images thought to have been taken at Sharpeville were not taken there, and depict other

significant events in South African history that almost no one remembers, and that appear as footnotes in the narrative of liberation history, if they appear at all.

The police count indicated that 69 people were killed and 180 wounded at Sharpeville, and although these figures have been widely cited ever since, they are inaccurate and woefully underestimate the casualties of that day. Isaac Thabo Motaung, a survivor of the massacre who was 28 years old in 1960 and who was interviewed in 2015, affirms the view of historians such as Tom Lodge, who have questioned the official count of the dead and wounded: "When the apartheid government says it killed 69 people, it's not true. Some died at hospitals, others in jail. Others were buried privately by family members".[4] In *Voices of Sharpeville*, their careful study that draws on archival records, texts such as *Shooting at Sharpeville* by Ambrose Reeves, and Tom Lodge's *Sharpeville: an Apartheid Massacre and its Consequences*, as well as the testimonies of those who were present at the massacre and those of family members of the victims, and extensive interviews conducted with residents of Sharpeville, Nancy Clark and William Worger have established, more than 50 years after the massacre, that at least 91 people were killed and more than 230 were wounded.[5] They stress that the new information about the number of victims that has been brought to light as a result of their research should be considered, "working lists, not final counts".[6]

Given how important the massacre has been in shaping accounts of the history of apartheid, it is alarming, but in some ways unsurprising, that it has taken so long for these details about the Sharpeville massacre to emerge. As Tom Lodge notes, in the aftermath of the massacre a climate of fear took hold, and for more than twenty years no one dared to speak about it publicly for fear of being arrested. Very few images of the massacre were published in South Africa during apartheid, and written accounts of what took place were banned. The lack of clarity about how events unfolded are the result of deliberate obfuscation, censorship, and repression on the part of the apartheid regime. Yet, that something so significant as the number of people who were injured and killed could have remained inaccurate for so long is an indication not only of apartheid-era repression, but of how the public history of the massacre has been petrified in the decades since apartheid's end. "Since 1994", Clark and Worger write, "the ANC government has shown no interest in reinvestigating the massacre".[7] While the disregard for the lives of those who were killed and injured at Sharpeville on the part of the apartheid regime is in keeping with its racist logics, it is more difficult to explain the position of the post-apartheid state. In this regard it is worth remembering that the PAC presented a radical challenge not only to the apartheid regime, but to the ANC itself. An editorial published in the journal *Africa Today* a short while after the massacre at Sharpeville speculates on the future of political resistance in South Africa and draws attention to how the upstart Pan-Africanist movement could displace the ANC:

> The African masses have seen the Nationalist Government being forced to suspend temporarily the pass laws in the face of concerted opposition by the Africanists. However short-lived this victory, the hard fact remains that it was the first time in 10 years that the Nationalists were forced to bow to *any* opposition. In this decade the A.N.C. has never managed to wring even the smallest of concessions from the ruling whites. It now remains to be seen whether the A.N.C. will lose its stature among Africans, who may well turn to the Africanists – the first organization in South Africa effectively to challenge the white government.[8]

After splitting from the ANC, and within just 11 months of its founding on 6 April 1959, the PAC had thousands of members across the country and support for the movement was rapidly growing.[9] On the same day as the massacre took place, three protestors were shot and killed by the police at Langa township, near Cape Town, and at least 26 people were wounded. On 30 March 1960, in the wake of the events at Sharpeville and Langa, and in courageous defiance of the violence of the state, Philip Kgosana led a march of more than 30,000 people from Langa and Nyanga townships into central Cape Town in protest against the pass laws.[10] After the police promised that Kgosana would be granted a meeting with the Minister of Justice, he called on the marchers to disperse. Once the threat was dispelled, the police reneged on their agreement, and Kgosana was arrested. While before the Sharpeville Massacre it was possible for the nascent PAC to imagine liberation within a five year period – at the Commission of Enquiry into the massacre, Robert Sobukwe, who was serving a three-year sentence at the time and who was brought into the court in leg-irons, cites 1963 as the year that the movement intended to achieve its pan-Africanist, anti-colonial goal – this hope was resolutely crushed by the apartheid regime.[11] It would take three more decades of bitter struggle to bring about the legislative end of apartheid, and another twenty years after that before the radical decolonial ideals of Pan-Africanist liberation would resurface again to challenge the hegemony of the ANC.

While the day of the massacre has been commemorated as a public holiday in South Africa since 1995, it is euphemistically named "Human Rights Day".[12] The government's effacement of the role of the PAC in organising the protests against the pass laws in 1960, the fact that official events are often held in locations other than Sharpeville, and that these events more often celebrate the gains made since the end of apartheid rather than mark a day of mourning, remains a point of contention, and has led to protests, including in Sharpeville itself.[13] In a news clip filmed in Sharpeville, Songezo Zibi, the leader of the opposition party, Rise Mzansi, which, since the 2024 South African national elections forms part of the ANC-led Government of National Unity, critiques what he perceives as attempts to "erase history":

> These [Public holidays commemorating the Sharpeville massacre and the Soweto Uprising] are solemn occasions where we are supposed to remember our past properly, in its proper context, so we do not repeat it. It [Human Rights Day] should be renamed Sharpeville day again because what we want out of commemoration is for future generations to say, "Why do we have Sharpeville day?", "Where is Sharpeville?", "What happened on Sharpeville day?", "What lessons can I draw from it?". When you say its Human Rights Day, and you say it's a celebration, what are you trying to do? You are trying to erase history, so you can miseducate, mislead, so that you can rule forever. Because the very same people you govern do not know their own history.[14]

Zibi observes how state-sanctioned forms of commemoration encourage forgetting – for him, "to remember our past properly, in its proper context" lies in seeking to understand how and why the massacre took place.[15] To do so would entail something more than providing a more accurate count of the dead and account of the effects on survivors, as Clark and Worger have sought to do in their restorative historiography of Sharpeville. To remember Sharpeville would be to see what made it possible for the police to allow the blood of those they had shot and injured to seep into the earth without trying to assist them, and not only failed to record the names of all those they killed, but sought to conceal and destroy evidence of the brutal manner of their deaths. It would be to recognise that the erasure of the history of the Sharpeville massacre began before the event occurred, with the rationalization of white supremacy and apartheid's unmaking of Black South Africans as citizens, and with the decision to send more than 300 police officers bearing rifles, revolvers, and Sten guns, some of them positioned on the roofs of their Saracen armoured vehicles, ready to fire on those that they cast as hostile, and that they read only as a threat.

Widening the Lens

Against the official apartheid-era narrative of erasure, there are several significant accounts of the history and impact of the massacre, beginning with *Shooting at Sharpeville: The Agony of South Africa*, by Ambrose Reeves, who served as the Bishop of Johannesburg from 1949 until 1960, when he was deported by the South African government in the aftermath of the killings. Reeves was not present during the massacre, but was called the following day by a local clergyman to attend to the wounded who had been taken to Baragwanath Hospital in Soweto. It was there that he realised the scale of what had occurred, and saw evidence of how people had been shot in the back as they had tried to run from the police. His outspokenness, and the fact that he was a respected religious leader whose testimony could expose the criminal actions of the state and police officers, led the apartheid regime to deport

him within days of the massacre. The attempt to silence him was unsuccessful, and the publication of *Shooting at Sharpeville* in England ensured that there would be a written record of the massacre. Reeves also played an instrumental role in calling for a Commission of Enquiry to investigate the massacre. The book includes a foreword by President-General of the ANC, Chief Albert Luthuli, extracts from testimonies given at the Commission, as well as thirty photographs. The book concludes with a reproduction of the leaflet issued by Luthuli that called for a day of mourning and a national stay-away in the aftermath of the massacre on 28 March 1960. The inclusion of the foreword and leaflet serves as an early, and perhaps unintentional, recentring of the ANC in the narrative of resistance to apartheid.

The images, and in particular the photographs of the police shooting at the crowd taken by British photographer Ian Berry, played a key evidentiary role in the proceedings of the Commission, and they serve the same purpose in Reeve's text.[16] The government claimed that on the day of the massacre there were 20,000 people gathered outside the police station at Sharpeville, that the protestors were carrying weapons, and that they posed a serious threat to the police. Reeves uses visual evidence to argue against official reports and writes, "The photographs which are included in this account show pictures of the crowd at various times throughout the morning, and it seems unlikely that there were more than 5,000 people in it at any one time".[17] Reeves also notes how some of those who were killed or injured were not part of the protest – among those who were shot were bystanders who were a considerable distance from the crowd. He describes how one woman was shot "while doing her washing in her backyard" and others were wounded while at a shop nearby.[18] Reeves makes the chilling observation that, at Sharpeville, "Over 70 per cent of the victims were clearly shot from the back".[19] "To make matters worse", Reeves writes, "some of the wounded say that they were taunted by the police as they lay helpless in the street, and were told to get up and be off".[20]

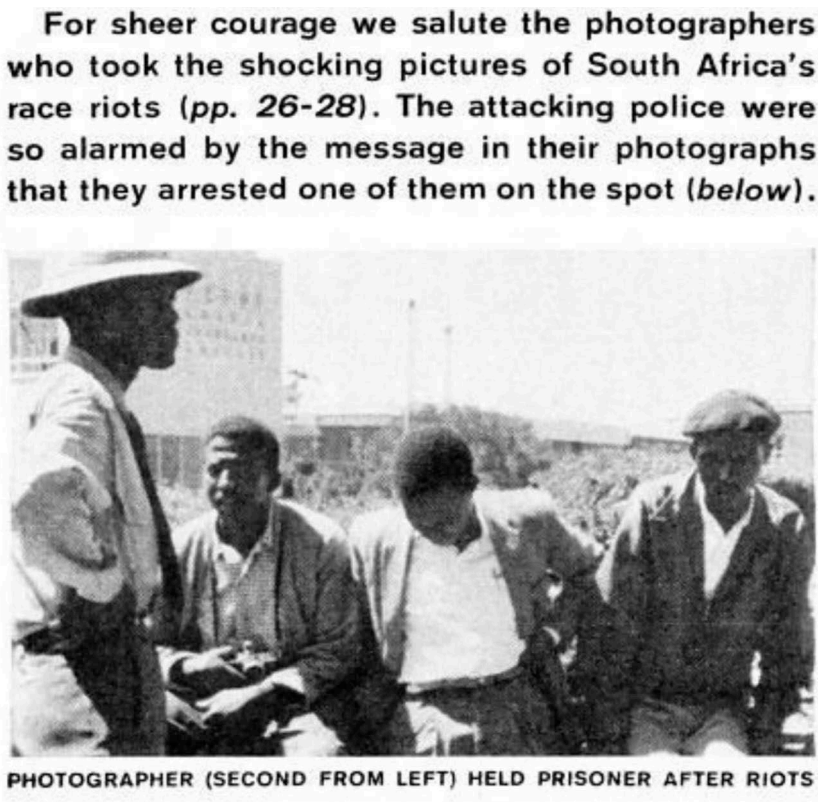
Berry's photographs that document the massacre as it occurred remain the most widely circulated images of the event, and he has often been cited as the only photographer to have been there. Berry recalls that several journalists and photographers tried to enter Sharpeville on the morning of 21 March 1960. He remembers around a dozen photographers being there that morning, and that at some point, "The guy in charge of the police said, 'You better all leave'".[21] Although they too were turned back by the police, he and journalist Humphrey Tyler remained in Sharpeville and Tyler parked their car just behind the police station. Berry took numerous photographs of the waiting crowd and then decided to return to the car to suggest to Tyler that they leave. Just as he did so, the shooting began, and he turned and began taking photographs. When I asked him whether he was afraid of being killed, he said, "It happened too fast".[22] He had two Leica cameras with him – the first had already run out of film and so he had to use the second camera with

a wide-angle lens. "All I could do", he recounts, "was photograph the people running towards me". He only realised that the police were shooting live bullets "when a woman next to me just dropped".[23] When the shooting stopped Berry realised that he was the only person moving in the field, and that he should leave as soon as he could to prevent his film being seized by the police.

It is unclear exactly how many photographers were present at the time of the massacre, but what is certain is that there were several journalists and photographers present immediately afterwards. Clark and Worger note that "Ronnie Manyosi, Joe Gqabi, Mohloua Theo Ramakatane, Alf Kumalo, Peter Magubane, Charles Channon, and Warwick Robinson document in photographs the scene immediately after the shooting" and that "Channon and his ITN crew also film the victims".[24] Berry concedes that there may have been Black photographers amongst the crowd, but he did not see anyone with a camera and was not aware that anyone else photographed the shooting. If any other photographers did so, their film may have been confiscated by the police, or may have been lost afterwards in the chaotic days that followed. Berry's photographs were not published in South Africa until October 1960, as Jim Bailey, the publisher of *Drum* was afraid the magazine would be closed if the photographs were printed.[25] The images were sent to the Camera Press picture agency and were published around the world, including in *Paris Match, Stern, Time* and *Life* magazine. The editorial page of the 4 April 1960 issue of *Life* magazine in which Berry's images appear includes a photograph attributed to Jurgen Schadeberg of a policeman standing guard over three men who were arrested at Sharpeville, one of whom is holding a camera. This is most likely Peter Magubane, who worked with Schadeberg at *Drum* magazine, and who was arrested many times over the course of his career.[26]

Many of the images that were taken of the massacre were not published at the time and may have subsequently been lost or destroyed. One instance of this is the case of the images made by Mohloua Theo Ramakatane, and the somewhat fantastical, yet not implausible, story he told about his experience of hiding near the police station in a metal rubbish bin when the police opened fire, and then photographing the scene. In an interview, Ramakatane describes how, after being injured at Sharpeville and presumed to be dead, he was taken to a mortuary. When his family found him, they discovered he was still breathing.[27] The images he took at Sharpeville were sent to the United Nations, but, as far as I am aware, they were never published, and it has not been possible to locate them. After his recovery he returned to Lesotho, where he set up a photography studio in Maseru. Copies of the images that Ramakatane retained were destroyed in a fire that consumed a large portion of his archive.[28]

While the photographs made by Ian Berry are the only existing images that show the victims of the massacre as they ran from the police, two images


For sheer courage we salute the photographers who took the shocking pictures of South Africa's race riots (*pp. 26-28*). The attacking police were so alarmed by the message in their photographs that they arrested one of them on the spot (*below*).

PHOTOGRAPHER (SECOND FROM LEFT) HELD PRISONER AFTER RIOTS

FIGURE 1.1 An excerpt from the editorial page of *Life* magazine, 4 April 1960, that includes a photograph by Jurgen Schadeberg of a police officer standing guard over three men, including a photographer, who were arrested at Sharpeville, 21 March 1960
Image courtesy of Claudia Schadeberg

made by Terence Spencer ostensibly also show the massacre in progress.[29] These photographs show a group of police officers standing at the crest of a slight hill, with a building (which could be the Sharpeville police station) in the distance. All the police officers are armed – the white officers with rifles and the Black officers with sticks. In addition to the six men in the foreground of the first image, a large group of police officers can be seen making their way through the veld towards the buildings in the distance. Spencer's photographs are captioned in the following way in the online Getty Images Archive:

> South African police advance in an attempt to regain order as protestors from the township of Sharpeville demonstrate against government pass laws during a day of protest at Sharpeville in Transvaal, South Africa on

21 March 1960. Members of the police would go on to fire on the crowd resulting in the death of 69 people with 180 injured. (Photo by Terence Spencer/Popperfoto via Getty Images).[30]

The second photograph Spencer made seems to show the white police officer in the act of readying himself to shoot, shooting, or having just fired his weapon. The police officers around him are looking out in the direction in which he is pointing his gun.[31]

The existence of these photographs, if indeed they were made at Sharpeville, indicate that while Spencer may have been turned back by the police, he, like many of the other journalists and photographers, did not leave the area but were situated nearby, and although they were only able to access the site of the massacre after the shooting ended, they may have documented events that took place on its periphery. These images might provide an explanation for how it is possible that people were killed or injured even though they were not in direct range of the bullets fired by the police officers immediately outside of the police station. However, if these photographs were taken during the massacre, it is difficult to understand why they have not come to light before now. As Spencer and Berry were good friends, if Spencer also documented the massacre, it seems unlikely that Berry would not have known about it. The terrain around the Sharpeville police station is very flat, and the fact that the police are positioned on a hillside, and that there seem to be hills visible in the far distance, also indicate that the two photographs made by Spencer may have been taken elsewhere. Among the approximately 55 images by Terence Spencer that are licensed by Getty Images and that are identified as having been taken at Sharpeville on the day of the massacre, there are several photographs that were not taken there. Nine of these images show a crowd of people burning their passbooks, and while many people, including the leaders of the ANC burned their passbooks in the days following the massacre, it is highly unlikely that these photographs were taken at Sharpeville. The PAC clearly instructed people to leave their passes at home, and none of the accounts of the massacre describe the burning of passes that day. In his memoir, Spencer recounts taking photographs of people burning their passes at Emdeni, in Soweto, and his vivid description of the intensity of the crowd accords with the scene he documented.[32]

Whether or not they were made at Sharpeville (and it is almost certain they were not), Spencer's photographs provide a chilling picture of the policing practices of the time – they conjure images of colonial hunting parties and raise the question of whether people who fled from the site of the massacre may have been killed in the surrounding veld, as was the case 50 years later at Marikana.[33] Accounts by survivors of the Sharpeville massacre provide compelling evidence that this could indeed have occurred. In his testimony given at the Commission of Enquiry in 1960, Sharpeville resident

Joshua Motha describes how, after he was shot and was lying immobilised on the ground, a police officer said, "if you don't want to get up from here, we will kill you now".[34] Interviews with survivors of the massacre conducted after the end of apartheid, as well as testimonies given at the Truth and Reconciliation Commission, describe how the police not only neglected the dying, but allegedly injured and killed people with assegais and knobkerries after the shooting had ended.[35] Tom Lodge, drawing on research conducted by Philip Frankel, describes how the bodies of as many as two dozen people who had been badly mutilated by explosive 'dum-dum' bullets were buried by the police in a secret location. "If this is true, then, of course", Lodge notes, "the death toll from the massacre would have been substantially higher".[36] Lodge also writes of how some of those who were wounded at Sharpeville fled across the border to Lesotho in order to evade arrest and died of their injuries there.[37]

There are many images made at Sharpeville that depict the bodies of the wounded and the dead surrounded by the police, and given that the focus of these photographs is directed towards the ground, they frequently show the legs and boots of the police officers. Tom Lodge writes that "with respect to most of the police present their treatment of both the living and the dead ranged from extremes of vindictiveness to a merely callous disregard"[38] and notes that photographs taken after the massacre show the police officers "moving among the bodies occasionally using the tips of their rifles or the toes of their boots to turn them over to discover which people were still alive.[39] While the footage and photographs taken after the massacre provide evidence of how the police failed to assist the dying, and depict police officers carrying the bodies of the dead and loading them into ambulances without requisite care, none of the visual material I have seen shows the police turning over the bodies of the dead.[40] This is not to say that this did not occur, but rather to note how verbal and written accounts of the massacre can and have merged with the images, sometimes allowing us to see more than the photographs portray. It is also possible that the photographs to which Lodge refers do in fact exist, but at this point, in the absence of an archive that would make all the material relating to the massacre publicly accessible, it is difficult to know.

The Blur of History[41]

Photographs can be used to resist the repressive mechanisms of state denialism, yet as much as photographs of massacres make atrocities visible, they also leave us blind. They cannot tell us how to make sense of what it is we see. Texts like Reeve's *Shooting at Sharpeville* position the massacre within the broader context of the violence and mass killings committed by the police at the time, and surfaces events that have been obscured by the singular focus on Sharpeville. Reeves refers to the case of the police response to

resistance to forced removals from Old Location to Katutura, in what was then Southwest Africa, now Namibia. On 10 December 1959, the police opened fire on a crowd of people who had gathered outside of the police station – at least 11 people were killed and 50 wounded. He then turns to the events that took place at Cato Manor that had drawn international attention and which foreshadowed what was to unfold at Sharpeville, and argues that:

> No account of the unrest and disturbances in southern Africa that culminated in the shooting at Sharpeville would be complete without some description of the riots at Cato Manor outside Durban; especially as, since the events at Sharpeville, more than one spokesman for the South African Government has linked the two affairs.[42]

At the time of the massacre, the police and government officials linked the shootings at Sharpeville to the killing of nine police officers by protestors in Cato Manor, arguing that, as police feared for their lives, shooting live ammunition into the crowd was entirely justified. Within the visual archive it is not the killing of the police officers but rather the brutality of the police that connects these two events, to the extent that an image that is often thought to be an iconic photograph that bears witness to the terror of Sharpeville was taken by photographer Laurie Bloomfield at Cato Manor, in Durban, on 18 June 1959, when approximately 2,000 women who had gathered to present their grievances to the Director of the Bantu Administration Department, were baton-charged by the police.[43]

On the right side of Bloomfield's photograph is a woman whose white garment seems to merge with the ground – she is about to be struck, or perhaps has just been hit, by the baton of the police officer immediately behind her and that she is on the verge of falling. The dust that rises from the ground and that obscures many of the protestors that are fleeing from the police seems to emanate from her dress, as if she has emptied an apronful of flour into the air. The dust forms a white haze of what looks like smoke or perhaps tear gas, and moves through the image into the distance. In the foreground of the photograph, eight police officers are visible, attacking the people before them.

At the centre of the photograph there is a group of women whose bodies create a circle around something that cannot be seen, perhaps a person who has fallen to the ground. Just behind them is the archetypal figure of the police officer whose baton is an extension of his raised arm, two desperate protestors at his feet with their hands raised in a futile attempt to stop his violence. Behind him, and in the immediate foreground, is the single figure of a Black police officer who seems to hesitate outside of the violent scene, and like the photographer, and like us who view the image, seems to survey it. It is tempting to read his neat, upright stance as an indication of moral rectitude, even of resistance, and to imagine his refusal to carry out the order to

FIGURE 1.2 Police attacking women who are protesting against government-run beer halls and being prevented from making a living through brewing and selling beer, Cato Manor, South Africa, 18 June 1959
Photograph by Laurie Bloomfield

charge at the crowd, assaulting the women who flee in terror, bringing his baton down on their limbs, their backs, or worse, their heads and faces. The stillness of the photograph protects him from condemnation – he has been caught moving towards the atrocity unfolding before him, but it is not clear what role he is to play in it.

The matter of complicity, as Hlonipha Mokoena has shown in her work on the history of Black police officers in South Africa, is related less to the adoption of ideology than to being co-opted by the colonial economy.[44] The "Zulu policeman", Mokoena observes, is, paradoxically, "present at the birth of South Africa's mineral revolution" and "his policing functions are an extension of an already existing colonial preoccupation with law and order".[45] Ensnared in the logics of colonial oppression, the figure of the Black police officer is a signifier of the structural violence of racial capitalism, and is omitted from most of the reproductions of this image that circulated during the struggle against apartheid.[46]

By April 1960, Bloomfield's photograph had become unfixed from its context and subsumed by Sharpeville – it was frequently used without

FIGURE 1.3 "Penny Pledge Campaign: After its March Month of Boycott Action the AAM launched a Penny Pledge Campaign to raise funds and keep the boycott going. It asked supporters to donate one penny and sign a pledge not to buy South African goods", Leaflet, April 1960
Image courtesy of the Anti-Apartheid Movement Archive

attribution or without an accompanying caption, and came to be recognized as a generalised signifier of the brutality of apartheid. At least part of the reason for why the image was taken up in this way resides in the non-specific yet highly identifiable figure of the white police officer who occupies a central position in the image, and whose muscular form and violent posture is apartheid's law made flesh. Photographed from behind, he is the nameless and faceless embodiment of the impunity that underwrites and authorises the violence of the state. It is this section of the photograph that has been most widely replicated, and, as far as I can identify, the cropped version of the image was first used as part of the campaign run by the British Anti-Apartheid movement in support of the call for a boycott of South African goods that began in the wake of Sharpeville. The excerpt from the image makes the violence of apartheid clear, but the women of Cato Manor, the specificity of their protest against the regime for the right to reside in the area and to earn a living through brewing and selling beer, and the details about the injuries they suffered, are already disappearing in the blur.[47]

A series of posters about the apartheid regime issued by the Belgian *Comité National d'Action pour la Paix et le Développement* and *Commission Action Afrique Australe* positions Bloomfield's photograph above the word "Sharpeville" with one of Berry's images of the massacre positioned just below.

Stylised versions of Bloomfield's photograph that centre the figure of the police officer with his baton raised in the air also appear in numerous posters calling for a sports boycott. In these posters, which were distributed in the UK and in New Zealand in the 1980s, the women who are fleeing from the police are even less distinct, and it is difficult to tell that multiple women are pictured on the ground just in front of the police officer.

The photograph of the protest at Cato Manor has been thought to be an image of Sharpeville inside and outside of South Africa, and has also been mistaken by UNESCO as an image showing violence in the Dominican Republic.[48] In 2022, the photograph was captioned "Police assault and kill people in Sharpeville" and was used to accompany an article by Abigail Noko, the Regional Representative for Southern Africa from the Office of the United Nations High Commissioner for Human Rights, published on the South African news site, *Daily Maverick*; and in 2023, The Liberation Movement in the UK used the image to advertise their webinar on anti-racism, held to mark the International Day for the Elimination of Racism and Discrimination.[49]

There are also instances where Bloomfield's photograph has been merged with images taken at Sharpeville, such as the montage, ostensibly depicting the massacre, by Amnesty International.[50]

It is not difficult to see how the photograph of the baton-charge at Cato Manor has come to stand in for photographs that were not made at Sharpeville, and how it provides a clear picture of what people imagined must

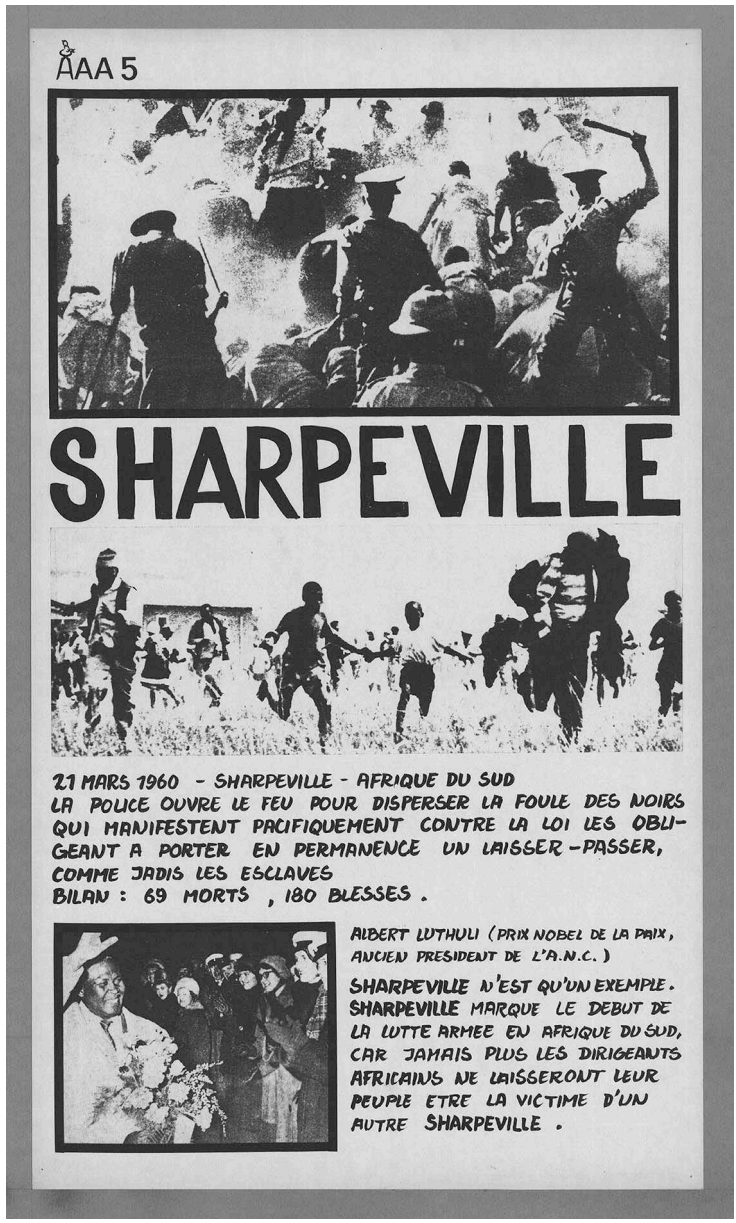


FIGURE 1.4 A poster made in protest of the apartheid regime issued by the *Comité National d'Action pour la Paix et le Développement. Commission Action Afrique Australe.* Poster made in Belgium c. 1976
Image courtesy of the International Institute for Social History

FIGURE 1.5 Poster calling for support for a sports boycott against South Africa issued by the British Anti-Apartheid Movement c. 1980–82
Image courtesy of the Anti-Apartheid Movement Archive

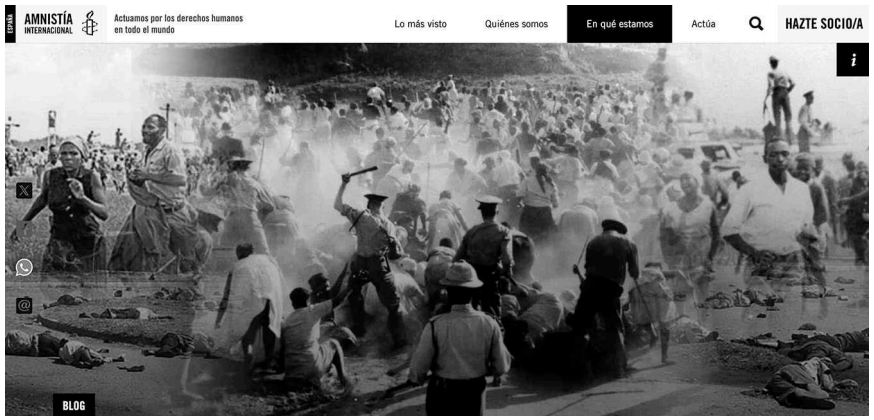


FIGURE 1.6 Screenshot of a photomontage including Laurie Bloomfield's 1959 photograph of Cato Manor captioned: "*Fotomontaje con fotos históricas de la masacre de Sharpeville*" [Photomontage of historical photographs of the Sharpeville massacre], Amnesty International, 2023

have occurred there – although the police are only visible from behind, their brutal violence is foregrounded. There are no such images from Sharpeville, and not only because there are no known images of the police taken from behind their backs during the massacre. It is also because at Sharpeville the police did not baton charge the protestors and instead used lethal force, employing the forms of violence that would become commonplace as the apartheid regime became increasingly militarised and as the Security Branch expanded its extra-legal and less publicly visible practices of torture and elimination.

As Darren Newbury argues, Berry's photographs of the Sharpeville massacre "demand to be viewed as a sequence, retaining the rawness of each moment of capture, rather than resolving into a single iconic image".[51] Berry's photographs expose how the police fired indiscriminately into the crowd and capture incriminating evidence of the police reloading their weapons, but they do not provide a close-up view of the police themselves. While many of the photographs Berry made on that day focus on the faces of the protestors, the police officers are blurry figures that are difficult to identify. One of the most widely reproduced images in the sequence Berry took of the massacre depicts approximately thirty people running through the veld, six of whom are clearly identifiable. Two boys who can be no older than ten or eleven, their arms extended so that their hands almost touch, are at the centre of the image, while alongside them are two young men, one of whom holds his jacket up to shield his head, "as though", Berry recalls, "he could fend off the bullets".[52]

FIGURE 1.7 Protesters flee for their lives after police opened fire on a peaceful crowd at the Sharpeville Massacre on 21st March 1960. The boy centre right lifts his coat above his head in an attempt to shield himself from the bullets. Barely visible in the background, silhouetted against the sky, a police officer can be discerned in the act of reloading his weapon
Photograph by Ian Berry. © Ian Berry/Magnum Photos

It is this image, in which a police officer appears only as a tiny grey figure against the glare of the sky, positioned immediately behind the youngest boy whose body almost takes flight, that shows that the police reloaded their weapons. The full horror of Berry's photographs emerges when the images he made before and during the massacre are witnessed alongside the photographs he and others made of the injured and of the bodies of the dead.

Photography and Latency

Three days after the massacre, an article by Joe Gqabi entitled "Mass Slaughter by Police" appeared on the front page of *New Age*, the newspaper of the South African radical left, and included several photographs Gqabi took on the day of the massacre, including an image that showed the corpses of people lying on the ground.[53] Gqabi's piece also includes an image of a large group of people sitting on the grass outside the hospital in Vereeniging "which was deluged with ambulance loads of wounded who had to be treated on the lawns outside the hospital, so many were there crowding the casualty

room and wards".[54] Gqabi describes the terrible aftermath of the massacre in the following way:

> There were tragically pitiful scenes after the shooting. Women wailed and sobbed over the dead and some bodies were identified by horrified relatives on the spot. Women covered their heads with their arms and wept and their cries could be heard from far off. Police closed off the area, kept reporters out and refused to allow photographers to take pictures. Tension was building up again after the shooting and as the shock of the news spread. As we left the area more Saracens were rolling in.[55]

An image that powerfully conveys the horrible reality of what had occurred was made by Alf Kumalo, who arrived at Sharpeville just after the shooting.

The photograph is captioned in the following way in the Photography Legacy Project archive: "Kumalo secretly shot this image of the injured near the Sharpeville police station. The atmosphere was tense and he did not want to attract the attention of the policemen in the foreground". While this image may indeed have been made to document the wounded, it seems equally to have been made with the intention of documenting the white police officers who are positioned at the edge of the image, looking downwards towards something or someone that is just beyond the frame. It is possible that these

FIGURE 1.8 Sharpeville Massacre, 21 March 1960
Photograph by Alf Kumalo. PLP/Alf Kumalo Family Trust

men are watching as the Black police officers carry out their order to remove the bodies of the dying and the dead from the scene. Their shadows stretch in the direction of those who lie on the ground behind them, towards the people who are shown walking or standing near the fence, and the groups of people who stand a short distance away. Among the people in the background is a man who crouches near the fence and who seems to be looking at the photographer, his face aghast. Kumalo's photograph is striking as it is an exception to almost all of the photographs that depict the police at Sharpeville, which in the aftermath of the shootings were taken from behind their backs, or show them from a distance, making it difficult to identify them.

Kumalo must have been standing quite nearby to the policemen when he took this image, risking assault and arrest. The composition of the photograph conveys something of how the photographer himself was affected by the terrifying scene he not only depicted, but of which he formed part, and it is quite likely that it was made in haste.

The photograph is dense with visual evidence – the wire fence surrounding the police station that the police claimed the protestors pushed over; the man in the ill-fitting suit jacket who stands near the fence, his hat a broken echo of the stiff caps the police officers wear; the man who leans on his elbows, stretched out on the sun-baked ground, who could be mistaken for someone at rest were it not for the fact that his foot is pressed against a single missing shoe; the mound of clothing; the people who lie helpless on their backs. I study the slender arm of a woman who can be seen walking in the background, perhaps searching for someone she fears have been killed; the arms of the man who lies on the ground, wounded or dead; the desolate gesture of the crouching man whose arm is extended in a kind of hopelessness; and the death-bringing white arm and hand of the police officer who stands dumbly, his right hand curved around his rifle. It is a photograph made in the aftermath of violence that shows us that we have arrived too late to avert disaster (this is the message of the bodies of the dead), and at the same time, it shows us that we, like the photographer, are witnesses (this is the message of the people in the background who look towards the camera), and in this sense it issues a summons, a demand that those responsible for the killings be held to account (this is the message conveyed through the photographer's dangerous proximity to the policemen). The police officers loom in the foreground, the face of one of these men is sliced by the edge of the image, matched on the opposite side of the photograph by a woman who is exiting the frame. These partially visible figures pull at one's eyes, pushing against the bounded photographic field, its failed composition a call to the living to see what the photograph shows, and to recognise all that it cannot hold. It is a photograph made for the future, directed towards a time when it would be possible to hold up the evidence that incriminates the police officers who stand, seemingly oblivious to the fact that they are surrounded by witnesses.

At the time it was made, Kumalo would most likely have foreseen that if an investigation was held into the actions of the police, it was almost certain that they would be exonerated. However, his photograph also shows us that in that terrible moment he must have glimpsed apartheid's end, that he refused to think that those who were gunned down died a futile death, and that through his lens he sought to bring about the possibility of justice in the future. Kumalo's photograph that documents the faces of the police officers responsible for the massacre was made to refuse impunity, and the message it holds has not yet been delivered.

The resistant potential of photographs made at Sharpeville that were used in support of the struggle against apartheid has not been exhausted. Instead, returning to the visual archives of the massacre draws attention to the multiple connections between Sharpeville and Marikana. These connections do not only lie in the fact that the protests that preceded both massacres struck at the heart of the South African economy – in the case of Sharpeville through the stayaway that led to a near complete halt in production of iron and steel, and in Marikana through the strike of rock drill operators that shut down the mine and led to the loss of 15,000 ounces in platinum production over the course of a week[56]; nor only in the events that unfolded as police responded to the protests with undue violence, shooting people as they fled; but in that, in both instances, no one has been held to account for the murders that took place.[57] The date of the Sharpeville Massacre was selected as the beginning point for the investigations of the Truth and Reconciliation Commission (TRC), signifying the symbolic importance of the massacre in defining what apartheid was, as well as its critical place in South Africa's modern history, yet, in spite of the evidence that unequivocally shows their guilt, "former South African police who were involved in the [Sharpeville] massacre and were still alive in 2021 continued to argue that Africans threw stones and threatened violence, justifying the fear and retaliation of the police".[58] The Marikana Massacre exposed the continuities between the apartheid and post-apartheid state and signified the abandonment of any pretence towards fulfilling the socialist promise of the liberation movements. It also threw the cost of amnesty for crimes committed under apartheid, not least the cost of impunity for the crime against humanity that was apartheid itself, into sharp relief.

Notes

1 On the suppression of protests against the imposition of the Bantu Authorities Act (1951) and the Bantu Education Act (1953), as well as resistance to the extension of passes to women that took place in different parts of the country in the years immediately preceding the Sharpeville massacre, see Mbeki (1964). Mbeki also describes how, in June 1960, the police used Sten guns and Saracens and shot people in the back of their heads during the Mpondoland revolts (121). See also Reeves (1960). On the Bloody Sunday Massacre that took place in

Duncan Village, East London on 9 November 1952, where as many as 200 people were killed, see Breier (2024).

2 Apartheid was declared a crime against humanity by the United Nations General Assembly in December 1966, and the UN "Convention on the Suppression and Punishment of the Crime of Apartheid" was adopted in November 1973 (United Nations, 1973). The date of the Sharpeville massacre is commemorated globally as the International Day for the Elimination of Racism and Discrimination.

3 References to Sharpeville as a "watershed moment" are numerous and include, for instance Reeves (1960), 78; and Vilakazi (1978), 60, in which he writes, "Sharpeville, therefore, marked a watershed in the liberation struggle, in that the leadership of the liberation organizations abandoned hope of a peaceful resolution of the racial problem".

4 Motaung was shot and taken to Baragwanath Hospital where he remained until the police "came for the people of Sharpeville" and he was taken into custody. He describes awaiting trial for a year in the same blood-stained clothes in which he was shot. SABC News (2015). www.youtube.com/watch?v=nHrG87GCgO4.

5 Clark and Worger (2024), 271. In *Shooting at Sharpeville*, the first detailed account of the massacre to be published, Ambrose Reeves writes that "Sixty-seven Africans were killed and one hundred and eighty-six were injured" (1960, 55). In his biography of Robert Sobukwe, Benjamin Pogrund notes that "the precise number of deaths is uncertain, and has been variously also stated as 67, 69 or 72" (Jonathan Ball, 2006, 134). An article about the massacre published in *Time* magazine in April 1960 includes figures that are closer to those determined by Clark and Worger: "The dead – estimates range from 72 to 90 – were carted off to makeshift morgues; more than 200 wounded overflowed the native hospital" (*Time*, 4 April 1960, https://time.com/archive/6807030/south-africa-the-sharpevil le-massacre/).

6 Clark and Worger (2024), 271.

7 Clark and Worger (2024), 271.

8 Tyler et al. (1960), 8.

9 The transcript of Sobukwe's testimony at the Commission of Enquiry states that the PAC had just under 200,000 members on the 21st of March 1960 (Commission of Enquiry, 3227) "Commission of Enquiry into the Occurrences at Sharpeville (and other places) on the 21st March 1960", available online https://idep.library.ucla.edu/sharpeville-massacre. Other sources from the time state that the organisation had approximately 25,000 members (*Africa Today*, 1960, 8). It is likely that Sobukwe stated that the PAC included 20,000 members, but that the figure was mistyped and recorded incorrectly in the Commission of Enquiry transcript.

10 Philip Kgosana (1936–2017) was the regional secretary of the Pan-Africanist Congress in the Western Cape and was 23 years old when he led a march from Langa to Cape Town in protest against the pass laws and the shootings at Sharpeville and at Langa, where three people were killed. See Mnguni (2017).

11 See also Lodge (2011), 62.

12 For a critique of the commemorations of the massacre in Sharpeville in 2025, see Haffejee (2025).

13 In 2012 the official commemoration of Human Rights Day was held in Kliptown, Soweto, where, on 26 June 1955, the Congress of the People was held and where the Freedom Charter was drawn up. It was the first time the official proceedings marking Human Rights Day were held outside of Sharpeville and the symbolic importance of the site in displacing the PAC was not lost on protestors. Official Human Rights Day events have subsequently been held in different venues in provinces across the country and are only occasionally held in Sharpeville itself. On the history of the contests around the commemoration of the massacre, see Marschall (2019).

14 eNCA (2024). www.youtube.com/watch?v=SqHKsDUlGQA.

15 For a critical reading of the forms of state-sanctioned erasure and political opportunism that accompany the commemoration of massacres in South Africa, see Kepe (2024).
16 "Commission of Enquiry", 1960, Court Cases, Vol. 50, 3278–3307. At the time of the massacre Ian Berry was employed as a photographer at *Drum* magazine in South Africa.
17 Reeves (1960), 57.
18 Reeves (1960), 64.
19 Reeves (1960), 64.
20 Reeves (1960), 66.
21 Berry, Ian, interview by Kylie Thomas, 5 July 2024.
22 Berry, 2024.
23 Berry, 2024.
24 Clark and Worger (2024), 177.
25 As Darren Newbury notes, Tom Hopkinson, who was the editor of Drum at the time of the massacre, intended to run a special edition focusing on Sharpeville, but after the State of Emergency was prevented by Bailey from doing so. See: "Picturing an 'Ordinary Atrocity'" (2012), 220.
26 It is possible that Magubane and Schadeberg arrived in Sharpeville shortly after the massacre. In my conversation with Ian Berry he recalled that Magubane had been sent on assignment elsewhere on the day of the massacre, and it was for that reason that Berry himself was sent by Tom Hopkinson, the editor of *Drum,* to Sharpeville on what should have been his day off. Magubane had been in Soweto earlier that day, where he photographed Robert Sobukwe leading demonstrators to the police station in Orlando. Some of the photographs he made there are included in the Robert Sobukwe Papers in the Wits Historical Papers Archive. See also Newbury, "Picturing an 'Ordinary Atrocity': The Sharpeville Massacre", in *Picturing Atrocity*, 219. Magubane was banned by the apartheid state and spent 586 days in solitary confinement. He was also shot 17 times by the police in 1985. See his testimony at the Truth and Reconciliation Commission hearings, 22 July 1996, www.justice.gov.za/trc/hrvtrans/soweto/magubane.htm
27 Weinberg and Segoete (2022), 11. In an earlier interview, Ramakatane relates how he was arrested after the Sharpeville Massacre and imprisoned for seven months on Robben Island along with the Treason trialists, and that he was shot while taking photographs during the Soweto uprising on 16 June 1976. See Musundire (2019).
28 Weinberg and Segoete, 2022.
29 Spencer was born in England in 1918 and died in 2009. He began taking photographs for *Life* magazine in 1952, and worked in South Africa until 1963. While, as noted here, Spencer took photographs of people burning their passbooks in the days after the massacre, it is unlikely that he was in Sharpeville on the day of the massacre.
30 The caption for this image can be seen online in the Getty Images Archive here: www.gettyimages.ie/detail/news-photo/south-african-police-armed-with-guns-and-sticks-advance-in-news-photo/50563365?adppopup=true. The other photographs by Terence Spencer that ostensibly depict the Sharpeville Massacre can be viewed on the Getty Images Archive website: www.gettyimages.co.uk/search/2/image?family=editorial&phrase=terence%20spencer%2Fpopperfoto%20sharpeville.
31 The photograph by Terence Spencer allegedly depicting the Sharpeville massacre can be seen here: www.gettyimages.co.uk/detail/news-photo/south-african-police-advance-in-an-attempt-to-regain-order-news-photo/1235384596?adppopup=true. This photograph almost certainly depicts another instance of police violence in South Africa that occurred at around the same time.
32 Spencer and Spencer (2002). Spencer's photographs of the pass burnings can be viewed on Getty Images, along with the aerial photographs he took of a mass

funeral at Sharpeville in the days following the massacre. I am grateful to Bill Worger for discussing Spencer's photographs with me, and for sending me copies of the relevant pages of Spencer's book.

33 Marinovich (2016), 163–172.
34 Reeves (1960), 134.
35 Lodge (2011), 106–107.
36 Lodge (2011), 108. Lodge draws on Frankel (2001).
37 Lodge (2011) writes: "In Maseru there are several graves of Sharpeville residents who died shortly after their arrival", 164.
38 Lodge (2011), 107.
39 Lodge (2011), 106.
40 Lodge's account of the way the police behaved towards the dying and the dead at Sharpeville is matched by the way the police treated those they had shot at Marikana, where there is visual evidence of the police using their weapons and their boots to turn the bodies of the dying.
41 Photo historian Patricia Hayes uses this term in relation to the protests that took place on university campuses in South Africa in 2015. See: Hayes (2017).
42 Reeves (1960), 44–45.
43 Laurie Bloomfield was a photographer for the Durban-based newspaper, *Daily News* and picture editor for the *Daily News* and *Sunday Tribune*. While Bloomfield's photograph is sometimes recognised as an image taken in Cato Manor, it is often mistakenly captioned as having been taken on the 24 January 1960, the date when nine police officers were killed in Cato Manor during a protest against forced removals that did not primarily involve women. On the protests in Cato Manor in 1959 and 1960, see Kynoch (2023).
44 Mokoena (2017), 138.
45 Mokoena (2015).
46 South African artist Gavin Jantjes included Bloomfield's Cato Manor image as part of his series, *A South African Colouring Book* (1974–5) alongside other photographs that depict life under apartheid, including images of the Sharpeville massacre. Jantjes image draws attention to the presence of Black police officers – one of these men is outlined in white and the man in the foreground is made hyper-visible and at the same time is partly erased by the white lines that are scrawled over his body. In this way Jantjes both highlights and obscures these troubling figures, perhaps an indication of his own attempts to decipher the meaning of their complicity in the violence of the apartheid state. The presence of Black police officers and the brutal violence they enacted against the striking miners fifty years later at Marikana resurfaces the thorny question of complicity with racist structures and how resistance to racial capitalism remains delimited by inherited forms of domination.
47 On the protests at Cato Manor in 1959 see Yawitch (1978); Walker (1982); and Kelly (2019).
48 On the UNESCO site the image of the protest at Cato Manor is captioned as follows: "UNESCO - MOWLAC, 2020 / Documentary Heritage of Latin America and the Caribbean. Memory of the World Regional Register, 2000–2018" www.unesco.org/en/memory-world/lac/documentary-heritage-resistance-and-struggle-human-rights-dominican-republic-1930-1961.
49 Noko (2022); Wadsworth (2022).
50 Amnesty International (2023). www.es.amnesty.org/en-que-estamos/blog/historia/articulo/en-el-dia-internacional-para-la-eliminacion-de-la-discriminacion-racial-recordamos-la-masacre-de-sharpeville-y-el-racismo-institucional/. For another example of a montage merging Cato Manor and Sharpeville see Lee (2024).
51 Newbury (2012), 219.
52 Berry (2024).

53 Gqabi (1960), 1. The entire edition of the paper in which Gqabi's article appears can be accessed here: www.marxists.org/subject/africa/periodicals/new-age/1960/na-6-23.pdf. *New Age* was originally named the *Guardian* and was established in 1937 by left-wing journalists and linked to the Communist Party and the ANC. It was renamed multiple times from 1952 to continue publication in the face of banning orders, and was also known as *Clarion, People's World, Advance, New Age* and *Spark*.
54 Gqabi (1960), 1.
55 Gqabi (1960), 1.
56 *Reuters* (2012).
57 Camalita Naicker has argued that "aside from the feature of state violence, the urban protests [at Sharpeville] bore little resemblance to what happened at Marikana" and that the massacre that took place in Mpondoland in 1960 provides a more apt comparison. See Naicker, "The Politics of Representation in Marikana", in *Babel Unbound* (2020). While I agree with Naicker's argument that the forms of political praxis of those protesting against the state take different form in Sharpeville and Marikana, my concern here has been to point to how impunity for state violence perpetrated under apartheid continues to shape the post-apartheid present and has contributed to the entrenchment of racial necrocapitalism.
58 Clark and Worger (2024), 271.

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2

STATES OF EMERGENCY

On 10 August 2012, a strike began at Lonmin Platinum Mine in Marikana, near Rustenburg, South Africa, after officials at the mine refused to meet with workers who were calling for a living wage. The striking workers, the majority of whom were rock-drill operators who perform the most arduous and dangerous work on the mines, were demanding wages of R12,500 per month (approximately USD500).[1] Clashes took place between representatives of the National Union of Mineworkers (NUM), groups of workers, some of whom were members of the Association of Mineworkers and Construction Union (AMCU), Lonmin security guards, and the police, and by 16 August 2012, ten people had been killed at the mine.[2] Lonmin executives called on Cyril Ramaphosa, who at the time was non-executive director of Lonmin and a shareholder in the company, to intervene to end the strike.[3] Ramaphosa, the former anti-apartheid activist and trade-unionist turned billionaire businessman, and a member of the National Executive Committee of the ANC, contacted the Minister for Mineral Resources, Susan Shabangu, and the Minister of Police, Nathi Mthethwa, and argued that swift action was needed to resolve the matter.[4] In an email sent to his colleagues at Lonmin, Ramaphosa stated: "The terrible events that have unfolded cannot be portrayed as a labour dispute. They are plainly dastardly criminal and must be characterised as such. In line with this characterisation there needs to be concomitant action to address the situation".[5] In this way, the actions of the workers in exercising their right to strike were made continuous with the violent incidents that had occurred, and the strike itself was criminalised. Lonmin's management team refused to speak with the workers, and by 16 August there were more than 700 police officers at the mine, including members of the Tactical Response Team and the Special Task Force, heavily armed units unsuited to public order policing.

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On the night before the Marikana massacre, the South African Police Service (SAPS) ordered 4,000 rounds of live ammunition and called for four mortuary vans to be present at the mine. They clearly anticipated that some of the striking workers would be shot dead the following day. As Kate Alexander writes, "SAPS planned for deaths, and Lonmin participated in the planning".[6]

On 16 August 2012, the police encircled the area with razor wire, and as a large group of miners sought to leave the koppie known as Thaba, or 'the mountain', where they had gathered for the duration of the strike, the police fired stun grenades, tear gas and rubber bullets at them, and then opened fire with live ammunition, shooting at them with shotguns loaded with SSG pellets (buckshot pellets), pistols, and R5 automatic rifles.[7] No fewer than 14 people were shot in the back, while others were killed as they fled or tried to hide from the police.[8] Seventeen people were killed at what came to be known as "Scene 1". They were shot in plain sight of local and international journalists and photographers who were documenting the strike. Hundreds of people fled in fear and were pursued by the police. Approximately 20 minutes after the killings at Scene 1, 17 people were shot by the police as they sought refuge at an outcrop of rocks nearby. The killings at Scene 1 were documented by the media, while the details relating to the shootings at Scene 2 were only exposed through investigations conducted by researchers and journalists in the days that followed the massacre.[9] Thirty-four people were killed by the police at Marikana, and at least 78 people were wounded. Just as at the Sharpeville massacre of 1960, no warning was given to disperse, and just as at Sharpeville, after the shooting the police approached the injured as criminals, delayed the provision of medical care, and mistreated the dying and the dead.[10] Video footage of the Marikana massacre was shown on television, and images of the bodies of the murdered mineworkers surrounded by the police appeared on the front pages of national newspapers the following day. In spite of the mass of evidence produced in the wake of the massacre through the Commission of Inquiry set up by the state to investigate how and why it took place, no one has been held to account for the killings at Marikana.[11]

In an article on the need to transform policing practices in South Africa and to prohibit the use of automatic weapons, Adele Kirsten, David Bruce, Gareth Newham and Themba Masuku wrote,

> In the space of roughly 10 seconds, 48 police fired 305 rounds of ammunition of which 247 were R5 rounds at the approaching strikers. This barrage of gunfire killed 17 people. Shortly afterwards at a location nearby the police fired another 198 R5 rounds at miners, most of whom were trying to hide or flee, killing another 17. Of the 34 people killed, 31 were killed by R5 bullets.[12]

As R5 bullets fragment on impact, the use of such ammunition for public-order policing lends credence to the argument that impunity for the massacre

was orchestrated even before the shootings began.[13] The report of the Marikana Commission of Inquiry includes the following chilling lines:

> The evidence indicates that R5 bullets tend to disintegrate when entering the body of a victim. This is what happened at Marikana. As a result it is not possible on the ballistic evidence to connect any member who shot at Marikana with any person who died. In the case of certain shooters there is prima facie evidence that the members concerned may well have been guilty of attempted murder but it cannot be said that any shooter is guilty of murder because it cannot be shown which of the shooters actually killed anyone.[14]

Events that unfolded in the immediate aftermath of the massacre expose how practices to guarantee impunity for such forms of violence are rapidly set in place. These attempts to put forward a narrative that holds those who were killed accountable for their own murders, and to erase not only the memory of the massacre, but how it took place, have been reiterated ever since. Such accounts have also been contested by those who survived the massacre, and by some of those who documented what occurred.[15] In the sections that follow, I focus on some of the ways in which what political theorist Suren Pillay has described as a "subaltern massacre", has been accompanied by counter-forensic practices and works of visual activism in support of subaltern resistance.[16]

I draw the term counter-forensics from the work of Allan Sekula, who argues for understanding how forensic methods could provide "tools for opposition" that could be taken up by forensic scientists, researchers and photographers alike.[17] Writing of the work of forensic anthropologist Clyde Snow and researchers who worked alongside him in Argentina, El Salvador, Iraq, and other sites of historical violence, Sekula saw the potential for "Counter-forensics, the exhumation and identification of the anonymized ("disappeared") bodies of the oppressor state's victims" to become "the key to a process of political resistance and mourning".[18] First published in the early 1990s, Sekula's work appeared at a moment when processes relating to transitional justice and truth commissions in the aftermath of oppressive regimes seemed to hold out the promise of securing justice for human rights violations. The South African Truth and Reconciliation Commission (TRC) began to hear testimonies about the grievous harms caused by the apartheid state in 1996. More than two decades have passed since, and as I discuss in greater detail in other chapters of this book, in spite of the available evidence, forensic or otherwise that indicts numerous perpetrators of gross violations of human rights, since the time of the TRC, no one has been prosecuted for crimes committed during apartheid, and no one has been held to account for the crime of apartheid itself.

What has become apparent is that the timeframe for processes of transitional justice is much longer than was anticipated when apartheid met its

legislative end. This is part of the reason why photographs, as objects dense with stopped time, take their place alongside bones, teeth, metal objects such as rings and keys, and the marks made by bullets on the surface of walls and rocks, and serve as a key medium in the practices of counter-forensics. What is also clear, and what Marikana made indisputable, is that the need for photography as a medium of resistance remains as critical now as it was during apartheid.

Photography Against Impunity

Four days after the massacre, researchers based at the University of Johannesburg, Kate Alexander, Thapelo Lekgowa and Botsang Mmope, spoke with people at Marikana who had survived the shootings and who had been among those who had fled from the police in the direction of Scene 2, "Small Koppie", which after the massacre came to be known as "Killing Koppie". They heard terrible accounts of how people had been gunned down as they tried to surrender themselves to the police.[19] They were joined by Greg Marinovich, one of South Africa's most accomplished photojournalists, who is best known for his work documenting the brutal violence of the last years of apartheid, and who had taken photographs of the striking workers in the days leading up to the mass shooting.[20] Photographs made by Marinovich in the days following the Marikana massacre provide evidence of how the police chased people as they fled into the surrounding bush and executed them at a rocky outcrop ordinarily used as an open-air toilet by shack-dwellers, where, in the immediate aftermath of the shootings at Scene 1, hundreds of miners sought to hide from the police and where 17 people were killed by 57 police officers.[21] Some of Marinovich's images of the site were published less than a month after the massacre in an article, the title of which, "The murder fields of Marikana. The cold murder fields of Marikana", reveals something of the shocked state of the country at the time.[22] Marinovich subsequently published a selection of these photographs in his book about the massacre, *Murder at Small Koppie*. [23] The caption for these images of the execution site that are included in the book reads as follows:

> Yellow police paint marks where the bodies of some of the thirty-four men killed by police were recovered by forensics. Some of the rock crevices in which these bodies were found indicate that the men had to have been hunted down and shot at close range. At sites like N, the copious amount of blood made it plain that it was not a wounded person who managed to crawl there, but rather someone who was shot and killed in that position, where all four sides are hemmed in by rock. Not a single policeman was reported wounded.
>
> *(Photographed on 27 August 2012)*[24]

The full horror of what Marinovich deduced from the evidence that remained at the site emerged when forensic photographs taken by the police were shown at the Commission of Inquiry.[25] Some of these photographs depict miners who were killed after being hand-cuffed, and others attest to the fact that weapons had been planted alongside the bodies of the dead in an attempt to validate the claims of the police that they shot the men in self-defence.[26] Among these images are photographs of Henry Mvuyisi Pato, whose body is shown lying in an awkward posture, his one side pressed against the rock, his other leg bent in a way that spells out the painful nature of his death. Pato is soaked in blood, his hand is slicked with it. Two photographs of his body appeared in a news article about the allegations that emerged at the Commission that the police had planted evidence at the scene.[27] The first image was taken during the day, and the second at night, and in the latter image there is a large yellow-handled 'panga' positioned below Pato's arm, and his bloodied hand rests on its blade. These photographs show how weapons were placed alongside the bodies of the dead, as if to implicate the striking workers in their own murders, and reveal how the perpetrators of the massacre rapidly sought to transfer responsibility for their deeds onto those they killed.[28]

The massacre took place at the end of the Highveld winter, a brief but harsh season that turns the sulphurous air brittle and desiccates the already dry veld grass. In one of the photographs that Marinovich made on the day after the shootings at Scene 1, a length of the yellow line of police tape that is meant to demarcate the perimeter of the site of the massacre has been snagged in the branches of an acacia bush, while the remainder lies twisted on the ground like the flaccid skin of a snake, useless and exhausted, but a potent sign of horror (Figure 2.1). Although the photograph shows a flat area of earth, its composition creates a sense of vertigo, as if the viewer is positioned at a precipitous edge. Across the yellow line is a field of death, the site where 17 men were shot dead by the police, and where they lay bleeding, their faces turned to the bitter earth. The image is illuminated by a hallucinatory light and is punctuated by a multitude of brightly-coloured evidence markers, each of which identifies the place where someone died, or where the bullets that rained down on them met the ground. It is a photograph of evidence, an image that documents the practice of forensic investigations, and at the same time it is evidence in itself, a counter-forensic image that shows the inadequacy of the forensic procedures of the police. At the centre of the photograph is a tangled mess of grasses that are growing at the base of a thorny plant. Ensnared in the spikes of dried grass is something white – it is difficult to know whether it has been discarded in the field or whether it has been placed there by the police. A short distance away, resting on the ground, is a white paper cup that is not an accidental element in the frame, but, as Marinovich's caption makes clear, the central focus of the photograph.

FIGURE 2.1 The scene of the massacre at Wonderkop that saw over thirty striking miners killed by police in a bloody conclusion. The forensic team ran out of cones for marking evidence, and used coffee cups instead. 17 August 2012, one day after the Marikana Massacre
Photograph by Greg Marinovich

The presence of the cup is an indication of the scale of the massacre – it documents the fact that in spite of the numerous plastic cones and markers that were used, the forensic team ran out of their official equipment. Although the paper cups may have served as an efficient makeshift solution, their use is a troubling sign of the lack of care exhibited towards those who were killed, and an early warning of the deliberate attempts to erase the traces of the massacre and to cast blame on the striking workers by planting weapons at the scene. This is not to cast aspersions over the intentions of the forensic investigators depicted in the photographs – they may well have been shocked by the scene and ashamed to be associated with their murderous colleagues working for the police service. Their position in this regard is unclear, but what does emerge through an examination of Marinovich's record of the work of the forensic team in the immediate aftermath of the massacre is that they were understaffed and ill-equipped to deal with the catastrophic scale of the killings.

In another photograph that forms part of a series of images that Marinovich made of the forensic investigation site at Scene 1 on the day after the massacre, one of the three officers who appear in these images stands amidst more than 100 green, yellow, pink, and red plastic markers (Figure 2.2). Included in this image are approximately 15 white paper cups that are

FIGURE 2.2 A member of the forensic investigation team at the scene of the Marikana massacre, Wonderkop, Lonmin Platinum Mine. 17 August 2012, one day after the massacre. The forensic team ran out of cones for marking evidence and used coffee cups instead
Photograph by Greg Marinovich

interspersed between the official evidence markers. The photographs of the forensic site are mirrored by an image of a spindly tree that is set in a landscape of dry veld strewn with brightly coloured plastic waste (Figure 2.3). This too forms part of the evidence of the massacre – it attests to the lack of essential services for those who live on the site of the mine and who were forced to live in conditions of deprivation, environmental degradation, and squalor.

Marinovich returned to Marikana over several days and documented the grief and rage of the surviving mine-workers and of the family members of those who were killed. He also continued to photograph the traces of the massacre that remained in the landscape, including pools of dried blood and fragments of bone. He also created an extensive series of the forensic markings that were spraypainted onto the rocks at the Killing Koppie, Scene 2, to indicate how and where people were shot, and where their bodies lay.

Marinovich's photographs provide a kind of scrambled alphabet that only partially decodes what took place at this dreadful site.

K – A desolate place to die. The letter K in forensic yellow marks the place where the body of Mpumzeni Ngxande was found. My eye follows the line of spray-paint down to the crushed remains of dried grass and broken sticks that partially cover the dirt, and back up to the dull pattern of blood

FIGURE 2.3 Garbage litters the veld between Nkaneng settlement and the Lonmin smelter at Marikana, 18 August 2012
Photograph by Greg Marinovich

on the edge of the rock. A luminous circle of paint hovers in a pile of grass a short distance away. Over and over my eyes are drawn back to the blood stains that are the only visible trace of the man who was killed here.

H J – The cradle of humankind. A terrible misnomer for these mute rocks and the narrow path between them that leads only to a dark end. Mafolisi Mabiya (H) and Fezile Saphendu (J) were killed here.

H J E – An image that shows a wider expanse of trees and rocks that nonetheless spell out the same message of futile loss. The places of death of Mafolisi Mabiya (H); Fezile Saphendu (J); and Janaveke Liau (E).

N – The letter N painted on the side of a rock that resembles the symbol sprayed onto the side of Russian military tanks used in the invasion of Ukraine that began in February 2022. Alongside the letter N is an indecipherable star-shaped area of paint, perhaps an indication of the expanse of the area of bloodstained rock and bloody ground that is visible immediately below these signs. At one edge of the image are the branches of a tree and at the other, almost beyond the frame, is the edge of someone's hand, upturned and pointing in the direction of N, as if to say, "Try to look. Just try to see".[29]

G H – A sign of confusion. The letter G resembles the letter S. The letter H appears here alongside G/S and also appears elsewhere. How will it be possible to know who died in this particular place? How will their family members gather soil to bury with them?

FIGURE 2.4 The site where people were executed at close range by the police on 16 August 2012 during the Marikana Massacre at Lonmin Platinum Mine, Rustenburg, South Africa
Photograph by Greg Marinovich

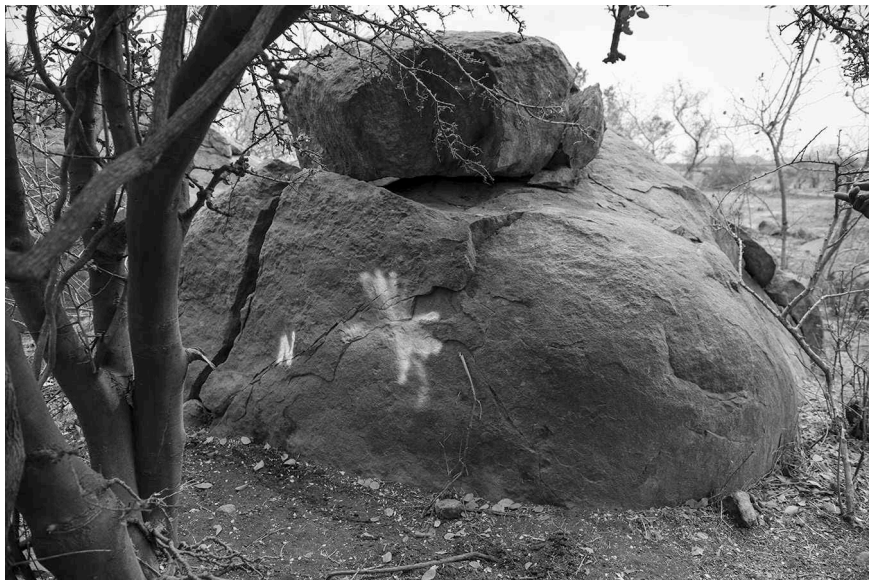

FIGURE 2.5 The marks made on rocks by forensic investigators to indicate where people were executed by the police on 16 August 2012 during the Marikana Massacre at Lonmin Platinum Mine, Rustenburg, South Africa
Photograph by Greg Marinovich

H J I – A sequence, a series of letters that shows the path of men running, falling, trapped, dying, dead. Reduced to ciphers by the jarring yellow signs that replace both their bodies and their names. Mafolisi Mabiya (H); Fezile Saphendu (J); Ntandazo Nokamba (I).

F G H – To be killed in cold blood, in terror, at a site of indignity, a place where those who live without running water, without electricity, without adequate shelter or food, have to squat in the open to defecate. In the background of the photograph the electricity power lines cut across the sky, coursing with the power taken from the earth and from the bodies of these men who make everything run. Unnamed (F); Thabiso Mosebetsane (G); Mafolisi Mabiya (H).

Four of those killed in this place where they were trapped between the rocks had bullet wounds in the head or neck. Eleven people were shot in the back. At least two people, possibly more, were murdered as they tried to surrender, shot as they held their hands up in the air.

Marinovich provides a chilling description of the accounts he heard of how the terrified miners were beaten, kicked and verbally abused by the police, who took the opportunity to brag about those they had killed.[30] He writes that "Anele Mdizeni (A) and Nkosinathi Xalabile (O) were both handcuffed after they were shot, and their autopsies show that they died

while still cuffed, with the plastic restraints only cut before the police took crime scene photographs".[31] Marinovich's seemingly empty counter-forensic photographs of the site where these men were killed summons the tortured manner of their deaths even in the absence of their bodies.

The alphabetical symbols made by forensic investigators at Scene 2 at Marikana were defaced and then erased shortly after the photographs of the original signs were made. Marinovich returned to the site and documented how the evidence had been altered, creating a set of counter-forensic images to oppose the ostensible forensic evidence of the state, thereby exposing the mechanisms of impunity that would otherwise have been made invisible.

A photograph of a dark section of rock emblazoned with a shape that looks like a shield, bright lines intended to render the symbol beneath indecipherable. It is unclear why those who returned to destroy the evidence elected to create elaborate cryptic patterns rather than simply obscuring the forensic marks altogether. The new marks spell out the story of the murdered miners as surely as they were placed there to conceal it. Against the intentions of those who made these duplicitous forms, a picture emerges, like the ancient rock paintings of the people who once inhabited this place. On the left of the shield, the blurry figure of a man taking aim and firing a murderous yellow blast that sears into the body of the man who is formed by the line on the right, the body of a martyr, his arms raised, his eyes looking outwards, towards us.

FIGURE 2.6 Photograph showing how the forensic signs have been defaced, Scene 2, Marikana, Lonmin Platinum Mine, Rustenburg, South Africa
Photograph by Greg Marinovich

Critical forms of counter-forensic evidence, such as the photographs made by Marinovich at Marikana, continue to hold open the possibility that even if the perpetrators of the massacre are never held to account, the crimes they committed cannot be erased without trace. In his reading of photography as a tool for counter-forensics, Sekula draws attention to "photography's incapacity for abstraction", the medium's evidentiary force that can counter how "individual and mass graves and intimate griefs" are turned into "sepulchral excuses for abstract monuments".[32] In the section that follows I consider how the failure to take responsibility for the massacre on the part of the state and the mining company, as well as the facile forms of commemoration enacted by Sibanye-Stillwater, the company that took over the mine seven years after the events at Marikana took place, can be understood as attempts to erase the history of the massacre. Marinovich's photographs documenting the murderous actions of the police serve as an indictment of the ongoing impunity of the necrocapitalist state which operates through the extraction of life itself.[33]

Emergency: From Sharpeville to Marikana

Attempts by the ANC-led government and by Lonmin to characterise what took place at Marikana as criminal actions on the part of the workers, rather than as a legitimate and constitutionally protected right to protest, continued after the massacre. Lonmin's disingenuous attempts to evade responsibility for playing a causal part in the killing of workers only drew increased attention to how the new political order protects the interests of the powerful. In a statement made on the day of the massacre, Lonmin's chairperson, Roger Phillimore, said, "It goes without saying that we deeply regret the further loss of life in what is clearly a public order rather than labour relations associated matter".[34] In the aftermath of a massacre for which Lonmin was one of the parties accountable for the violent deaths of 34 people, and severe injury and trauma for hundreds, if not thousands more, the company's regret for the loss of life hardly "goes without saying". Phillimore uses his grudging expression of regret to disavow the relation between the state and capital, and in what is pointedly not an apology, to exculpate the company from blame. As Malose Langa, Hugo van der Merwe and Jordi Vives-Gabriel note in their assessment of the state of reparations for victims and their families ten years after the Marikana massacre:

> The lack of a clear acknowledgement of its role in the massacre, the lack of an apology and the failure to provide adequate remedial action to address its human rights responsibilities have undermined the reparative and preventative potential of the company's initiatives.[35]

Even more damning than Lonmin's callous approach to the catastrophic loss of life at Marikana is the failure on the part of the state to acknowledge the

enormity of what had occurred and to hold those responsible to account, to ensure that policing practices were fundamentally overhauled, and to provide adequate reparations to the families of the victims. Political theorist Suren Pillay notes that, "Neither the ruling party nor the government sent any official representation to the first commemoration of this massacre".[36] He argues:

> In a country that so often tells its history as the history of massacres from Sharpeville to Soweto, these non-gestures matter. Marikana symbolizes a new struggle of memory and memorialisation that contests the claims of a triumphant national liberation movement to solely represent suffering. We can now make a distinction between an official massacre – one that will be recognised, and a subaltern massacre.[37]

The year after the massacre, the opposition political party, the Democratic Alliance, placed 44 white crosses nearby the koppie at Marikana. Widely regarded as an act of cynical opportunism in an attempt to garner votes, and placed on the site without consulting the family members who were killed there, the crosses were destroyed by people living in the area.[38]

In 2019, Lonmin was bought by Sibanye-Stillwater, a South African mining company with operations in multiple parts of the world.[39] In spite of its claim to ushering in a new era that would ensure that workers at the mine would be treated fairly and with respect, living and working conditions on the mine remain much as they were when the rock-drill operators began their strike for a living wage and for the provision of decent housing in 2012.[40] The company launched what it termed the "Marikana Renewal" campaign, and in August 2020, a memorial for those killed in the massacre was erected outside the company's offices. The wide marble expanse of the memorial resembles a traditional monument to fallen soldiers and is engraved with the names of the 44 individuals who were killed at Marikana between 12 and 16 August 2012. It does not differentiate between those who were killed by the police and those who were killed in the days preceding the massacre, and follows the design of markers that are put in place to commemorate mineworkers who have died as a result of industrial disasters and accidents on the mines. There is nothing to indicate that those who were murdered were subject to the violence of the state in collusion with the mining company, and that the majority of those who were killed were shot in the back while fleeing from the police. Although the memorial takes the form of a tombstone for a mass grave, according to research conducted by Asanda Benya and Crispen Chinguno, the families of those who were killed were not consulted about the form it would take, nor were they invited to the ceremony held at the mine when the memorial was installed.[41] A photograph Benya took at the mine reveals the memorial to be "barricaded with security bars" and argues that the "wall of selective remembrance" provides "a form of palatable erasure

from memory as workers and visitors to the shaft walk past without stopping and reckoning with what it represents.

Access to the wall of remembrance is restricted by security, allegedly because there are fears that some people who are disgruntled and were excluded from the memorial process may pull it down".[42] Like Marinovich's images of the defaced forensic markers at the "Killing Koppie", Benya's photograph calls attention to precisely that which the mining company seeks to make invisible. Her depiction of the barricaded memorial wall is in defiance of the narrative peddled by both the company and the state, and serves as a reminder that the struggle begun by the striking workers is not over. A sign that is visible in the background of the image reads: "No firearms allowed on site".

Benya and Chinungo observe that although the mining company's public rhetoric centres on 'healing', this amorphous and ultimately hollow promise displaces accountability and excludes the provision of compensation for those severely injured during the massacre.[43] The cynical appropriation of commemorations of the massacre to promote the interests of the company is made evident in the speech delivered by Sibanye-Stillwater's CEO, Neil Froneman, who, on the occasion of the company's fifth Annual Marikana

FIGURE 2.7 The Memorial erected by the mining company to commemorate the Marikana Massacre that took place on 16 August 2012 at Lonmin Platinum Mine (now Sibanye-Stillwater), Marikana, Rustenburg, South Africa
Photograph by Asanda Benya

Commemoration Lecture in 2024, took the opportunity to expound on his concept of "stakeholder capitalism":

> There has increasingly been a blur between the lines of business and the state. Many would say that is not a good thing. Others, like ourselves, would say that we need to do what we need to do for the common good. That's the basis of stakeholder capitalism, and our intention to create share value. The state remains under huge pressure and has often been denuded of capacity and to some extent even competency. But there is a lot of capacity and competency in business, and when the state and business get together with resolve to find solutions, problems can be dealt with efficiently.[44]

Froneman's words make it appear as if he is oblivious to what he clearly knows – that the corrupt relations between the state and corporations that began during apartheid continue into the present, and that the massive profits accrued by individuals like himself through the exploitation of workers in South Africa in no way serve what he terms "the common good". What labour historian Patrick Bond describes as "South Africa's notorious corporate collusion" took root during colonialism and was further entrenched by the apartheid oligarchs.[45] The same system led to the ransacking of the economy during the time of state capture under former President Jacob Zuma, and ensures that the country remains the most unequal in the world.[46] To suggest, as Froneman does, that when the government colludes with the interests of capital, problems can be resolved "efficiently", is to disavow the structural violence of inequality and exploitation as much as it is to trade in the falsities that makes it possible to substitute efficiency for brutality.[47] It is to erase the history of the Marikana massacre while pretending to honour the memory of those who were killed.

As a counter to the doublespeak of the mining magnates and those sycophants who affirm them, it is worth recalling the plea made by Joseph Mathunjwa, the leader of the Association of Mineworkers and Construction Union (AMCU) when he knelt before the assembled striking workers and begged them to leave the site of the mountain before they were killed:

> Comrade, the life of a black person in Africa is so cheap. The life of a black person in Africa is so cheap. They will kill and finish us and get others to put them and pay them these salaries that do not do anything in the black person's life. That would mean, we were defeated, but capitalists will be the ones who win. But we have a way that you showed us, that here is the way to go. We are requesting you brothers, sisters, men, I am kneeling down, coming to you, as nothing. I say, let us stop this blood that NUM allowed this employer to let flow. We do not want bloodshed, but we want your problems to be solved and get your

> salaries, comrade. You should benefit from this platinum. We cry to traditional leaders that this nation of God, where He brought them in, and heritage that God put to them in order for His nation to benefit. They should come closer too, to resolve this matter. I appeal to you, not to give NUM this opportunity to run and say, AMCU made people to be killed in the mountain. I appeal to you, I am going to take it back to the leaders to take it further, then we will see where we take it. I do not have the last say, comrade, but all of us, united, we will be able to move forward and bury this enemy that is the employer and the enemy who is the oppressor. Amandla![48]

A luta continua

Both the Sharpeville Massacre of 1960 and the Marikana Massacre of 2012 mark critical moments that make visible how photography has been deployed as a form of resistance to contest impunity in the wake of state-sanctioned violence. In both instances photographs were used as evidence of the illegitimate and excessive use of violence on the part of the state and to contest state-sanctioned versions of the events. Photographs made by Ian Berry at Sharpeville expose how, after shooting indiscriminately at a large crowd of unarmed protestors, the police reloaded their weapons and continued to fire on those who were fleeing from the assault, shooting people from behind. Photographs and footage of the massacre at Marikana show how the police fired tear gas and rubber bullets at the approximately 3,000 strikers who were corralled by razor wire and deliberately funnelled in the direction of the heavily armed police officers who opened fire on them with R5 automatic rifles, and decisively counters the claims made by the state, the mining company, and the police themselves, that the fusillade was unleashed in response to aggression on the part of the workers.[49] The photographs made after the Marikana Massacre, by Greg Marinovich, proved there to be two sites where people were killed, and provide evidence of how those who were killed were shot at close range, as well as of how evidence was deliberately tampered with and destroyed to prevent the police from being prosecuted for the murders they committed. In one sense, these attempts to use photography to hold power to account can be read as moments of failure – despite the indisputable evidence they convey about the culpability of the police, the inclusion of these forms of evidence in the commissions of inquiry that were held in the aftermath of both massacres did not lead to prosecution, nor even any real form of censure. In both cases, it was those who were subject to the violence of the police who were criminalised and charged with public violence.[50] Such forms of injustice and impunity are rooted in the structural violence of apartheid, which has not yet been overcome.

After the Sharpeville Massacre, the ANC called for a national day of mourning and instructed people to stay away from work on 28 March 1960.

This led to what Elinor Sisulu notes "turned out to be the biggest strike in the country's history".[51] Sisulu writes of how

> South Africa's international standing had been irrevocably damaged by the Sharpeville massacre and its aftermath. The Johannesburg stock market crashed and there was a massive outflow of capital. […] International condemnation of the National Party government's racist policies reached a crescendo, and international isolation became a reality.[52]

Having glimpsed its possible demise, the apartheid regime doubled down and declared a State of Emergency, granting the state extensive powers, including the right to arrest people without warrant and to detain them without trial, and banning political opposition. While officially the State of Emergency lasted for 156 days, South Africa remained "in a *de facto* state of emergency between 1960 and 1985", when the second Emergency was declared, and continued with the declaration of the third State of Emergency in 1986, which ended in 1990.[53] If Sharpeville made evident how readily the apartheid state would turn to martial law in order to defend the forms of structural inequality that held it in place, Marikana exposes how the unbridled extractivism of both human labour and mineral resources that defined the system of apartheid remains central in determining the course of the post-apartheid.

To recognise and comprehend the contemporary state of emergency that Marikana sets before us is to engage with the question Suren Pillay raises of how to think political subjectivity during and after apartheid.[54] It is to "revisit our theories about how we are becoming 'post-apartheid'" and to refuse to reduce massacres to instances of inevitable, if regrettable, violent aberrations, rather than the result of how, as Pillay argues, "capitalism emerges in Southern Africa as a history of settler colonialism".[55] The constitutive nexus between necrocapitalism and the political demands that Sharpeville is seen not only as a political protest brutally crushed by the apartheid regime, and that Marikana is seen as something other than a badly managed labour dispute. It is to recognise, to use Ramaphosa's phrase, the "dastardly criminal" abuse of power that marks the continuities between apartheid and the present.[56] To see Sharpeville and Marikana is to grasp how "capitalism exploited Africans as workers, but also how apartheid ruled over Africans as political subjects" and to understand how the architecture of oppression has been held in place in spite of apartheid's legislative end.[57] It is to recognise how the massacres of 1960 and 2012 are bound to necrocapitalism and the forms of violence it produces and on which it depends, and how the imperative to quell protest in South Africa without regard for human life cannot be unbound from the iniquity of ensuring continuity in production at all costs. To remember these massacres is to understand what apartheid was, and how and why it remains.

Notes

1 At the time of the strike, RDO's were paid approximately R5,000 per month, and were demanding R12,500 (in 2012 this amounted to USD500). On the radical inequality between the salaries of mineworkers and the earnings of the CEOs of mining companies, see Sinwell and Mbatha (2016) who note that the average salary of a mining company CEO in 2011 was R55,000 per day (5). On Lonmin's corrupt business practices and the capacity of the company to pay the increase workers demanded, see Forslund (2018).
2 Alexander (2014), 356; Naicker (2020), 184.
3 During apartheid Ramaphosa was the Secretary General of the National Union of Mineworkers. At the time of the massacre, he owned a 9.1% share in Lonmin. See Bond (2014). In 2010, Ramaphosa's company, Shanduka, received a loan of 2 million GBP from Lonmin. See Klein (2015). In 2018 Ramaphosa was elected President of South Africa and was re-elected in 2024.
4 Farlam et al. (2015), 412.
5 Patel (2013). Copies of the emails sent by Ramaphosa were submitted to as evidence to the Commission of Inquiry and can be accessed through the Socio-Economic Rights Institute (SERI): www.marikana-conference.com/images/Exhibit_BBB4__Bundle_of_emails_exchanged_amongst_leadership_of_Lonmin.pdf.
6 Alexander (2018), 268.
7 Marinovich (2016), 158–159. See also Kirsten et al. (2020).
8 The idea that the police were seeking retribution for the deaths of fellow police officers who had been killed before the massacre took place is often cited as the reason for the excessive violence of the police at both Sharpeville and Marikana. Understanding acts of killing by the police within the framework of revenge, or otherwise to perceive such forms of violence as 'senseless', fails to account for the routine violence of policing practices during and after apartheid. Just after the Marikana massacre, the then-South African Police Service National Commissioner, Riah Phiyega, described how the police dealt with the striking workers as, "the best of responsible policing", see The Marikana Commission of Inquiry (2015), 388.
9 A research team made up of Kate Alexander, Botsang Mmope and Thapelo Lekgowa spoke with workers at Marikana who told them of the shootings at Scene 2. Photojournalist Greg Marinovich confirmed their findings. See Lekgowa et al. (2012).
10 It later emerged that some of those who were shot would have survived had they received swift medical attention. As Marinovich notes in his account of the massacre, "Despite several of the wounded men being in terrible pain, none of the policemen offered even rudimentary first aid or comfort". See Marinovich (2016), 160.
11 Smith (2015). For an analysis of the report of the Commission of Inquiry, see Bruce (2015).
12 Kirsten et al. (2020).
13 I am grateful to Greg Marinovich for his comments on this chapter and for explaining how R5 bullets fragment on impact, creating shards that are too small to be accurately identified.
14 Farlam et al. (2015), 258. Despite a public campaign to ban the use of R5 rifles, these deadly weapons continue to be used by the SAPS.
15 Among the by now considerable body of significant work contesting the state-sanctioned version of events at Marikana, see Alexander et al. (2012); Brown (2022); Dlangamandla et al. (2013); and Sinwell and Mbatha (2016). See also the documentary films, *Miners Shot Down*, directed by Rehad Desai (2014) and *Strike A Rock*, directed by Aliki Saragas (2017). There were many photographers, photojournalists, and television news camera crews who documented the Lonmin worker's

strike in the days leading up to the massacre and who were present at Marikana on the day of the massacre. Felix Dlangamandla and Leon Sadiki both created powerful images of the strike and the massacre, some of which are included in Dlangamandla et al., (2013). Sadiki's photograph of one of the leaders of the strike, Mgcineni 'Mambush' Noki, also known as "the man in the green blanket", has been widely replicated as a symbol of resistance in South Africa. For an analyses of this image and of the forms of visual activism related to it, as well as of some of the films made about the massacre, see Strauss (2016) and Thomas (2018). Journalist Niren Tolsi and photographer Paul Botes have focused on the effects of the massacre on family members of those who were killed. Some of the material they have produced can be seen here: https://marikana.mg.co.za

16 Pillay (2013), 32.

17 See Sekula (2006), 10. The concept of counter-forensics is one that has been taken up by others, notably Thomas Keenan and Eyal Weizmann and researchers associated with the group Forensic Architecture. See: Keenan (2014); Weizmann (2017). In the South African context, see the work of Fullard (2021); Rousseau (2015); and the special issue of the journal *Kronos*, "Missing and Missed" edited by Rousseau, Rassool and Moosage (2018).

18 Sekula (2006), 30.

19 Lekgowa et al. (2012).

20 Greg Marinovich was born in South Africa in 1962. In 1991, Marinovich was awarded the Pulitzer Prize for his photographs documenting a murder committed during what were known as the "hostel wars". *The Bang-Bang Club: Snapshots of a Hidden War*, his book co-authored with fellow photographer, João Silva, provides an account of his early life and of his work as part of a group of South African photographers who were renowned for their fearlessness in conflict zones around the world and for recording the violence that characterised the last decade of apartheid. See Marinovich and Silva, *The Bang-Bang Club* (Arrow Books, 2001). For an insightful interview with Marinovich, see Weinberg and Rijsdijk (2014). For analysis of the work of the photographers associated with the Bang-Bang Club, see Law-Viljoen (2010).

21 Alexander (2014), 367.

22 Marinovich (2012).

23 Marinovich (2016).

24 Marinovich (2016), colour-plate, n.p. Patrick Walter offers a reading of this image in his essay on Marinovich's photographs. See Walter (2016).

25 For an account of the massacre at Scene 2, see Bruce (2018). I am grateful to the archivists at Wits Historical papers for making reproductions of some of these documents available to me.

26 Tau (2012).

27 Tau (2012).

28 The argument that the police killed the striking workers in self-defence was discredited at the Commission of Inquiry which found that the police used excessive force and employed deadly weapons unsuitable for public order policing. There was no conclusive evidence that those killed at Scene 1 were intending to attack the police. For further analysis on the violence of the strikers in the days preceding the massacre, and the absence of evidence to prove anything other than that the workers were provoked by aggression on the part of the police on the 16th of August 2012, see Bruce (2018).

29 I take this phrase from the work of writer and Auschwitz survivor, Charlotte Delbo. Delbo (1995), 84.

30 Marinovich (2016), 168.

31 Marinovich (2016), 171.

32 Sekula (2006), 31.

33 Banerjee (2008).

34 *BBC News* (2012).
35 Langa et al. (2022), 12.
36 Pillay (2013), 32.
37 Pillay (2013), 32.
38 Masombuka (2013).
39 Sibanye-Stillwater was established as an off-shoot of Gold Fields mining company in 2013. Lonmin was sold for USD 226 million and restructuring of the company led 1,142 people to lose their jobs. See Khumalo (2020).
40 Sibanye-Stillwater currently employs more than 24,000 people at Marikana Platinum Mine as of 2024 and operates over an area of 214 square kilometres. An independent audit of the company should be released in 2025. See https://connections.responsiblemining.net/site/243
41 Benya and Chinungo (2022), 37. I am grateful to Asanda Benya for making an English version of this report available to me.
42 Benya and Chinungo (2022), 35.
43 Benya and Chinungo (2022), 36–37.
44 Froneman (2024).
45 Bond (2019).
46 Bond (2019).
47 Froneman (2024).
48 Translation of Mr Mathunjwa's address on 16 August 2012, Socio-Economic Rights Institute, Marikana Exhibits.
49 In her article in which she argues that the National Prosecuting Authority should charge Brigadier Calitz and other senior police officials for the massacre at Marikana, Kate Alexander includes a detailed video presentation submitted as evidence by the South African Human Rights Commission to the Marikana Commission of Inquiry that indisputably shows how the killings were the outcome of the strategy employed by the police. See Alexander (2022).
50 At Marikana the 270 people who were arrested were charged with the murder of their fellow striking workers, as, under the apartheid-era common-purpose doctrine, "they should have reasonably foreseen that the strike and their presence on the koppie would have resulted in those deaths", see Marinovich, *Murder at Small Koppie*, 195. The charges were provisionally dropped by early September.
51 Sisulu (2002), 206.
52 Sisulu (2002) 141. The Marikana Massacre has not inaugurated a campaign on the scale of the global anti-apartheid movement, but it has led to protest and campaigns around the world, particularly in the UK, where Lonmin was based, and in Germany, where BASF, one of the most significant importers of South African platinum, is located. See www.kritischeaktionaere.de/en/category/campaign-plough-back-the-fruits/.
53 Henrico and Fick (2019), 83.
54 Pillay (2013), 37.
55 Pillay (2013), 35.
56 Ramaphosa emails. Socio-Economic Rights Institute, Marikana Exhibits.
57 Pillay (2013), 35.

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3

WOUNDING APERTURES

People Are Burning

Three men are pictured kneeling: two of them bow their heads while the terrified face of the third man is clearly visible. All three are encircled by tyres and by the crowd of people that has assembled around them to watch as they are set alight and burnt to death. Many of the onlookers are children, one of whom appears frightened; one woman in the crowd holds her hand over her face. Printed below this image, and alongside an article that refers to the incident as "kangaroo court killings", is a photograph of the men burning to death, their bodies engulfed in flame.[1] At the lower left-hand corner of the image is the body of one of the men who somehow crawled his way out of the fire, his skin is charred and ashen, his body is pressed to the sandy ground, his head is obscured by the arm of a person standing in the foreground. A short distance away from the burnt man and from the marks his body has made as he dragged himself away from the large fire is a smaller mass of flames with a dark cloud of smoke immediately above it. This too appears to be a person who attempted to escape but who was already burning too intensely to do so.

Five days later the same image of the three men who were "necklaced" is re-printed in the newspaper.[2] This time it is accompanied by a photograph of the site where a man who was accused of stealing copper wire was burnt to death in the same way. The image shows approximately 12 shacks built along the side of a dune, and in the foreground, an expanse of dry, sandy earth, patches of vegetation and, by my count, no fewer than 45 tyres.[3]

These photographs were taken in Khayelitsha, the largest of several townships and informal settlements situated outside of the city of Cape Town in March 2012. The images of the necklacing were taken on a cellular telephone

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by a woman who lives in Khayelitsha and who was witness to the event. It is notable that the images were not taken by a documentary photographer, as they almost certainly would have been during the time of apartheid, had the necklacing been photographed at all. That there were no documentary photographers to bear witness to the necklacing that took place eighteen years after apartheid's legislative end is perhaps unsurprising. However, it is not insignificant. The absence of documentary photographers from the scene of post-apartheid violence provides an indication of how what was once widely understood to be the role of social documentary photography in the country has been re-aligned and re-directed in the present.

Violence, both in its everyday and so-called "spectacular" forms, continues to characterise life in South Africa, yet what is considered historically significant or worth documenting is much less clear than it was before 1994. What we might think of as post-apartheid historical disorientation is directly linked to the ways in which the events of the 1980s and early 1990s have been retrospectively imbued with a coherence that was not always evident at the time. Thinking the relation between violence during apartheid and post-apartheid violence necessitates first thinking against the powerful narratives that read the violence of late apartheid as signalling apartheid's end. The question of how apartheid, as a form of structural violence that ended but that did not go away, continues to affect the present is one that has been largely disavowed. The difficulty we encounter in seeking to think about such forms of violence that make up our past redoubles the difficulty of thinking about the forms of violence in the present that are widely dismissed as "senseless" or as following a logic that operates outside of place and time.[4] This crisis of thinking historically about the present is intimately connected to the difficulty we face in seeking to think about violence post-apartheid. This is not least because, as I will argue here through a series of photographs I read as "wounding apertures", to engage with violence in its *longue durée* is to recognise and probe the depths of a painful wound.[5]

This chapter takes as its starting point the unofficial civil war that raged in South African townships and in the so-called "homelands" in the 1980s and focuses on images taken by activist and photographer Gille de Vlieg. De Vlieg's work forms part of the Afrapix archive, a collection of photographs that is central to any imagining of what we mean by documentary, struggle, or resistance photography in South Africa. Afrapix was a collective of photographers founded at a meeting in Johannesburg in 1981, and established in 1982 by Omar Badsha, Lesley Lawson, Mxolisi Moyo, Biddy Partridge, Lloyd Spencer, and Paul Weinberg, and at different times included as many as forty photographers.[6] The Afrapix photographers can be understood as one of the most important schools of South African photography in two senses. The collective provided a way for emerging photographers to develop their craft and to gain from the experience of other more established photographers. Afrapix was also an organisation with a particular ethos and

approach, and in large measure its coherence was derived from the unifying force of the collective's opposition to apartheid. Like the banners emblazoned with the slogan of the United Democratic Front that appear in images by many Afrapix photographers, "UDF Unites, Apartheid Divides", Afrapix brought together a diverse group of South Africans committed to a form of documentary activism.[7]

The end of apartheid brought with it the end of the grand narrative of oppression/resistance and also led to the end of collectives, like Afrapix, which were centred on documenting the violence of apartheid, both structural and physical. The townships were the primary location of South African history-making for Afrapix photographers and recording the violence of the state and resistance to it in order to campaign for the end of apartheid was the *raison d'être* of the collective. The Afrapix archive is a collection that contains many of the photographs that appeared in newspapers in South Africa and across the world at the time that they were taken and that have circulated through exhibitions, books, and online media ever since. The collection also contains many of the most famous images taken under apartheid and which, considered together, provide a compelling visual history of the struggle years.[8] The existence of Afrapix was instrumental in the *production* of what we now recognise as the history of the struggle.[9] Documentary photographers played a central part in shaping the representation of oppression and resistance during apartheid and certain of the images taken in that time have played a key part in the making of history post-apartheid.

As Patricia Hayes notes, the work of social documentary photographers under apartheid is far more heterogeneous and complex than critics have sometimes allowed.[10] This chapter examines photographs that document the effects of those forms of violence that, for the most part, were situated at the margins of the social documentary project of anti-apartheid photographers and that remain on the margins of histories of the struggle. They are photographs taken by Gille de Vlieg, one of the few women members of the Afrapix collective; they are not images of 'spectacular' forms of violence, though they gesture towards those forms; and while they were circulated in a limited way under apartheid, they have not achieved the iconic status of many other works by Afrapix photographers. This, I want to argue, is connected to the ways in which these images resist being assimilated into accounts that would tell the history of violence without marking the place and force of affect.

While the photographs that form the centre of my analysis here are quite different from those taken of the necklacing described above, this chapter brings them into relation and argues that in order to understand the violence of the present it is necessary to engage with the violence of the past. De Vlieg's photographs provide a visual record of some of those forms of violence that I read as signs of a history that has been repressed, both in the official record and in public memory. These photographs present us with a

series of "wounding apertures", opening us to a consideration of what apartheid did to those marked for elimination and who were subject to violence and atrocity, and also to engage with the enduring effects of such violence. By this I mean that these photographs prompt those of us who live in the time after apartheid's legislative end to consider what these events mean for us in the present. I argue here that the difficulty and importance of engaging with these photographs lies precisely in their affective excess. In the sections that follow I focus on photographs that de Vlieg took in June 1985, a time of intense violence immediately preceding the declaration of a State of Emergency in South Africa. In the concluding section I return to questions of affect and how photographs might be understood to "move" us in the Arendtian sense.[11]

'Spirits of Tembisa'[12]

Gille de Vlieg was born in 1940 in Plymouth, England and moved to Durban when she was three years old. She trained as a nurse at Grey's Hospital in Pietermaritzburg and in 1982 joined the anti-apartheid women's movement, the Black Sash. Between 1983 and 1989 she took photographs across the provinces of South Africa documenting everyday life under apartheid, forced removals, political funerals, and the effects of violence. She joined Afrapix in 1984 and is one of two women whose work is included in *Beyond the Barricades: Popular Resistance in South Africa*. [13] The Gille de Vlieg photographic collection is included in the online South African History Archive and contains 700 black and white digital images.[14] Her photographs also form part of the Afrapix collection in the University of Cape Town Library's visual archive, curated by photographer and co-founder of Afrapix, Paul Weinberg.[15] In 2009, an exhibition of de Vlieg's photographs was shown in Makhanda, and in September of that year her show, "Rising Up Together" was exhibited at the Durban Art Gallery.[16] In August 2012, an exhibition of her photographs entitled "Hidden from View: Community Carers and HIV in Rural South Africa" was held at the University of KwaZulu Natal in co-operation with Amnesty International. Her work is included in the Constitutional Court Art Collection in South Africa and has been at the centre of several exhibitions curated by the South African History Archive, including in communities where the images were taken. Her photographs were included in the international exhibitions, "Rise and Fall of Apartheid: Photography and the Bureaucracy of Everyday Life" in 2014, and "Still I Rise: Feminisms, Gender, Resistance, Act 2" in 2019.

In an interview I conducted with her in June 2012, de Vlieg stressed that she was an activist before she was a photographer and that she came to photography through her work with the Black Sash and the Transvaal Rural Action Committee.[17] She explained that she came to photograph people who had been subject to police and vigilante violence as "part of the work the

Black Sash were doing with rural communities who were threatened with having their land removed". De Vlieg's work with the Detainees' Parents Support Committee (DPSC) also brought her into close contact with people who had been subject to violence.[18] She talked about how she "was able to play a dual role" as a result of being a Black Sash member who also took photographs. She related how, at a mass funeral at which the press were not allowed, she "went in as a Black Sash member" and took photographs thereafter. She also speculated that her age (she was in her forties in the 1980s) and the fact that she was a white, middle-class woman protected her from the violence of the police and made it possible for her to 'pass' in and through spaces from which those who would have been recognised as photographers or members of the press, were banned.[19] However, her activities did not go unnoticed by the Security Police and in June and July 1986 de Vlieg was held in detention at the Hillbrow police station in Johannesburg.[20]

De Vlieg's work with the Black Sash and the Detainees' Parents Support Committee provided her with a different view of the violence of apartheid from that of photographers who were working primarily for the press and profoundly shaped the kinds of photographs she took. In the section that follows I focus on a photograph De Vlieg took in Tembisa in June 1985 that offers a rare insight into the after-effects of the violence of that time. Many of her photographs do not portray violence as it occurs but document the events before and after. In this way her work provides some of the missing parts of the story about violence under apartheid and, as I argue here, prompts those who view them to ask different questions about the past and present.

In de Vlieg's photograph made in Tembisa in the winter of 1985, a woman is pictured standing outside of a house, alongside a window and wall, against which leans a metal bedframe (Figure 3.1).[21] One of the legs of the upended bed protrudes in from the side of the frame and points at the side of the woman's head, a visual metonym for the gun that killed her child. She is wrapped in mourning clothes – a blanket and a headscarf – and her head is slightly bowed. Her one eye gazes out of the image towards me, but her other eye looks askance, as if she is looking in two directions at once. One eye is accusatory and locks my gaze. Her other eye is an eye that grieves – it does not seek contact but turns away from my gaze. The woman's face does not receive me. I cannot hold her stare and she turns me back on myself. In front of her body is the white shirt her son was wearing when he was shot. The shirt, covered in bloodstains, is the graphic description of the manner of her son's death. The stains take the shape of a limbless, truncated human body, a child's painting of the body of a child.

In viewing this image I am struck by how few images like it we have from that time, and how only in the wake of the Truth and Reconciliation Commission did images emerge that confronted us quite so profoundly with the long-term effects of the losses apartheid wreaked.[22] De Vlieg's photograph

FIGURE 3.1 Mrs Anna Shalate Mazibuko holding the shirt of her son Flint, who was murdered by police in Tembisa, 1985
Black and white photograph by Gille de Vlieg, Tembisa, 22 June 1985

operates as a form of evidence but also testifies to her own act of bearing witness and her recognition of the pain of the woman she depicts. De Vlieg's image, which is a political message and a statement about the personal grief of the mother who mourns her child, opens a space to reflect on mourning during and after apartheid.

Her photograph can be seen as an influence for Jillian Edelstein's portrait of Joyce Mtimkulu holding up the hair of her son, Siphiwo Mtimkulu.[23] In both images mothers hold up "the remains" of their children and read together they convey the long-term suffering of Black South Africans and, in particular, the trauma of mothers whose children were killed. The two photographs, however, were taken at radically different historical moments. The mother in de Vlieg's photograph holds up the evidence of the murder of her son and de Vlieg is her primary witness. The call for justice, for recognition of the wrong committed to her and to her son, has no clear address, is short-circuited by the absence of any real form of justice under apartheid. Joyce Mtimkulu was photographed at the Truth and Reconciliation Commission where she testified about the murder of her child. Her gaze is resolute, she has carried the pain of her son's death with her for almost 15 years and her fist holding her son's hair is raised alongside her face, indisputable and defiant. Like de Vlieg's photograph, Edelstein's image captures a call to the law.

FIGURE 3.2 Vitalious Xaba (17 years old), Johannes Pilane (17 years old), and Zacharia Rapoo (16 years old), from Katlehong, beaten by security forces, 22 March 1988
Black and white photograph by Gille de Vlieg

While under apartheid the woman whose son was murdered depended on de Vlieg's photograph to transmit her message to the law, Edelstein's work documents how Joyce Mtimkulu's claim finally comes to enter the space of juridical reason. De Vlieg's photograph of Vitalious Xaba, Zacharia Rapoo, Johannes Pilane, their arms raised to display their wounds and at the same time to shield their bare chests, (Figure 3.2), can also be read as a precursor to the photograph of Thembinkosi Tshabe and Mxolisa Goboza, photographed in 1997, that appears on the cover of Edelstein's book, *Truth and Lies.* [24]

Despite the ways in which justice was negated under apartheid, de Vlieg's images, like those of other documentary photographers working at the same time, can be read as a call to and for the law. In this sense the photographs testify both to the absence of law and to transgressions of the law by the police. Documenting such transgressions instantiates the place of law, even if only imaginary, a law without juridical force. In their stubborn acts of documenting the injustice of the apartheid regime and in their insistence on how photographs could operate as evidence, the images of those photographers, like de Vlieg, who worked during the States of Emergency – times of absolute suspension of the law – hail the law into being and refuse to let go of the possibility of justice. Their images are addressed to the future, a future that the TRC sought to realise, a just future that has not yet arrived.

Wounding History

Between September 1984, "when township-based protests signalled intensified and broad-based resistance to apartheid", and February 1986, "over a thousand persons were estimated to have died in the unrest".[25] The 1980s saw the proliferation of highly visible forms of vengeance, punishment, and acts of murder across urban and rural places in South Africa. The violence was perpetrated by the South African Security Forces and right-wing vigilante groups. Even at the time of the violence it was known to have been "sponsored" by the regime, to have occurred with the compliance or assistance of the police, and to have been fuelled rather than mitigated by the responses of the state, which made use of the violence to quell dissent, to arrest community leaders and activists, and to detain people without trial. However, the violence of that time was named "black-on-black" conflict in the South African media and today is often referred to as "internecine" conflict, imagined to have come about as a result of ethnic rivalry which, in the popular imaginary, is limited to conflict between Xhosa and Zulu-speaking South Africans. As Nicholas Haysom notes in *Mabangalala*, a text "compiled at the Centre for Applied Legal Studies at the urgent request of the National Committee against Removals, the Transvaal Rural Action Committee (TRAC) and the Black Sash" to document the widespread emergence of right-wing vigilantes across the country:

> The use of this label [black-on-black conflict] served to obscure the emergence of a pattern of extra-legal violence by right-wing vigilantes. By referring to all conflict in which both parties were black, as black-on-black conflict, the links and relationships between the conflicting parties and apartheid structures were buried. Furthermore, the label carries with it a racist suggestion of traditional or tribal internecine strife.[26]

The violence that seemed to flare up in the 1980s was linked to the long-term struggles against the violence of the state and to the wilful destruction of those forms of organised resistance and modes of self-governance that communities had managed to forge against all odds.

In 1985, the Black Sash and the Detainees' Parents Support Committee were called to Thabong in the Free State by a doctor who was treating people who had been subject to vigilante violence in the area. De Vlieg formed part of this delegation and while she was in Thabong, took photographs of a man who had been badly beaten. One of these photographs appears in *Beyond the Barricades* and is captioned as follows:

> A Thabong youth shows the whip marks left on him by vigilantes in Welkom township, Orange Free State, June 1985. Vigilantes form menacing gangs to terrorize anti-apartheid activists. Often they enjoy police support. Vigilantes in different parts of the country are generally motivated by local political issues or conflicts in their areas. Although the reasons for violence may differ, these acts of brutality have common, often horrific results, and help the government in its attempt to suppress the democratic movement in South Africa.[27]

The photograph shows a man lying on a hospital bed, except for his socks he is naked, although his skin bears so many marks it is almost as if he is clothed (Figure 3.3). Not clothed, but not naked either, not in the way we usually look at an image of someone who is naked with desire, with fascination, even repulsion. The sight of this body is mediated by the multiple marks upon it. It is mediated by pain. The man has been beaten. His skin is lacerated. His head is in the foreground of the image and his gaze is wary, he is holding his head up and is looking at someone, presumably the photographer. He is lying on a grey hooded top. At his feet are what appear to be his clothes, neatly folded. The wounds on his body are incisions in his skin. His hands are positioned beneath his head, his fingers curled inwards.

Another image of the same man taken by de Vlieg appears in Nicholas Haysom's book on the rise of right-wing vigilantes. In this photograph, which bears the caption, "Youth sjambokked by Thabong vigilantes", the body of the man is shown from above.[28] The angle from which the photograph was taken provides a clear view of the wounds on his body and indicates that it was taken to serve as a form of evidence. While the first

FIGURE 3.3 Paulos Mohobane, beaten by vigilantes employed by councillors, Thabong, 3 June 1985
Black and white photograph by Gille de Vlieg

photograph is a portrait of a man who has been beaten, the second image seems to have been shot specifically to expose the severity of the beating. In the first image the face of the man holds the gaze of the viewer, in the second he lies with his face to one side on the bed, his eyes closed. The man is not identified in the captions that accompanied the images that were published at the time, perhaps because this would have placed him at risk of further violence.[29] However, from the account included in Haysom's book it is possible to identify the man as Paulos Aupa Mohobane, a 24-year-old man who, Haysom writes, "developed epilepsy after a sjambokking session in room 29 of the Philip Smit Centre. Days after the assault his body was crossed with more than 100 weals and lacerations, many of them raw and festering".[30] In response to my questions about how she took these photographs de Vlieg replied:

> When I saw Paulos I realised, I used to be a nurse, and I saw that his wounds were infected. I removed his bandages and cleaned his wounds. I asked him if it would be alright for me to photograph him. There was another person who had been beaten so badly and he had been taken to the police station where he died.[31]

For de Vlieg the photographs of Mohobane were bound to the case of the man who had been beaten to death, and her response indicates how she undertook to photograph the wounds on Mohobane's body as a form of

evidence. The photographs serve as evidence of an event that is not otherwise visible to us, for which we would otherwise have no visual trace. Through the wounds on the body of Paulos Mohobane we can reconstruct the time of his beating. The reconstruction of events that photography allows, makes possible, and is already in itself, an interpretation of those events. In other words, in looking at this photograph I can see that a man has been beaten, I can count the number of times the weapon found his flesh, I can see that the man has survived the attack, and that he is lying on a bed.[32]

The photograph is the sign of the event of the beating, an event that was not documented and that comes to be made visible in its aftermath. The photographs of Paulos Mohobane also stand in for the body of Daniel Mabenyane, the man who was beaten by vigilantes and who died five days afterwards. The police denied any responsibility for his death, in spite of being present when Mabenyane was first threatened, and in spite of the fact that after he was beaten he was arrested and kept on the cement floor of the police station before being taken to hospital.[33] In their graphic depiction of the severity of the beating he received, de Vlieg's photographs of Paulos' body indict both the vigilantes and the police for the murder of Mabenyane.[34]

The photographs of Mohobane were also produced through another kind of exchange, as evidenced in de Vlieg's statement: "In a way, by removing his bandages and cleaning up his wounds and taking the photos, I was giving something and not just taking the photos".[35] De Vlieg encountered Mohobane's wounded body as an activist, as a nurse, and then as a photographer. The appearance of de Vlieg's images in Haysom's book, produced as it was as an urgent publication by the Centre for Applied Legal Studies, also indicate the important role her work played as evidence.

In an account of the visit paid by Black Sash members to Thabong published in *SASH Magazine* in August 1985, Black Sash and DPSC founding member Audrey Coleman is quoted as saying:

> By July 4 we were not aware that anyone had been arrested or prosecuted for the assaults that we had publicised. We gathered together some 50 statements made by Thabong residents and presented them to the Attorney General in Bloemfontein. The Divisional Commissioner of Police in the Northern Free State declined to attend this meeting. The Attorney General was affected by the photographs of assault victims. He undertook to take up the matter.[36]

In the section that follows I argue that these images provoke and provide space for affective responses to the violence of apartheid that exceeds the instrumentalised, evidentiary uses to which they were put at the time of their making. But it is also important to note how in Coleman's account it is the photographs of those who had been assaulted and not the fact that they had been assaulted that "moves" the Attorney General to action. In other words,

it can be argued that these images always "worked" through insisting on the possibility of affective response.

During apartheid, de Vlieg's photographs made visible forms of violence, pain and grief that were never meant to be seen. In the present her work continues to exceed and disrupt the making of seamless national historiography. I read her images as signs of the wound in history, those traumatic aspects of the past that are most difficult to archive and to lay to rest, and at the same time as objects that operate to draw our attention to the force of such traumatic histories in the present. In other words, the photographs are both signs of wounds and wounding signs, densely laden with affective force. These images also direct us to multiple cases of people who were subject to the violence of apartheid and who have never been compensated in any way, nor have those who harmed them been held to account.

Affective Afterlives

In 2012, the collection of photographs at the University of Cape Town's visual archive, of which Gille de Vlieg's work forms part, was being sorted and catalogued by photographer's name, each of whom has a drawer of a large filing cabinet in which prints of their work are stored. The neat labels inscribed with the names of the photographers replace the earlier labels, made from masking tape and affixed to numerous cardboard boxes, among which could be found: "Apartheid violence"; "Trade Unions"; "Land"; "Poverty" and "State Violence". As these categories make evident, in the past the photographs were organised by theme and the labels on the drawers emphasised and announced their contents. In the new system of cataloguing the images can be read as a sign of how, post-apartheid, the work of photographers has increasingly been individualised and incorporated into the art market.[37] But the ordering of the collection is also a technique that mediates our relation with the past. "In an archive", theorist of photography Allan Sekula writes, "the possibility of meaning is 'liberated' from the actual contingencies of use".[38] He goes on to argue:

> But this liberation is also a loss, an *abstraction* from the complexity and richness of use, a loss of context. Thus the specificity of 'original' uses and meanings can be avoided and even made invisible, when photographs are selected from an archive and reproduced in a book. (In reverse fashion, photographs can be removed from books and entered into archives, with a similar loss of specificity.) So new meanings come to supplant old ones, with the archive serving as a kind of 'clearing house' of meaning.[39]

The shift in the labelling of the filing cabinets that house the Afrapix photographs may indeed signal a desire to supplant the old meanings of the

photographs and to replace them with new meanings. However, before old meanings can be replaced, they must be recognised. What did de Vlieg's images mean under apartheid? What do they mean now? These are questions we are only now beginning to ask. These images await the making of histories that can then be contested, uprooted, and supplanted by new processes of meaning-making. The persistence of the affective that runs through de Vlieg's photographs presents a counter-argument to Sekula's view of the archive as a "clearing house" of meaning. The affective charge of de Vlieg's photographs can be understood as signs of the disavowed trauma of the history of apartheid and, in this sense, present us with the intractable fact of our own processes of psychic repression.[40]

In an interview South African photographer Jenny Gordon speaks of how she could not show her photograph, "Jeppestown, near Troyeville, ca. late 1980s" in public.[41] Of this, Hayes writes, "The political space during the 1980s, could not contain the overflow from such a portrait".[42] The photograph portrays two women in the foreground of the image, their arms around each other, one woman's hand covers her eye and she appears to be wiping away her tears. Neither of the women is crying visibly, but both appear either to have just been weeping or about to begin to cry. It is an image saturated with sorrow. The women are standing in an urban landscape, a city street with electrical powerlines, buildings, and a stationary truck in the distance. Behind the women is a white man on a bicycle who appears to be advancing towards them. The photograph has the quality of a photomontage – the man has a slightly jaunty demeanour and his clothes and hat provide him with a military look that makes him seem threatening. He appears to have cycled directly out of Europe during the Second World War. It is likely that he was simply passing by, but the visible trauma of the women imbues his presence with significance. The composition of the image powerfully conveys the disjuncture between the pain of the women and the man behind them who is oblivious to their traumatised state. In this way the photograph makes an argument about the structures of looking, about seeing and not seeing, about the indifference of white people to the suffering of Black people under apartheid. However, the gaze of the photographer, who does recognise and record both the pain of the women as well as the unseeing man, transgresses the binarised codes of apartheid representation.

This photograph makes visible the structures of indifference that were necessary for maintaining apartheid's racial divides and, at the same time, makes visible the pain that could not be shown. In so doing, it crosses the bounds of what may and may not be seen and felt. This image, like the works by de Vlieg I discuss here, has an affective force that, as Hayes notes, could not be contained by the political space of the 1980s. Viewing the photograph now leads us to the question of whether the political space of the present can hold the "overflow from such a portrait" and if not, to ask both why this should be so, and how it might be possible to arrive at this point of reckoning.

This chapter has sought to argue that a critical engagement with the affective force of photographs pushes us to engage with the politics of the present. In their stillness photographs do not transport us as films do. Instead, their demand is for us to think and be moved, both affectively and in the sense of being moved to action.[43] For political philosopher Hannah Arendt, it is the permanent and mutual relation between thinking, feeling, willing, and judging that makes it possible for us to avoid the state of being that Adolf Eichmann described at his trial as "*kadavergehorsam*", blind obedience, or the obedience of a corpse.[44] In her essay *On Violence*, Arendt argues that:

> Absence of emotion neither causes nor promotes rationality. 'Detachment and equanimity' in view of 'unbearable tragedy' can indeed be 'terrifying', namely when they are not the result of control but an evident manifestation of incomprehension. In order to respond reasonably one must first of all be 'moved', and the opposite of emotional is not 'rational', whatever that may mean, but either the inability to be moved, usually a pathological phenomenon, or sentimentality, which is a perversion of feeling.[45]

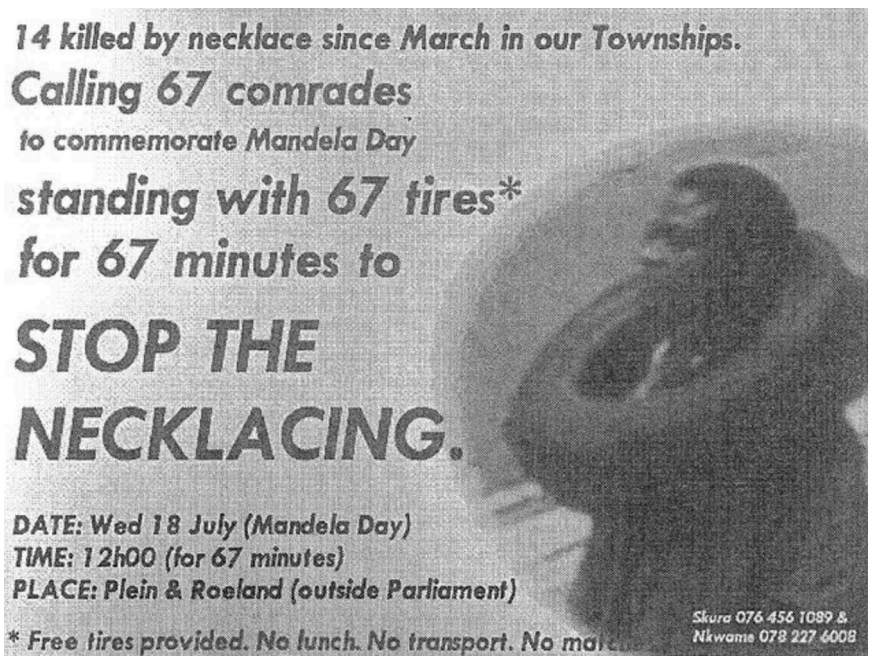

FIGURE 3.4 A flyer calling for people to protest against necklacing, Cape Town, 2012[46]

De Vlieg's photographs of people who have been subject to beatings and whose bodies bear the marks of multiple lashings lead us to confront some of the most painful aspects of apartheid violence and to think of the violence not only in the time of its occurrence but of its aftermath. This necessitates thinking about the effects of the violence of apartheid, both psychic and material, from the perspective of the present. This afterlife of the documentary image and both the affective and critical responses it can provoke provides a powerful justification for the practice of social documentary photography. De Vlieg's photographs open an aperture in time. They disrupt linear conceptions of history through their insistent return of the past in the present. In this way these photographs call on those of us who view them to resist the violent and triumphal erasure of the trauma of the past and instead to recognise the wound that the history of apartheid remains.

Notes

1 Koyana (2012a).
2 South African sociologists Wilfred Scharf and Baba Ngcokoto define necklacing as "the much publicised and controversial process by which a car tyre is placed around the victim's neck filled with petrol and set alight. It became a form of execution in the townships from 1984 onwards and was used by both pro- and anti-government groups. It is usually the action of an incensed crowd of people rather than an individual act". See Scharf and Ngcokoto (1990), 371. Necklacing was the preferred method for killing "*impimpis*" – those accused of informing on those engaged in the struggle. It is a form of violent punishment associated with apartheid but continues to be practiced in the present. On necklacing during apartheid, see Gobodo-Madikizela (1999) and Moosage (2010).
3 Koyana (2012a) and Koyana (2012b). On 21 March 2012, when the photographs of the necklacing were first published in the *Cape Times*, the photographs were attributed to *West Coast News* and the article that accompanied the images noted that they were taken on a cellphone and made available to the newspaper by a resident. The photographer is not named in the *Cape Times*, but the images are attributed to *West Coast News* reporter Nombulelo Damba in online sources. When one of the same images was reprinted on 26 March the caption read: "A cellphone camera captures three men, below, who were necklaced last week after a kangaroo court found them guilty of stealing a generator". The image of the site of the necklacing, taken the day after the event occurred, is attributed to photojournalist Jason Boud.
4 Addressing a large crowd of residents in the aftermath of numerous necklace murders that took place in the townships of Khayelitsha and Nyanga in 2012, Police Minister Nathi Mthethwa called for people to work together with the police rather than to resort to what he has termed "senseless killings". See Isaacs (2012). President Jacob Zuma has used the term in his statement on what he has termed the "tragedy" of the Marikana Massacre stating: "We are shocked and dismayed at this senseless violence"; see BBC News (2012).
5 While I do not employ Roland Barthes' notions of "*studium*" and "*punctum*" in my readings of photographs here, my approach to the question of affect and my thinking on photographs as wounding and as signs of wounds is indebted to his work. See Barthes (1981). I have tried to think with and against these concepts in my article on the work of Zanele Muholi, see Thomas (2010). For critiques of Barthes' work, particularly in relation to race and racism, see Smith (2013); and Wolukau-Wanambwa (2022).

6 Partridge, Moyo, and Spencer left Afrapix in early 1982. Among the first members were Peter McKenzie, Cedric Nunn, Myron Peters, Jeeva Rajgopaul and Wendy Schwegmann. For examples of the work of the collective, see Omar Badsha, ed., *South Africa: The Cordoned Heart* (Gallery Press, 1986); and Badsha et al. (eds), *Beyond the Barricades: Popular Resistance in South Africa* (Aperture Foundation, 1989). Each book contains selected works by 20 Afrapix photographers. On the history of Afrapix see Hayes (2007); Krantz (2008); and Jayawardane (2019).
7 For images that contain the UDF slogan, see the works by Omar Badsha, Myron Peters and Dave Hartman in *Beyond the Barricades* on pages 25, 30 and 95 respectively.
8 I use the terms "Afrapix archive" and "Afrapix collection" in this chapter, but it should be noted that there is no single Afrapix archive. The works of photographers who were part of the collective can be found in, among others, the UWC-Robben Island Mayibuye Archives, the University of Cape Town Visual Archives, the Impact Visuals Collection at the University of Connecticut Library, Duke University Library, the International Institute for Social History in the Netherlands, and the South African History Archive. In 2019, I worked with Paul Weinberg on the Afrapix Consolidation Project, which brought together a significant collection of materials relating to the history of the collective, and can be accessed through the Wits University Research Archives here: http://historicalpapers-atom.wits.ac.za/afrapix-consolidation-project.
9 It is important to note how Afrapix worked alongside and through other anti-apartheid organisations, including the trade unions, student-led organisations, and the United Democratic Front. As discussed in more detail in this chapter, Gille de Vlieg's involvement in the Black Sash and the Transvaal Rural Action Committee is key to understanding how and why she made photographs of people who were subject to violence.
10 Hayes (2011).
11 While this chapter examines photographs by women, I do not take up the question of gender and affect. The argument I am making here seeks to articulate the relation between affect and political response and takes heed of the feminist critique of "the slip between feminist empathy and women's natural capacities for care". See Hemmings (2012), 152. For a useful overview of the field of thinking "affect" see Figlerowicz (2012) 3–18. See also Gregg and Seigsworth (2010). On affect and photography, see Phu and Brown (2014) and Kesting (2017) in which she discusses images of violence in South Africa, including images of necklacing.
12 This title is the name of a song from the album *Genes and Spirits* by South African jazz musician, Moses Taiwa Molelekwa, who was born in Tembisa in 1973. In 2001 he committed suicide after strangling his wife, Florence Mtoba.
13 See Badsha et al. (1989). There were several women photographers associated with the Afrapix collective including: Suzy Bernstein, Gille de Vlieg, Ellen Elmendorp, Ingrid Hudson, Lesley Lawson, Deseni Moodliar, Biddy Partridge, Wendy Schwegmann, Zubeida Vallie, Gisèle Wulfsohn and Anna Zieminski. Claudia Marion Stemberger cites South African artist Penny Siopis who claims that Afrapix developed a "machismo element" and notes that "The few women participating in Afrapix had connections to women's rights organisations and got involved in feminism, like Lesley Lawson and Gille de Vlieg". See Stemberger (2010). For a more extended discussion of women photographers in Afrapix, see Hayes (2011). See also Siopis (2006), 9–14.
14 The Gille de Vlieg Photographic Collection, www.saha.org.za/collection.php?id=525&tab=inventory
15 The University of Cape Town visual archive contains one colour slide and 350 black-and-white prints by Gille de Vlieg.
16 For a review of the exhibition, see Rike Sitas, "Rising Up Together: Gille de Vlieg at Durban Art Gallery", www.artthrob.co.za.

17 De Vlieg described how she stopped taking photographs for a time after Afrapix disbanded and how her activism and photography were inextricably linked. She said that she saw herself as an activist who also took photographs, whereas she says of the other Afrapix members that "they were activist photographers, they saw themselves as photographers". Interview, with Gille de Vlieg, Cape Town-Durban, 7 June 2012.
18 The Detainees' Parents Support Committee was founded in Johannesburg in 1981 by family members of activists who were detained by the police during apartheid. See Shakinovsky and Court (2018).
19 De Vlieg talked about how the Black Sash made it a policy to attend funerals and events as they felt that "If white people were present, there would be less violence from the police". Interview, with Gille de Vlieg, Cape Town-Durban, 7 June 2012.
20 In the interview I conducted with her, de Vlieg related how the police came to detain her in the middle of the night. "I never really understood why it was I was in detention. I had a brother in exile so I thought it may have been to do with that. I spent a lot of time in Tembisa, taking people to hospital and generally being a form of support but they never questioned me about Tembisa" Of her activist work in Tembisa, de Vlieg recalled, "In 1984 I went to Tembisa with COSAS students, I was protected by COSAS students, and I never felt unsafe there except from the police". de Vlieg was never told why she was detained. Interview, with Gille de Vlieg, Cape Town-Durban, 7 June 2012.
21 This photograph is captioned as follows in *Beyond the Barricades*: "A mother holds up the bloodstained shirt of her son, shot in the back by police, Tembisa township, Transvaal, June 1985. According to government statistics, 381 people were killed in 'unrest' incidents between September 1984 and April 1985. The government's own statistics acknowledge that three quarters of these victims died as a direct result of police action" (1989, 54).
22 De Vlieg also described how few forms of support there were under apartheid for people to deal with their traumatic experiences. She recalls the Detainees' Parents Support Committee tea parties as providing "a safe place for women to talk about what was going on in their lives". She also talked of how she thought people would come to the Black Sash advice offices "even though they knew we couldn't help them, just to have someone listen to them". Interview, with Gille de Vlieg, Cape Town-Durban, 7 June 2012.
23 Edelstein's photograph of Joyce Mtimkulu appears in her book *Truth and Lies: Stories from the Truth and Reconciliation Commission in South Africa* (UK: Granta Books 2001, and South Africa: M&G Books, 2001). For an analysis of her work and an account of the murder of Siphiwo Mtimkulu, who was killed by the Security Police in the Eastern Cape in 1982, see Chapter 4 of this book. The photograph of Joyce Mtimkulu was also used as the cover of the first edition of Antjie Krog's *Country of My Skull* (London: Jonathan Scape, 1999) but in later editions was replaced by an image, first of Krog herself, then of a landscape, and most recently an image in pastel-tones of balancing stones. In this chapter I raise the question of whether public space has opened up in post-apartheid South Africa for affective images and the histories they convey. The disappearance of the portrait of Joyce Mtimkulu from the cover of Krog's book seems to signify that spaces for expressing and containing what Patricia Hayes has termed "overflow" are fewer now than ever before. See Hayes (2011), 275.
24 The photograph of Thembinkosi Tshabe and Mxolisa Goboza is included in the preface to this book.
25 Haysom (1986), 1.
26 Haysom (1986), 1.
27 Badsha et al. (1989), 55.
28 Haysom (1986) 20. In correspondence with me about the caption that was used for the image in Haysom's book, Gille de Vlieg writes: "I feel the caption should

read 'Youth sjambokked by vigilantes in Thabong'. I don't think it is known if the vigilantes were Thabong residents or if they were hired from mine hostels or elsewhere. They were hired by Councillors in Thabong". Email correspondence with Gille de Vlieg, 19 March 2025.

29 Badsha et al. (1989), 21–22.

30 Haysom (1986), 21–22

31 Interview, with Gille de Vlieg, Cape Town-Durban, 7 June 2012.

32 When I first saw the photograph in *Beyond the Barricades*, I assumed that Mohobane was being treated at the hospital. Gille de Vlieg informed me that, in fact, on hearing of the delegation's visit, the young man came to see them from his home to testify to what had happened to him. He was not receiving ongoing medical care.

33 Haysom (1986), 21.

34 I am not unaware of the painful charge of this image, and to critiques of the circulation of images of this nature. See for instance, Nsele, 2016. My own approach draws on that taken by Leigh Raiford who argues that while images of racialised violence can "anesthetize audiences to black pain and suffering" (2009, 124), "the photograph also occasions an opportunity for anti-racist critique, an opportunity to enter a historical discourse that, as the evidence of the photograph attests, has attempted to eviscerate black humanity, to silence it" (2009, 129).

35 Interview, with Gille de Vlieg, Cape Town-Durban, 7 June 2012.

36 *SASH Magazine* 28, no. 2 (August 1985). I am grateful to Gille de Vlieg for drawing my attention to this report on the Black Sash visit to Thabong. For more on the work of the DPSC, see also Audrey Coleman's testimony before the TRC on the 12th of June 1997 at the Johannesburg Children's Hearing. www.justice.gov.za/trc/special/children/acoleman.htm

37 The value of the photographs is now linked to the names of the photographers rather than to their subject. See Douglas Crimp's essay on photography in the museum which includes a discussion of the reclassification of photographic materials in the New York Public Library: "These materials are thus to be reclassified according to their newly acquired value, the value that is now attached to the 'artists' who made the photographs. Thus, what was once housed in the Jewish Division under the classification 'Jerusalem' will eventually be found in Art, Prints and Photographs under the classification 'Auguste Salzmann'". See Crimp (2003), 422–427.

38 Sekula (2003), 444–445.

39 Sekula (2003), 444–445.

40 For a discussion of repression in relation to apartheid, see Alloggio and Thomas (2012), 119–130.

41 The interview with Jenny Gordon was conducted by Patricia Hayes, Farzanah Badsha and Natasha Becker in 2003 and is cited in Hayes (2011), 268.

42 Hayes (2011), 275.

43 See Arendt (1978). See also Brunner (1996), 61–88.

44 See Arendt (1964), 135. See also Arendt (1978). See also Brunner (1996), 61–88.

45 Arendt (1969), 64.

46 I would like to thank Nkwame Cedile, one of the organisers of this protest, for speaking with me about the protest and for granting me permission to use this image. Cedile is an activist who fasted for nine days to protest against the necklace killings. See Gontsana, "Man on Hunger Strike in Protest Against Vigilante Killings" (2012).

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4

EXHUMING APARTHEID

When the South African Truth and Reconciliation Commission (TRC) hearings drew to a close there were approximately 550 unsolved cases of activists who were "disappeared" under apartheid.[1] In 2005, the Missing Persons Task Team (MPTT), which forms part of the National Prosecuting Authority, under the leadership of former TRC-researcher Madeleine Fullard, began investigations into these cases, and that year located the remains of four of the dead.[2] Since that time, the work of the Missing Persons Task Team has not ceased. While the painstaking task of locating the gravesites of the missing dead and of exhuming their remains has proceeded all too slowly for those who long to be able to bury their missing children, parents, or lovers, the ongoing nature of the work of the Task Team has meant that the stories of the missing remain alive in the public sphere. In this way, the investigations and exhumations carried out by the MPTT have formed a critical counter-measure to the closure signalled by the end of the TRC hearings.

This chapter focuses on the case of Siphiwo Mtimkulu, an anti-apartheid student activist who was abducted and murdered, together with his comrade, Tobekile "Topsy" Madaka, by the security police in April 1982.[3] The remains of Mtimkulu and Madaka were located by the MPTT in 2007, ten years after the security police who murdered them lied at the TRC about the facts concerning how they were tortured and killed. Although the story of Mtimkulu's disappearance forms the subject of a documentary film, the details of his murder are not widely known, and although the version of events told at the TRC by the members of the security police who killed him were untrue, it is this version that is documented in the TRC report and, as a result, continues to circulate as the authoritative account.[4] For this reason, it is important that the findings of the MPTT, in this case and in others where new information has surfaced regarding those who were killed under apartheid, become more widely known.

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In this chapter I examine three photographs of Siphiwo Mtimkulu and one photograph of his mother, Joyce Mtimkulu, in order to consider how reading photographs can be understood as a form of exhumation. In his study on photography published in 1927, Siegfried Kracauer includes a seemingly paradoxical statement: "In a photograph a person's history is buried, as if under a layer of snow".[5] His observation about how photographs bury history does not oppose the notion that photographs can make history visible, but it certainly complicates conventional understandings of how photographs work, and of their evidentiary force. Kracauer draws our attention to how photographs do not transmit history but contain it, turning history into something that is tangible, but that remains out of reach, requiring that we seek ways to excavate through the frozen layers of time. In this chapter, I argue for engaging with photographs in order to bring buried histories into the light in the context of post-apartheid South Africa where, in spite of the evidence that emerged during the TRC hearings held between 1996 and 1998, so much about the past remains unknown and unresolved.

I invoke the different, but related, meanings of exhumation (the process of disinterring a body, of unburying remains; to bring back from neglect or obscurity; to reveal or to bring to light) to argue for how the stories buried in photographs, like the remains of those who have been exhumed, provide a means to return to the lives and deaths of those who were "disappeared". During the time of the negotiated transition, the need to know the truth was bound to what was described as the need to "bury the past".[6] While this desire may have been politically expedient at the time, I argue here that it has had profound consequences that continue to negatively impact upon the present. In conclusion, I argue for the importance of returning to images that assist us in unearthing and understanding events that occurred under apartheid in order to better understand the post-apartheid condition. I relate the significance of these images in the context of the Marikana massacre of 2012 and the violent response of the post-apartheid state to the 2015–2016 student protests in South Africa.[7]

"More Reminders than Remainders"[8]

The Truth and Reconciliation Commission was premised on the idea that the full disclosure of the truth concerning the atrocities of the past would enable perpetrators and victims to live alongside one another. The aim of the TRC was to bring closure not only to the victims who experienced human rights violations but to the society as a whole.[9] The decision to grant amnesty to people who had committed terrible deeds and disclosed the truth about their actions at the hearings remains a point of controversy in the country to this day.

Although the commission has been widely criticised for what it failed to consider or address, the testimonies that were collected and the publicly accessible seven-volume report on the proceedings provide an invaluable

resource that makes it possible to return to the past and refuse its disavowal in the present.[10] If being consigned to the archive of the TRC, like being portrayed in a photograph, can be understood as a form of burial, then the work required of historians of apartheid is not dissimilar to that of forensic archaeologists. The return of remains can provide closure, but returning to remains can also re-animate traumatic experiences and can serve as painful reminders that open difficult questions, not only about the past, but also about the present. In her article about the work of the Missing Persons Task Team and the work of exhumation, South African historian, former researcher at the TRC, and co-investigator with the MPTT in the Mtimkulu and Madaka cases, Nicky Rousseau, writes of the significance of remains, and cautions against the idea that the exhumed body delivers up its buried history whole.[11] Rousseau alerts us to the limits of the practices of historical recovery:

> In exhumations, bodies or skeletal remains are retrieved from formal or informal graves. Thereafter they are forensically examined to establish identity. Similarly, we could think of the body as archive and exhumation as a recovery project. Are exhumations also a recovery project, not dissimilar to recording and writing "hidden histories", recuperating "silenced voices"? Would a scrutiny of the practice of exhumation replicate the well-worn critiques of recovery and social history?[12]

Rousseau argues for understanding the exhumed body as "less recovered than produced" and the questions she raises draw attention to the multiple meanings of recovery in the case of the exhumations of activists killed under apartheid.[13] To recover is to heal physically and psychologically; it is to reclaim what has been lost; it is to return to previously traversed terrain; to close up again something that has been opened. I will return to the significance of this last meaning in relation to the current political order in contemporary South Africa at the end of this chapter. I argue that it is critical to mark the distinction between the forms of closure that come about as a result of psychic recovery and attempts to prematurely cover over painful and unresolved historical events and to disavow their weight on the present.

One of the most powerful moments at the Truth and Reconciliation Commission Hearings occurred when Joyce Mtimkulu held up the remains of her son's hair and scalp, which she had kept for fifteen years as evidence of his torture at the hands of the Security Police, hoping, in spite of everything, for a time when justice would be served. Images of Mtimkulu, her hand raised, showing the dark clump of Siphiwo's hair, were widely circulated in the media at the time of the TRC hearings.[14] Joyce Mtimkulu was photographed by Jillian Edelstein at the Truth and Reconciliation Commission hearings in Port Elizabeth in 1997. The photograph forms part of Edelstein's series of black and white portraits taken at the hearings and is included in

FIGURE 4.1 Joyce Mtimkulu, Zwide, Port Elizabeth, February 1997. Photograph by Jillian Edelstein
Courtesy of the photographer and Special Collections, University of Cape Town Libraries

her book, *Truth and Lies.* [15] In her essay on ethics in post-apartheid photographic practice, Paula Horta describes Edelstein's book as "the only conceptually unified photographic study of the experience of suffering brought to the fore by the TRC published to date".[16] Edelstein's powerful work, like that of George Hallett, who was appointed as the official photographer of

the TRC in 1997, deserves greater scholarly attention.[17] Thus far, it is Edelstein's compelling portrait of the grieving but resolute mother of Siphiwo Mtimkulu that, for several reasons that I discuss herein, remains the most well-known image from her book.

The densely layered image contains not only the story of Mtimkulu's abduction, torture and death, as well as the ways in which Joyce Mtimkulu was affected by the loss of her son, but can also be read as revealing the "truth and lies" of Edelstein's title. The description of the photograph in the University of Cape Town archival collection reads: "Joyce Mtimkulu holding a piece of her late son, Siphiwo's hair, that had fallen out after he was poisoned by security police in 1981". A year later, he was kidnapped, tortured, drugged, shot execution-style and burned on a wood pyre, as revealed by security police at the Truth and Reconciliation Commission. In the photograph, Joyce Mtimkulu is shown staring directly at the viewer and her eyes attest to the suffering she has endured. Yet the photograph does not only convey the pain and exhaustion of a mother who has lost her child and her determination to know the truth of how he was killed. The photograph also holds the suffering of Siphiwo Mtimkulu and makes visible his disappearance through the representation of the unburied remains of his body. In Edelstein's photograph, which re-stages the events that took place at the hearing, Joyce Mtimkulu's hand is raised – her posture resembles that of a freedom fighter, those whose clenched fists became a symbol of Black power, resistance and African nationalism. Yet her fist cannot close for, at its centre, is a dark mound – a large clump of Siphiwo's hair and scalp – that fell from his head after he was subjected to thallium poisoning by the security police in 1981. After his disappearance in 1982, Siphiwo's hair was the only evidence of his torture by the police and the only physical remains that his family had of his body. Joyce Mtimkulu's gesture evokes his torture and disappearance and is both an accusation levelled at those who murdered him and an insistent refusal to allow the story of his life and death to be forgotten.

Joyce Mtimkulu's insistence that the evidence of her son's torture at the hands of the police who murdered him be made publicly visible can be compared to other cases, including that of Emmett Till's mother, Mamie Till-Mobley, who refused to allow her son's brutalised body to be buried without first being seen. The men who murdered 14-year-old Emmett Till in Mississippi, in the United States in 1955, like those who murdered Siphiwo Mtimkulu, lied about the circumstances of his death and were acquitted of murder.[18] The family of Ahmed Timol, who was murdered by the Security Police on 27 October 1971, and the family of Steve Biko, who was murdered by the Security Police on 12 September 1977, also allowed their bodies to be publicly viewed and photographed before they were buried.[19] The tortured bodies of Biko, Till, and Timol were seen and photographed, and these images, along with the accounts given by their family members, despite the verdicts of the courts, continue to indict their murderers. In the case of

Siphiwo Mtimkulu and Topsy Madaka, their families were deprived of the closure of being able to bury the bodies of their sons. The pain the families suffered was redoubled by the actions of the Security Police during and after the TRC hearings.

The Mtimkulu family was twice blocked from testifying at the TRC by the security policemen who killed Siphiwo Mtimkulu – in the first instance, because the lawyers representing the police officers claimed they required more time to assess the allegations made against them, and in the second instance, because the officers implicated in his death obtained an interdict preventing the family from naming them as the murderers. It was only in June 1996 that the case of Mtimkulu and Madaka was finally heard at the Truth Commission. The report includes the following description of the way in which their families were silenced and of the hearing that eventually took place:

> The cases were scheduled to be heard at the first hearings of the Commission in East London on 15 April 1996. An interdict brought by Brigadier Jan du Preez and Major General Nick van Rensburg in the Cape Town Supreme Court ruled that the Commission should not hear the matter before these officers had been given time to study the allegations against them. At the second Eastern Cape hearings of the Commission in Port Elizabeth on 22 May 1996, Ms Mthimkulu collapsed when she was informed that once again a court interdict prevented her from telling the story of her son's disappearance. A crisis situation was defused when thousands of demonstrating COSAS [Congress of South African Students] members were allowed into the Centenary Hall in New Brighton and given an assurance that Mthimkulu's case would be heard at a special hearing of the Commission in the same venue on 26 June. An additional interdict brought by Mr Gideon Nieuwoudt also specified that Ms Mthimkulu could not name him as one of her son's torturers. The ANC organised demonstrations and marches in Port Elizabeth protesting against the silencing of the Mthimkulus. The Mthimkulu and Madaka cases were finally heard at a special hearing of the Commission's Human Rights Violation Committee on 26 June 1996 at the Centenary Hall, New Brighton. On the day before the hearing, a Cape Town Supreme Court ruling overturned the previous decisions and ensured that the evidence of Ms Mthimkulu could be heard. Various COSAS activists also gave evidence, handing in a list of COSAS activists who had died in this period and naming a number of Security Branch officers as torturers.[20]

The photograph of Joyce Mtimkulu holding her son's hair can be read as a metaphor for the TRC itself. The image conveys Joyce Mtimkulu's refusal to be silenced and her insistence that those who murdered her son be

confronted with the evidence she holds. Horta reads Joyce Mtimkulu's stance as mirroring that "of a witness who takes the stand and, sworn under oath, holds up an exhibit while giving evidence" and argues that it is this dark matter that draws our eyes.[21] Indeed, Edelstein's photograph itself restages the images of Joyce Mtimkulu testifying at the hearings, which can be read as a form of evidence that testifies to Siphiwo Mtimkulu's murder after the end of the TRC hearings. Looking at this photograph returns those who view this image to the story of Siphiwo Mtimkulu and re-opens the question of how he was killed and of who is responsible for his murder.

It is significant that Edelstein's photograph was used on the cover of the first South African and British editions of *Country of My Skull* (Krog 1998), Antjie Krog's well-known account of the hearings and perhaps the most widely read and circulated book about this period of South African history. The hardcover version of the book showed the portrait of Joyce Mtimkulu without a caption and with the title of the book and the author's name immediately below the image.[22] The cover of the edition published by Vintage in 1999 also included Edelstein's photograph, in this version framed by a caption, "Photograph, Joyce Mtimkulu holding her son's hair", the title and author's name in bold font, and excerpts from reviews of the book. In 2006, the photograph of Joyce Mtimkulu was replaced by a portrait of Antjie Krog, as if the publishers recognised that there was something amiss in instrumentalising the fragments of Siphiwo Mtimkulu's skull so that they came to stand in for the country of Krog's pained reckoning and sought to compensate for this blunder by replacing the long-suffering face of his mother with that of the traumatised visage of the author. Beneath the portrait of Krog are the words "Winner of South Africa's *Sunday Times* Alan Paton Award". The inclusion of the assertion on the cover by a reviewer for the *Daily Telegraph* that Krog's book and the events it describes is no less than "a redemption" of the souls of Afrikaners is particularly appalling when it is positioned alongside the image of Joyce Mtimkulu.

At the Human Rights Violations Hearings Joyce Mtimkulu stated, "Probably if I cry, it won't be due to the pain, it would be due to the hatred, it would be due to the fact that there is no honesty amongst our people".[23] The families were led to believe that the remains of Mtimkulu and Madaka had been thrown into the Fish River and they visited this site in order to attain closure. However, the true story of the murder of Mtimkulu and Madaka did not emerge at the TRC hearings as those who killed them lied about how they had disposed of their bodies. Edelstein's portrait directs us back to the earlier photographs of Joyce Mtimkulu, to the archive of the TRC, as well as to the work of the MPTT, and before that, to the traces that remain of the time before Siphiwo Mtimkulu disappeared.[24]

Visualising Disappearance

In an image that holds two separate yet connected worlds, Siphiwo Mtimkulu is shown in a wheelchair on the day of his release from Groote Schuur Hospital in Cape Town where he had been treated for thallium poisoning. Although he is shown on the far left of the image, Mtimkulu is the focus of the photograph – the viewer's eye is drawn to his face and then to the wheelchair and the sign he is holding. Mtimkulu is virtually encircled by his comrades and by people who appear to be hospital workers, perhaps nurses, who all seem to be protecting him with their upright bodies. No one is looking at the police officer who stands at the foreground of the image and dominates the right-hand side of the frame.

It is a strange feature of the photograph that the policeman and the large weapon he is holding are almost invisible while one's attention is focused on the young activist and the group of people around him, and when one looks directly at the policeman, it is difficult to keep Siphiwo Mtimkulu in sight. In

FIGURE 4.2 Siphiwo Mtimkulu in 1982, on the day of his release from hospital after treatment for Thallium poisoning administered to him by Security Police while held in detention. Still from *South Africa: Truth and Reconciliation Commission* film, Associated Press Television (1996), Photographer unknown
Courtesy of the Associated Press Archive

this way, the image reinforces the fact that those who are under threat are in immediate danger and yet they cannot see the gun that the policeman holds behind his back. Whether intentionally or not, the photographer conjures the terrible foreboding of violence and the constant terror that characterised the lives of Black South Africans at that time.

The image appears in a short film made about the TRC hearings that includes footage of Joyce Mtimkulu speaking about her son at her home and at the Commission, and of the Security Police officers who lied at the amnesty hearings about how he was killed. The photograph contains the signs of Mtimkulu's certain death at the hands of the Special Branch – he holds a handwritten placard that reads: "Poisoning people won't stop us", made so that the fact that he was poisoned could be photographed and circulated in the media, yet the text on the sign cannot be easily deciphered in this image. At the time of his disappearance, on 14 April 1982, Mtimkulu had instituted two cases against the Minister of Police, the first for assault and torture and the second for poisoning.[25] The miracle of his survival and his refusal to give up the struggle for freedom is contaminated here by the presence of the policeman and his gun. It is not clear who took the photograph, but in the brief film in which this image appears, it is followed by a shot of a black and white photograph of Siphiwo seated in a wheelchair, with Brian Bishop and Di Oliver, the activists who visited him in hospital in Cape Town and took care of him when he was released. Both images seem to form part of Joyce Mtimkulu's collection of images that provide evidence of the events preceding his disappearance and murder.[26]

Two posters that contain photographs of Siphiwo Mtimkulu were circulated at the time of his disappearance to draw attention to his case.[27] The poster issued by the "Young Progs. for International Year of the Youth" shows a close-up of Mtimkulu's face framed by his name and the words "Detained May 1981 - October 1981" and "Missing April 1982".[28] Mtimkulu has an open expression and an unblemished face – his head rests on his hand, his beautiful fingers and smooth skin, signs of his youth. He wears a collared shirt and a delicate line of beads around his neck. In this photograph, Mtimkulu's woollen hat conceals the fact that his hair and parts of his scalp have fallen out in bleeding clumps. It is also not possible to see that, since being tortured by the Security Police, Siphiwo Mtimkulu can barely walk.

The second photograph (Figure 4.4) was almost certainly taken on the same day as the image used on the poster above, and so closely resembles the first image that the second portrait seems to be a close-up version of the first. However, the beads around Mtimkulu's neck can hardly be seen in the second image, and his face is positioned at a slightly different angle. In both portraits, Mtimkulu's expression is sombre, but his resolute, intense gaze is softened in the second image in which he appears more vulnerable, not simply because this image shows him to be seated in a wheelchair, but also because he is shown at a greater distance and as a result, appears smaller. In

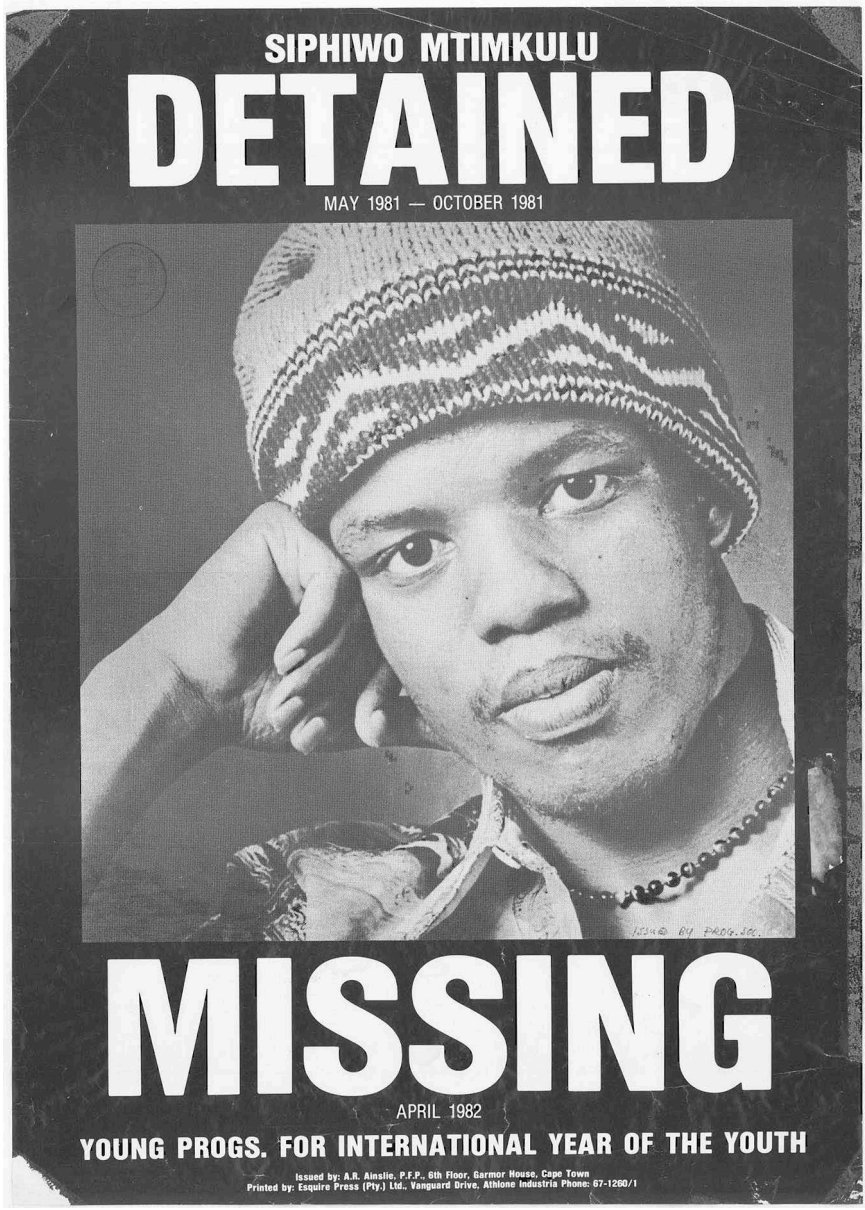

FIGURE 4.3 Poster Drawing Attention to the Disappearance of Siphiwo Mtimkulu. Arthur Roy Ainslie, Progressive Federal Party, April 1982
Image courtesy of Digital Innovation South Africa

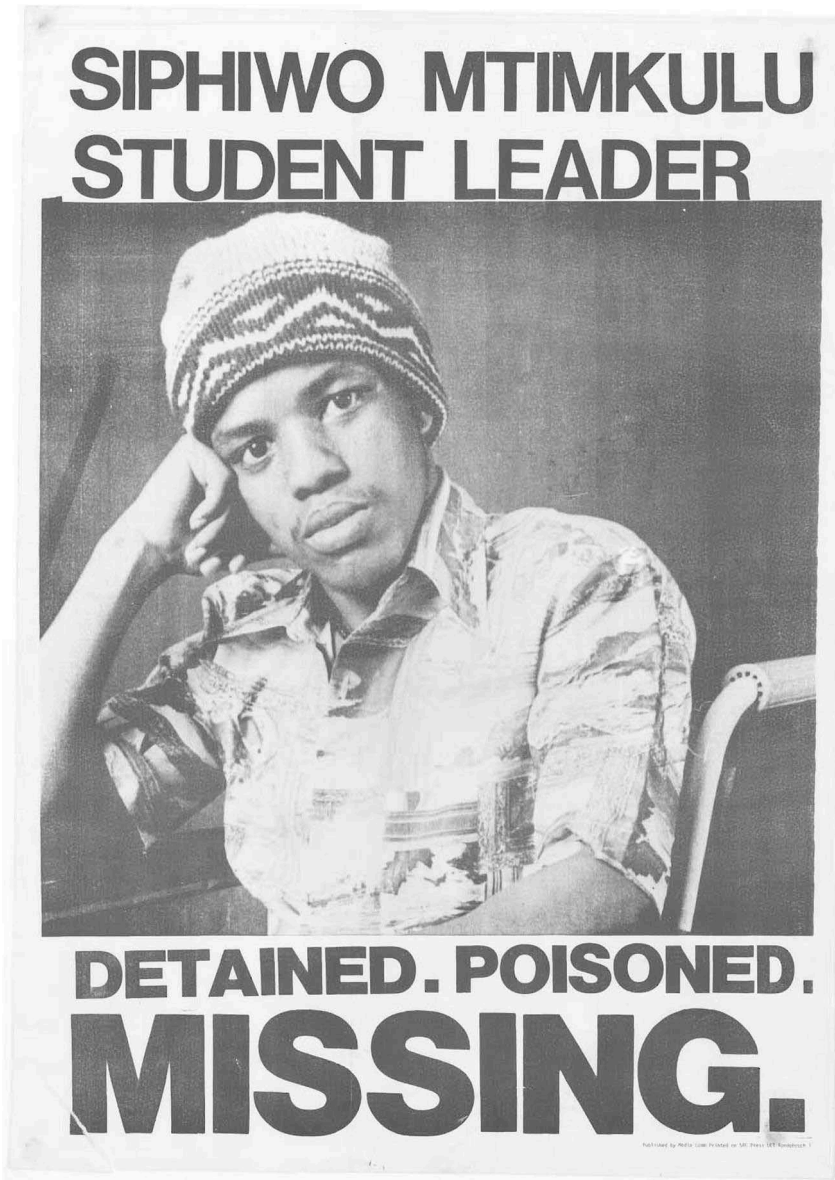

FIGURE 4.4 Poster drawing attention to the detention, poisoning and disappearance of Siphiwo Mtimkulu: Student Leader Detained. Poisoned. Missing. Media Committee, University of Cape Town, c. 1982
Image courtesy of University of Cape Town and Digital Innovation South Africa

this poster, Mtimkulu is identified as a student leader and between the words "Detained" and "Missing" is the assertion that he was poisoned. Like the hair that his mother kept and showed as evidence at the TRC, this image of Mtimkulu provides evidence of the torture to which he was subjected at the hands of the Security police. At the hearings, Joyce Mtimkulu related how, after he was released from detention, her son suffered from excruciating pain in his stomach and in his limbs.

Nicky Rousseau argues that the confessions of the security police who testified at the public amnesty hearings between 1996 and 1999 "evoked an imaginary of extreme violence, yet one that resided in the world of the everyday".[29] She explains that:

> Prior to the TRC, the key public images of state repression were predominantly constructed around police shootings of civilian protestors (for example, Sharpeville in 1960 and Soweto in 1976), and deaths in detentions (for example, Steve Biko and Neil Aggett). The TRC superseded this with a newer image – horrific accounts of abductions and secret, brutal killings.[30]

Rousseau's argument, that new images of violence under apartheid entered public consciousness as a result of the TRC, is a compelling one, and her use of the term "imaginary" is apposite, for these images did not, for the most part, take material form. In other words, photographs did not accompany the acts described by perpetrators. We do not know the extent to which the apartheid-era security police documented their own misdeeds through photography, for very few of these images have come to light, and if they did exist during the apartheid regime, they may well have been destroyed. Photographs like those of Siphiwo Mtimkulu before his abduction by officers of the Security Branch of the police and of Joyce Mtimkulu holding her son's hair thus come to stand in for the event of his torture and murder that we cannot see. These portraits insist on Mtimkulu's physical being, and, like the exhumations performed by the Missing Persons Task Team, affirm Mbuyisela Madaka's view that "There is no one that will turn into some air".[31] The TRC report contains a summary of the outcome of the amnesty applications of those responsible for the murder of Mtimkulu and Madaka and notes that "audience and families did not feel that the whole truth had been revealed":

> In January 1997, amnesty applications regarding the deaths of Mthimkulu and Madaka were received from Port Elizabeth Security Branch officer Gideon Nieuwoudt, Colonel Nick Van Rensburg, Major Hermanus Barend Du Plessis and Colonel Gerrit Erasmus. At a press conference in Port Elizabeth on 28 January 1997, it was revealed that the bodies of Mthimkulu and Madaka had been burnt and their remains thrown into the Fish River near the disused Post Charmers police station

> near Cradock. The Commission took the families to the site of the killings and to the place where the Security Police claimed to have disposed of the bodies of those they killed. At the amnesty hearings later, the Security Police admitted to having abducted and killed the two activists, but they denied all knowledge of torture and poisoning.
>
> Because the families, friends and comrades of those who had been killed did not feel that the whole truth had been revealed, and because of the attempts by the Security Police to prevent the case from being heard on previous occasions, the amnesty hearings were fraught with tension and anger. At one point, a part of the crowd obstructed the armoured vehicle in which the amnesty applicants were being transported from the hall.
>
> The Commission finds that the SAP were responsible for the abduction and killing of political activists in the Eastern Cape – including Mr Gcinisizwe Kondile who was abducted and killed by Mr Dirk Johannes Coetzee, Mr Nicholas Janse Van Rensburg, Mr Gerrit Erasmus, Mr Hermanus Barend Du Plessis and Mr Johannes Raath on 26 June 1981; and Mr Siphiwe Mthimkulu and Mr Topsy Madaka who were abducted and killed by Mr Gideon Nieuwoudt, Mr Nicholas Janse Van Rensburg, Mr Gerrit Erasmus, Mr Hermanus Barend Du Plessis, Mr Jan Van Den Hoven and Mr Jan Du Preez.
>
> The Commission finds that the actions of the SAP and the named police officers amount to gross Human Rights Violations for which the SAP and the named police officers are held responsible.[32]

In 2000, the murderers of Mtimkulu and Madaka were granted amnesty. The commission found that they had disclosed the whole truth of the story of the deaths of the two activists. However, the forensic investigators working with the Missing Persons Task Team (MPTT) believed that the security policemen had lied to the TRC. The security police claimed that they had executed Madaka and Mtimkulu and then burnt their bodies on a wooden pyre and that the following morning they had collected the ashes and transported them in plastic bags to the Fish River. In her article about the exhumations of murdered activists in South Africa, journalist Stephanie Nolen notes the response of Claudia Bisso, the Argentinian forensic expert working with the TRC, to the account given by the murderers. Nolen writes:

> As soon as Ms. Bisso read the TRC transcripts, she was suspicious of that claim: "I read the testimony and I said, 'No, you would not have ashes'. It takes a long time to burn a body and overnight you don't get just ashes, you have chunks of bone. And it would be too hot to put it in plastic bags the next morning".[33]

For this reason, the task team decided to search the site where the murders had taken place. In 2007, ten years after the hearings took place, the

investigators found the remains of Mtimkulu and Madaka at Post Chalmers, the isolated site in the Eastern Cape province at which they were killed.[34] After many hours of searching, a decision was taken to check the septic tank on the site. Nolen describes the gruesome discovery of the fact that the remains of those who were murdered at Post Chalmers were dumped in the septic tank on the farm and describes how the team:

> scooped out 20,000 liters of raw sewage in buckets, sieved through it for solid matter and dried the material. […] They invited the victims' families to come and see the work, and soon the elderly mothers and now-grown children of the five dead men had joined in, gently fingering through the dried sewage to find the teeth and bones of their sons and fathers. In the end, the team amassed more than 250 kilograms of burnt material, and Ms. Bisso began the long, painstaking process of separating it into charcoal, metal, soil and human remains. She could tell from the shape of the vertebrae that most of the remains are those of young people; she could not tell, yet, how many. "There are definitely three, and very probably more".[35]

For those whose relatives disappeared under apartheid, the return of their physical remains is of critical importance so that burial rites can be performed and so that the dead can be mourned. For many of the family members of people who were murdered under apartheid it was as important, if not more important, to know where the remains of the missing were situated as it was to know the truth about what happened to them before they were killed. Testifying at the TRC, Mbuyisela Madaka, Topsy Madaka's brother, articulated his refusal to accept that his brother "disappeared":

> As far as the bones are concerned, we would like to have them. We would like to have those remains and have a funeral ceremony, because there is something that I always say at home, I don't like the word disappearance. I don't like it at all, because if we were to accept that, then we would never get the remains. There is no one that will turn into some air, that is a myth, you can't even tell the children that someone has turned into some air, we need those remains. I believe that the people who did what they did to them, know where the bones are.[36]

For Madaka, the uncertainty surrounding the whereabouts of his brother's remains is bound to the fact that those who murdered him had not disclosed the truth about his murder and the return of the remains would make possible a funeral ceremony and would allow the family to mourn his death. Exhuming the dead and returning the remains of those who were missing to their families so that they can be buried can thus be understood as a partial form of restorative justice. At the same time, photographic and physical

remains also make it possible to exhume buried histories and to re-open the question of the accountability of apartheid-era killers. Photographs of the missing serve as a way of making these cases visible and provide evidence of their lives. Through the processes of exhumation, the dead return to accuse and condemn their murderers and their reappearance raises the question of why it is that justice in the post-apartheid order has been deferred, not only for the dead, but also for the living.

Memorialisation and Erasure

The stories of political activists who were killed under apartheid have a particular resonance in the present in the wake of the protests against the persistence of colonialism and apartheid that South African students have held at universities across the country in 2015–2016. At the University of Cape Town, the Rhodes Must Fall movement led to the removal of the statue of Cecil John Rhodes, the British colonist, mining magnate, and Prime Minister of the Cape Colony (1890–1896) whose massive stone figure had previously loomed over the steps that led to the centre of the campus. The Open Stellenbosch collective called for the remnants of apartheid to be purged from Stellenbosch University, a place that, until 1994, was reserved for white Afrikaans speakers; and the Black Students Movement at the "University Currently Known as Rhodes" called for the institution to be decolonised and renamed.[37] Students occupied and renamed campus buildings and the names of colonists and apartheid-era ideologues were replaced by those of the well-known heroes and leaders of the struggle – Steve Biko, Robert Sobukwe, Winnie Mandela and Lilian Ngoyi.[38] It is significant that none of these figures, other than Winnie Mandela, have held positions of power in the post-apartheid government, either because they did not live to see the transition to democracy or because their relationship with the African National Congress was strained. This can be read as a sign of how many students involved in the protests dis-identify themselves from the ruling party in its current form. At the protests, which by the end of 2015 focused on access to education and a national campaign to abolish university fees, students sang songs that characterised resistance to apartheid and frequently sung "Iyo Solomon", a song that resurrects the memory of Umkhonto we Sizwe fighter Solomon Mahlangu, who was 23 years old when he was executed for treason in 1979.[39] Pontsho Pilane and Kwanele Sosibo describe the song as "a rallying cry: a link to the defiance of a bygone era" for the students at the University of the Witwatersrand who formed part of the #FeesMustFall protests and renamed the university's administration buildings Solomon Mahlangu House.[40]

The 2015–2016 student-led protests were certainly infused with the spirit of 1976 and with Black Consciousness philosophy, but the names of student activists who had protested against apartheid and who were detained,

tortured and murdered by the regime were, for the most part, conspicuously absent. It is also striking that other than images of Steve Biko, very few photographs of political activists who were killed under apartheid have circulated in the public sphere during the recent student protests, which were nonetheless often compared to the 1976 student uprising. In my view, the protests did not restage those of an earlier generation, but rather sought to re-call the activists of the past and to summon their revolutionary spirit in the present, signalling a desire to know the stories of those activists who have been largely forgotten.

The absence of the names, stories and images of so many of the people killed under apartheid in South African public memory is, in part, due to the fact that, in numerous cases, there are very few existing images of those who were "disappeared". Those photographs that do exist have never circulated widely within the post-apartheid public sphere and it is necessary to search out those that do exist in libraries and archives. In her analysis of films that focus on the Truth and Reconciliation Commission, Martha Evans notes that the forgetting of the names and stories of most of those who testified at the TRC began even while the commission was still in progress. Evans points out that when the perpetrator hearings began, the media's attention shifted away from the testimonies of people who had been subject to human rights violations:

> The consequences of this are only being realised now perhaps; while the spectacular and high-profile amnesty trials have taken root in national memory, the names of victims have frequently been subsumed into anonymous titles like the Cradock Four or Gugulethu Seven.[41]

Although there have been documentary films made about the Cradock Four – Matthew Goniwe, Sparrow Mkonto, Fort Calata, Sicelo Mhlauli – anti-apartheid activists who worked in the Eastern Cape and who were murdered by the Civil Cooperation Bureau (an apartheid death squad) on 27 June 1985, and about the Gugulethu Seven – Jabulani Godfrey Miya, Zandisile Zenith Mjobo, Zola Alfred Swelani, Mandla Simon Mxinwa, Themba Mlifi, Zabonke, John Konile and Christopher Piet – members of Umkhonto we Sizwe who were killed on 3 March 1986 by apartheid security forces led by a Vlakplaas-based death squad of the South African police, the widespread lack of knowledge about those who were killed by the security police under apartheid, as well as of those who were responsible for their deaths, is a disturbing sign of how the apartheid state effectively sought to erase the history of the struggle for freedom.[42] It also indicates that photographs and narratives of activists who were killed in their fight for liberation can also trouble the current state. Photographs of student activists like Siphiwo Mtimkulu not only return us to the atrocities committed under apartheid, but also serve as a reminder of the struggle for a just political order.

In 2009, the government held a ceremony for the reburial (technically, the first burial) of the remains of the five activists who were killed at Post Chalmers in the 1980s. The speech delivered by President Jacob Zuma on this occasion made it clear that memorialisation can redouble the oblivion the apartheid state sought to confer on those it killed:

> In paying tribute to our illustrious heroes, we also celebrate the fact that we are a nation that continues to draw its strength from its history, from its heroes, and from the countless sons and daughters who laid down their lives for freedom, democracy and justice.
>
> Today all of us, black and white, live that dream of freedom in a non-racial, democratic South Africa. The tragedy of the PEBCO 3, COSAS 2 and others places certain responsibilities on the new democratic State.[43] They suffered because there was a brutal apartheid State that had absolute power.
>
> The State had a security apparatus that was beyond control, and a police force that was a law unto itself. The apartheid police force kidnapped, tortured and murdered people at will. That is the horror we emerged from in 1994. […]
>
> Today, in a free and democratic South Africa, as government we declare that never again should the state apparatus be used to maltreat and violate the human rights of our people as it happened during the apartheid era. […]
>
> Our security forces know that their duty is to protect South Africans and all within our borders, and not to torture or harass them. Our police force knows that its duty is to fight crime and help us build safer communities. We must point out that when we call for the police to be allowed to use deadly force, it is only in defence of civilians or to protect their own lives.
>
> Our police force will never be allowed to take away the lives of innocent people. Given the lessons of the past, we also declare our commitment to ensure that our police force is never used to fight political battles, as it happened during the apartheid era. Citizens are not the enemy. The enemy is crime, poverty, homelessness, disease and hunger.[44]

Zuma's words confer heroism on the murdered activists and at the same time his whitewashing of police violence in the post-apartheid context insults their memory. The remains of the activists were exhumed from the septic tank only to be reburied in the rhetorical equivalent of excrement. The 2012 Marikana Massacre, in which 34 striking miners were murdered by South African police officers, acting on the orders of the ANC government, exposes as hyperbole Zuma's claim that: "Today, in a free and democratic South Africa, as government we declare that never again should the state apparatus be used to maltreat and violate the human rights of our people as it happened

during the apartheid era".[45] The 2015–2016 student protests and their turn to the dead to guide them into the future have to be understood in the light of the aftermath of the Marikana Massacre, the first since the end of apartheid. While many read the protests that have been led by young South Africans as a positive sign in an otherwise catastrophic political landscape, it is a terrible moment when the hopes of a generation, vested in the promises of the dead, are crushed by the living.

I have argued here that engaging with photographs to exhume the histories they contain offers a way to challenge how the struggle has been instrumentalised to serve the agenda of the state. The way in which photographs can serve to expose events that those who hold power wish to conceal, meant that the medium played a critical role in the struggle for freedom in South Africa and continues to be linked to struggles for justice in the present.[46] For instance, Leon Sadiki's powerful photograph of one of the leaders of the miners' strike, Mgcineni "Mambush" Noki, has become a symbol of the massacre at Marikana. Sadiki's photograph, first published in *City Press*, shows Noki standing with his fist raised in the air just a short while before he was murdered by the police.[47] The Tokolos Stencils Collective produced a stencil of this image and reproductions of Noki's resurrected figure, along with the words, "Remember Marikana", began to appear on city walls in Cape Town in 2013 and later, in places across the country.[48]

The student movements took up the call to remember Marikana and recognised the disavowal of the history of apartheid as a key element in maintaining inequality in the present. The protests can be read as signalling the desire on the part of the "born-free" generation to remember, rather than forget, and to resist the forms of power that make it possible for past iniquities to be repeated in the present and the future. Learning about the racist ideologies of the apartheid state and the policies that accompanied the violence of the regime, as well as the stories of those who opposed it, is a necessary but not sufficient condition for bringing about social justice in the aftermath of apartheid. However, refusing historical amnesia would at least make it possible to begin the work of creating a just society at a different point, one that acknowledges, rather than obfuscates, the wrongs of the past and how they bear down on the present. The fact that the stories of those like Madaka and Mtimkulu are not widely known raises a question about the place of the past in the post-apartheid present and, in particular, the animating force of the struggle and its relation to the current state.

The task of returning to the lives of those who were killed under apartheid and attempting to exhume them from the photographs in which they lie embalmed is to ask what these images mean in the present. The image of Joyce Mtimkulu testifying at the TRC was at first widely circulated, but it was quickly replaced by Edelstein's iconic portrait which, in turn, was covered over by the face of Antjie Krog, and then buried by the passage of time and wilful political amnesia. Joyce Mtimkulu died in 2014: her calls for an

ambulance to take her to hospital were ignored and she was eventually taken by her neighbour to the casualty ward and then "left on a stretcher for 12 hours, complaining of severe pain".[49] She died of a heart attack four hours after being moved to a bed in the hospital.

FIGURE 4.5 Photograph of Joyce Mtimkulu holding up the hair and scalp of her son, Siphiwo Mtimkulu, at the Truth and Reconciliation Commission Hearings, Port Elizabeth, 1996. © The Herald/Tiso Blackstar Group
Photographer unknown

The photograph taken at the TRC hearings in which she is holding up the evidence of how her son was tortured, re-appeared alongside her obituary notice. To return to this image is to recall Joyce Mtimkulu's defiant gesture at the TRC where her raised fist held at its centre the remains of her son, refusing to allow the horror of his torture and death to be covered over by lies. To read the image of Joyce Mtimkulu alongside that of Sadiki's photograph of Noki is to recognise how the struggle to overcome the systemic injustice of apartheid continues in the present. It is to return to the vision of a different and more just future for which Siphiwo Mtimkulu, Topsy Madaka, and thousands of other young people who were killed in political violence under apartheid died. It is to begin the work that is necessary to be, as Hari Ziyad writes, "a little more careful when we exhume our dead", so that when we bury them again, they can finally rest in peace.[50] Resistance now takes the form of refusing to leave the dead to lie in unmarked graves, or to have them exhumed only to be claimed as a means to efface the violence of the present.

Notes

1 The term "disappeared", or *desaparecidos,* was used to refer to the thousands of people who were abducted and killed by the Argentine military regime between 1976 and 1983. The Missing Persons Task Team initially worked closely with the Argentine Forensic Anthropology Team, http://eaaf.typepad.com/cr_south_africa/
2 Rousseau (2009), 351.
3 Mtimkulu and Madaka were members of the Congress of South African Students (COSAS), which was formed in 1979 in the aftermath of the 1976 Soweto student uprising. COSAS was a national movement of secondary school students that opposed apartheid. For an account of student movements in South Africa during apartheid, see Badat (1999). There are several different spellings of Siphiwo Mtimkulu's surname and more than one version is used in the TRC report. I have elected to use the spelling that appears on the posters made to draw attention to Mtimkulu's disappearance and that are reproduced here.
4 Mark Kaplan's powerful documentary film about the struggle of Mtimkulu's family to achieve justice after his murder was released in 2004. See Kaplan (2004). The case of Topsy Madaka forms the focus of one of the six documentary films made by Enver Samuel as part of his series on the unresolved TRC cases. See *Truth Be Told* (2024).
5 Kracauer (1993), 426.
6 Du Toit (2017), 3
7 For insight into the events of the Marikana massacre see Rehad Desai's documentary film, *Miners Shot Down*, (Johannesburg: Uhuru Productions, 2014) and Chapter 2 of this book; on state responses to the student movements and police violence see Langa (2017) and Chapter 5 of this book.
8 Rousseau (2016), 209.
9 For insight into the complexity of the project of forgiveness in the aftermath of apartheid see Gobodo-Madikizela (2003).
10 On the significance of the visual archive of the TRC and its "potential as a participatory archive" see Bester (2002).
11 Rousseau (2016).
12 Rousseau (2016), 204.
13 Rousseau (2016), 204.

14 Miller (2005), 41.
15 Edelstein (2001), 129.
16 Horta (2013), 73.
17 George Hallett produced a significant body of work documenting the hearings. Some of his images can be viewed on the University of Cape Town Library Special Collections' webpage: www.specialcollections.uct.ac.za/20-years/truth-reconciliation-commission. On the effects of photography and other forms of media at the TRC hearings, see Cole (2010).
18 On the photographs of Emmett Till, see Harold and DeLuca (2005) and Mark (2008). See also "Afterimages", Audre Lorde's poem about Till's murder, from which I draw the title of this book. The poem is available at www.poetryfoundation.org/poems/42582/afterimages. I am grateful to one of the anonymous reviewers who read the first version of this chapter and suggested that I consider the connections between the murders and photographs of Siphiwo Mtimkulu and Emmett Till, and how Mamie Till's decision to have an open coffin at Emmett Till's funeral changed the course of the Civil Rights movement.
19 On the Timol case, see Cajee (2020), and Chapter 6 of this book. On the Timol family's decision to allow his body to be viewed, see Thomas (2021). On the case of Steve Biko, see Bernstein (1978).
20 TRC (1998), 76.
21 Horta (2013), 74.
22 The hardcover edition that includes Edelstein's photograph was published by Jonathan Cape (London: Jonathan Cape, 1998). The edition of the book published in the United States uses a non-descript South African landscape as the cover. Later versions of the book published in South Africa also use landscape images and, in a 2009 cover design particularly devoid of political significance, a pale pink background with an image of pebbles stacked in a pile (Johannesburg: Penguin Random House, 2009). On the significance of the landscape image, see Coetzee (2001); on the differences between the content of the text of different versions of *Country of My Skull,* see Moss (2006).
23 Joyce Mtimkulu, testimony at the Truth and Reconciliation Commission Hearings, 1996: n.p.
24 Mark Sanders perceives in Edelstein's portrait "an inescapable allusion to Paul Weinberg's 1985 photograph of a comrade with raised fist at the funeral of Victoria Mxenge" (2002), 68. The photograph summons the history of the struggle for liberation and at the same time marks Joyce Mtimkulu's ambivalent feelings about her son's activism and the terrible toll the actions of the Security Police took on her family and makes visible what Sanders terms, "the painful labor of mourning" (2002), 68.
25 TRC (1998), 75.
26 See: www.sabcnews.com/sabcnews/life-and-times-of-a-youth-activist-the-murder-of-siphiwo-mthimkhulu/ The photograph of Mtimkulu with Brian Bishop and Di Oliver also appeared in the newsletter of the anti-apartheid organization, the Black Sash, on 6 February 1986, accompanying an article about the deaths of Bishop and Molly Blackburn, who were killed in a car accident that many people believe was caused by the Special Branch. Bishop, Oliver, Blackburn and Judy Chalmers were travelling together after collecting affidavits about human rights abuses in rural areas as part of their work with The Black Sash when the accident occurred (Pollecutt (1986), 6.
27 Both posters are held in the DISA archive "a freely accessible online scholarly resource focusing on the socio-political history of South Africa, particularly the struggle for freedom during the period from 1950 to the first democratic elections in 1994, providing a wealth of material on this fascinating period of the country's history", http://disa.ukzn.ac.za.
28 "Young Progs" refers to the Young Progressives, the youth league of the Progressive Party, which, formed in 1959, became the Progressive Federal Party

(PFP) in 1977. The PFP initially held only one seat in parliament and was represented by Helen Suzman, who opposed the National Party's policy of apartheid. Some of the Young Progressives were members of the End Conscription Campaign, which was formed in 1983.

29 Rousseau (2009), 351.
30 Rousseau (2009), 364.
31 Testimony of Madaka, TRC (1996), n.p.
32 TRC (1998), 77.
33 Nolen (2008), n.p.
34 See Rousseau (2016) for a detailed account of the exhumation process at Post Chalmers. See also Flanagan (2007).
35 Nolen, 2008.
36 Madaka, TRC (1996), n.p.
37 On the removal of the statue of Rhodes, see Marschall (2017). On the South African student movements, see Naicker (2016) and Chapter 5 of this book.
38 Steve Biko was the leader of the Black People's Convention and the most important thinker in the Black Consciousness movement in South Africa before his murder by the Security Branch of the police in 1977. Robert Sobukwe was the founder and leader of the Pan-Africanist Congress, which was formed in 1959 when Africanist members of the ANC opposed the adoption of the Freedom Charter and broke away from what was to become the ruling party at the end of apartheid. Winnie Mandela is an icon of the struggle against apartheid and was imprisoned and tortured by the police. In the 1980s, she founded the Mandela United Football Club, which also became a vigilante group and she was implicated in the murder of a fourteen-year-old boy. Due to this case and other allegations made against her, Winnie Mandela was forced to resign from her positions in the ANC in 1992. She was appointed Deputy Minister of Arts, Culture, Science and Technology in 1994 but was expelled from her position in 1995. Lilian Ngoyi led the women's anti-pass march on 9 August 1956 and was subsequently arrested and was one of the accused in the four-year Treason Trial. She was banned and detained by the apartheid state, and died in 1980.
39 Umkhonto we Sizwe (MK) was the armed wing of the African National Congress.
40 Pilane and Sosibo (2016).
41 Evans (2007), 268–269.
42 See *The Cradock Four,* a film by anti-apartheid activist David Forbes in 2010 (SA/France). The film's website contains information about the activists as well as about their killers; see www.thecradockfour.co.za/Home.html Lindy Wilson's *The Gugulethu Seven* was released in 2000 (SA/Lindy Wilson). See http://lindywilsonproductions.co.za/home/films-dvds-clips/the-guguletu-seven.html
43 The PEBCO 3 – Sipho Hashe, Champion Galela and Qaqawuli Godozoli – were anti-apartheid activists and members of the Port Elizabeth Black Civics Organisation. They were abducted on 8 May 1985 and subsequently tortured and murdered by the Security Police. The COSAS 2 refers to Siphiwo Mtimkulu and Topsy Madaka, who were both members of the Congress of South African Students, a national movement for democratic education founded in South Africa in 1979.
44 Zuma (2009), n.p.
45 Zuma's claim is also undone by the large number of charges of murder, rape, torture and deaths in detention that have been laid against the police officers since the end of apartheid. In 2015–2016, there were 216 reported cases of deaths in police custody—the causes of death include suicide, natural causes, assaults prior to detention, and injuries sustained during detention. Of these, 29 deaths in police custody occurred in the Eastern Cape Province where Siphiwo Mtimkulu was killed. In 2023–2024, 273 people were tortured by the police, of whom 69 were in

the Eastern Cape. See IPID (2016), 51; and Independent Police Investigative Directorate Annual Report 2023/4.

46 The review essay by Hlonipha Mokoena (2014) provides an excellent, concise overview of the history of photography in South Africa as presented in the book, *Rise and Fall of Apartheid: Bureaucracy of Everyday Life,* which accompanied the exhibition by the same name, curated by Rory Bester and Okwui Enwezor at the International Center for Photography in New York in 2013. Digital media has democratised both the production and circulation of images, however, the work of social documentary photographers remains central in the South African mediascape.

47 Sadiki is a photographer with *City Press* newspaper and is also the co-author of *We are Going to Kill Each Other Today: The Marikana Story* (Cape Town: Tafelberg, 2013) and of *Broke and Broken: The Shameful Legacy of Gold Mining in South Africa* (Johannesburg: Blackbird, 2016).

48 For a more comprehensive reading of the "Remember Marikana" stencils see Thomas (2018).

49 Barron (2014).

50 Ziyad (2017).

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5

RESISTANCE AND RESURGENCE

On 22 February 2016, a group of Black students who were protesting against systemic racism at the University of the Free State in South Africa disrupted a rugby match, the quintessential symbol of white male Afrikaner masculinity and aggression, taking place on the campus. Within minutes, a large number of white spectators rushed onto the field and began assaulting the protestors.[1] Once the protestors had been chased from the field, the rugby match resumed.

My friend Mohammad Shabangu and I had arrived at the campus that afternoon in order to meet with Professor Andre Keet, then director of the Institute for Reconciliation and Social Justice. The institute had been founded five years before, in the wake of 'the Reitz incident', where four Black workers at the university were forced to eat dog food by white students who had urinated in the food and filmed the workers eating it.[2] Since that time, the work of the institute had centred on addressing the deep-rooted racism at the university. While it has had some measure of success, the events of February 2016 made clear the scale of the problems and just how intractable they are at this university, which under apartheid was reserved for white, Afrikaans-speaking people.

After we dropped our bags at the residence where we were staying, Mo and I decided to walk around the campus and found ourselves in the midst of an ever-growing group of students who had just been beaten and who had fled from the rugby field. Several people spoke at once, trying to relate what had just occurred and showing us their torn clothes, the welts, bruises and cuts on their skin, their crushed glasses.

The students, who had legitimate grounds for anger after being physically assaulted by white students and their parents at the rugby ground, refused to leave the campus, and continued to sing protest songs. A stand-off took place outside a student residence at the centre of the campus, which, despite

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attempts to desegregate the campus, continues to be inhabited by white men renowned for their racism.[3] A large group of protestors gathered outside the building. An enraged white man appeared and ran towards the protestors from the direction of the rugby field. Two Black students chased him back into the night. In a farcical scene, a group of white Christian students joined hands and began to pray, some of them dropped to their knees. They were accompanied by Christian songs blasted through a large amplifier, in an attempt to drown out the songs of the protestors – songs composed in resistance to apartheid that were being sung on the campus during these protests for the first time in the history of the university.

Among the police who stood at our backs with their weapons poised were the same officers who killed activist Andries Tatane at a protest in this same province in 2011. Stones were thrown at the protestors by unseen people standing in the distance and suddenly the police began shooting and people ran, scattering in all directions. A pregnant woman fell and was injured. The terror of that night conjured Mississippi, the Freedom riders being beaten in the South, Alabama, the death of Martin Luther King, Malcolm X, and closer to home, Sharpeville, Soweto, Langa, Athlone, Marikana.

Mo and I began to run. There was a hail of stones and Mo was struck on the back. We held hands, running across an empty lot. A young man appeared next to us, and we followed his terrified flight. We found ourselves alongside a chain-link fence and crouched in the darkness trying to assess the scene. We needed to cross a bridge that was just ahead of us, beyond which lay the road leading to where we were staying. At the far end of the bridge were two pick-up trucks, facing each other. In the trucks were groups of white men who were filled with hatred for the protestors and who had been patrolling the edges of the campus waiting for the opportunity to shoot at us. Groups of protestors appeared on the road nearby. If we waited there any longer the police would arrive, and we would be trapped. Behind us there were people running and the sounds of gunfire. We ran across the bridge, through the centre of the blinding light of the trucks; it was as if we were no longer there, as if we had been disintegrated by fear. On the other side of the bridge, we emerged into darkness and kept on running.

The following day the campus was deserted except for the protestors and police. The right-wing militia gathered at the entry gates. Occasionally a pick-up truck passed ominously through the campus. Statues honouring the founding fathers of the university and the apartheid state had been toppled.[4] A group of students tried to start a fire in the doorway of a building, but it did not take. Protestors were standing around, unsure of what to do next. The ugly violence of the previous night made manifest the undercurrent of white supremacist hatred that contaminates everything in that place. To speak of reconciliation in such a context seems a perverse joke. An angry man seethed through his teeth at me, 'white flesh, white flesh'. The threat of violence was everywhere, and despair set in.

In South Africa, the struggle for freedom has been met with violence for so long that much of the time it feels like an unbearable place to live. The student movements that emerged in 2015 were read by many as a sign that a new generation – the so-called 'born-frees' – were returning to an earlier moment, the time of Black Consciousness in the 1970s, and, at the same time, forging a new and positive path. During the protests students called for universities to be decolonised and for curricula focusing on Black history, philosophy, and politics. Many of the students involved in the protests were profoundly sceptical of what might be termed the constitutional path and were dismissive of the role of the law in bringing about social change. At the same time, many students seemed to have a rather naïve view about the place of violence in the struggle to bring about change in South Africa, which has always disproportionately affected Black people. Ideological uncertainty emerged in contradictory positions taken by some members of the student movements who, for instance, supported the struggles of workers, and at the same time aspired to a place within the neo-liberal socio-economic order. The turn to Black consciousness philosophy is arguably a psychological necessity for young Black people fighting against racism in a supposedly post-racist society. Yet in other ways it was anachronistic and did not offer the critical tools required to formulate a political response to the new forms of violence of the neo-liberal post-apartheid state.

In this chapter I focus on how visual representations of the protests make it possible not only to reflect on the significance of the events of 2015/16, but also to contest dominant versions of the history of these movements. Reading images made by student activist photographers, I describe the new iconography of resistance that has emerged with and through the struggles of young people in South Africa today. This iconography draws on, references, and re-animates the past, and yet breaks away from the social documentary forms of representation that characterised the struggle against apartheid. I focus on the performative force of photographs in the context of the students' struggle against ongoing injustice and argue that the student social movements represented acts of decolonial world-making within which visual images, and particularly photographs that were circulated through social media and through online news sites, played a central role. What emerges from these protests is not a clearly articulated statement or argument, verbal or written, but rather a performative politics and a lucid visual language.[5] The country is, after all, no stranger to political theatre. In 2015, the opposition party formed in the wake of the Marikana Massacre, the Economic Freedom Fighters (EFF), attended the inauguration of parliament dressed in red worker's uniforms, the clothing of domestic workers, gardeners and miners, those who earn the lowest wages in the country and who represent the exploitation of Black bodies and their labour by white South Africans and white capital as well as by the rising Black elite.[6] While certainly not all student protestors are EFF members, the performative power of visual

protest was not lost on them. Photographs of the student movements not only document the events as they happened, they also produce tangible signs of the emerging subjectivities of young people in South Africa today.

Rising and Falling, Redux

After the murder of South African anti-apartheid activist Steve Biko by the security police on 12 September 1977, South African artist Paul Stopforth produced a series of images representing Biko's corpse. He also created a large-scale work called 'Freedom Dancer: The South African' (1993). When I wrote to Stopforth a few years before the student-led protests began to ask him about the works he made in protest against Biko's murder, he sent the colourful image of the dancing figure along with the Biko series (Figure 5.1).[7] He wrote, "I have attached the painting 'Freedom Dancer' because it is the metaphorical rising of the ideals that Steve embodied".[8] For him, the image represents Biko's ideas, the freedom of the spirit, a liberated person. However, Stopforth's painting does not represent a purely joyful subject, but also invokes the dances that form part of protests in South Africa. Behind the dancing figure are five large light-coloured hands that produce a radiant arc, the hands of others who form part of the protesting crowd perhaps, or hands raised in an attempt to arrest the freedom dancer's flight. If Stopforth's sombre images of Biko's murdered body appear to be becoming stone,

FIGURE 5.1 "Freedom Dancer: The South African", 1993. Sculpture by Paul Stopforth. Oil on cut out birch plywood
Image courtesy of Paul Stopforth

the life-force of the freedom dancer seems to be rendered in points of light and can barely be contained by the plane upon which it is manifest. The person's face is resolute, body suspended in mid-air, intent on a leap into the future.

Stopforth's suggestion to me in 2011 that Freedom Dancer be understood as a part of the series he made about Biko's death was prescient. Biko's famous statement, "It is better to die for an idea that will live than to live for an idea that will die" was to be realised almost 40 years after his murder, when students across South Africa, many of them inspired by the philosophy of Black Consciousness, rose up to protest against injustice in the present.[9] The protests began after students at the University of the Witwatersrand in Johannesburg released a document entitled 'Wits Transformation Memo 2014', which critiqued the slow pace of change at the university after the end of apartheid. This was followed by a series of protests at the University of Cape Town (UCT), when a student at the university, Chumani Maxwele, threw excrement at the statue of colonist Cecil John Rhodes that loomed over the steps leading up to the campus buildings. The statue was subsequently removed, and the students who campaigned for its removal continued to call for the decolonisation of the campus and curriculum.[10] As Harry Garuba observes in his notes towards an African curriculum:

> The Cecil Rhodes statue at the centre of the upper campus of the University of Cape Town may have been physically removed, what we now need to move is the hegemonic gaze of the Cecil Rhodes that is lodged in our ways of thinking, in our curricular and pedagogical practices, and in our everyday, routine, professional practices as teachers, academics, scholars, students, etc. In short, we need to move the Rhodes that lives, immovably at the moment, in our disciplines and the curriculums that underpin them.
>
> *(2015, 9)*

Protests continued throughout 2015, including against the seemingly immovable forms of economic and structural violence bound to the colonial paradigm students were seeking to overturn. By the end of the year the protests focused on financial exclusion and the outsourcing of workers on university campuses. The Rhodes Must Fall movement at UCT was swiftly followed by the formation of Open Stellenbosch, a collective of students and staff who sought to rid Stellenbosch University of the remnants of apartheid.[11] Similar movements began across the country and by the end of the year had become a national movement calling for the end of fee increases and, ultimately, free education for all: #feesmustfall (Figure 5.2).

The start of the 2016 academic year was marked by incidents of racist violence that made all too clear how deep the problems are: as I noted above, at the University of the Free State white students and their parents attacked

FIGURE 5.2 #feesmustfall Freedom Dancer, Stellenbosch University, South Africa, 2015, photograph by Nigel Zhuwaki
Image courtesy of Nigel Zhuwaki

Black student protestors when they disrupted a rugby match on the campus and, at the University of Pretoria, the conservative grouping Afriforum attacked Black students.[12] The violence visited upon protestors by the police and private security officers culminated in the shooting of students at various campuses, and led to the indefinite closure of North West University Mahikeng campus.[13]

Just as in 1976, when school pupils rose up against apartheid and against the education system of the oppressor, these protests were led by young Black people who faced considerable violence in response to their dissent. The student movements in South Africa emerged at a time of a growing global consciousness and resurgence of resistance to the ongoing racist violence to which Black people are subject. The student movements can certainly be linked to the 'Black Lives Matter' and 'I can't breathe' movements in the United States, as well as to similar movements led by young people, such as the Arab Spring. They can also be linked to earlier protests at universities reserved for Black students under apartheid, where campaigns against the cost of higher education have not ceased since 1994. In addition, and perhaps most importantly, the student protests can be linked to the actions of the striking workers at Lonmin Platinum Mine at Marikana in 2012, who were calling for a living wage and who stood their ground in the face of the army of police officers brought in to subdue them. Marikana was

the first massacre committed after the legislative end of apartheid and it threw all the ways in which the system has not changed into sharp relief.

The widespread student-led protests against the state, the mine-owners, and the systemic inequality and injustice in the country that flared up in 2015 were slow to emerge. Footage and images of the murder of community activist Andries Tatane in 2011 and the massacre at Marikana were widely circulated, and photographs played a critical part as evidence in the trials of those responsible for these acts. In the case of Tatane, the police officers were acquitted on the spurious grounds that it was not possible to identify them accurately as they were wearing helmets. In the case of Marikana, two documentary works – Rehad Desai's film 'Miners Shot Down' (2014), and Greg Marinovich's photographs of the site of the massacre and the book that followed, *Murder at Small Koppie* (2016) – have been central to public perception of the events and the commission of inquiry into the massacre. In spite of clear evidence against the police, none of those responsible for the deaths at Marikana have been held accountable. In my reading of the student protests, while Marikana may not have been a direct cause, the murder of the striking miners and the widely circulated footage of police hunting down those who fled from the scene and executing them in cold blood, played a significant role in the emergence of the student movements. This is not simply because students were able to see the horror of the white supremacist capitalist system at work and the ways in which the current state perpetuates the forms of violence it claims to oppose, but also because they were forced to question their own role within that system and that of the institutions to which they were affiliated.[14] Within Open Stellenbosch, for instance, debates began about the racist institutional culture of the university and the way in which the language policy was a form of discrimination against Black students, and moved outwards to engaging with social and economic injustice in the country as a whole. By the time of the third anniversary of the Marikana massacre the students who formed part of Open Stellenbosch initiated a 'Remember Marikana' campaign and planted 34 large white crosses at the centre of the university campus.[15]

Right from the first, both police and private security were present at the protests on campuses, and the relationship between members of university management, the state, those policing the protests, and students, grew increasingly volatile. The right to freedom of assembly and peaceful protest, important and hard-won rights after the end of apartheid, had never been secured in the post-apartheid context – protest continues to be criminalised and the militarisation of the police over the last ten years has intensified the use of violence in public policing. The same officers responsible for the death of Tatane in 2011 and the murder of the striking miners at Marikana in 2012 were among those deployed to police the student protests in 2015 and 2016.[16]

What was it that motivated the protests and kept the students together in the face of significant opposition, threats of disciplinary and legal action,

and the risk of violence and arrest? The protests on university campuses were the focus of mainstream media and drew significant national and even international attention. The continual documentation and circulation of images of the protests certainly played a role in sustaining their momentum. The historical moment in which these protests began is significant and cannot be overstated – twenty years after the legislative end of apartheid, three years after the Marikana massacre, two years after the death of Nelson Mandela and five years into the presidency of Jacob Zuma, young South Africans are beginning to find their voices. There is much to be angry about – South Africa remains the most unequal country in the world, there are high levels of murder and sexual violence, many Black South Africans still do not have access to essential services or adequate housing, and corruption in the government has led to a crisis in confidence in the ruling party, and in particular the then-President, Jacob Zuma.

There has been considerable debate about whether the student movements have brought about 'real' change and about whether they will be sustained in the future. These arguments focus on the outcome of the protests, rather than the emergence of the movements themselves and their significance for the young people who formed them. As political theorist and the former Vice Chancellor of the University currently known as Rhodes, Saleem Badat notes, "It is important to avoid seeing the student protest movement in purely political and instrumental terms, for this could miss possible cultural, expressive, and symbolic aspects of the movement".[17] He goes on to write that "the student protest movement may not only be a challenge to dominant cultural codes, but also a possible laboratory of cultural innovation".[18] Badat's suggestion offers a productive way to understand the creative and critical strategies employed by the student movements and to think about the significance of images produced by students themselves. While the students drew on earlier forms and practices of struggle, for instance singing anti-apartheid songs, a new iconography of resistance was born with these nascent movements.

In the sections that follow I offer an analysis of photographs by two student photographers who documented the protests in the Western Cape and in the Free State, and I discuss a photographic exhibition that took the Rhodes Must Fall movement at the University of Cape Town as its focus. Nigel Zhuwaki was an engineering student at Stellenbosch University in 2015 and a member of the Open Stellenbosch collective. He documented student protests at Stellenbosch and at other universities in the province, Cape Peninsula University of Technology, UCT, and University of the Western Cape.[19] Lihlumelo Toyana was a student at University of the Free State and documented the protests that took place on that campus in 2015 and 2016.[20] Both Stellenbosch University and University of the Free State were reserved for white students under apartheid, and, until the protests began, Afrikaans remained the predominant language of instruction at both campuses. The

student movements on both campuses contested what they considered to be the exclusionary language policies of the universities, which, they argued, favoured white Afrikaans speakers. Both campuses are notoriously conservative and remain strongly associated with apartheid ideology. The student protests of 2015 were the first significant interventions to challenge white supremacy at these universities and the failure of the post-apartheid government to dismantle institutional racism.

"Biko Lives Within Us"[21]

The return to Black Consciousness in the present indicates that many young South Africans recognise the need to uproot and overturn the remnants of apartheid in the present as well as to challenge the current ANC government, guided in its approach first by the Freedom Charter, and then by a succession of increasingly neo-liberal economic policies that have betrayed its founding doctrine. However, the visibility of signs and images representing Steve Biko were nowhere more significant than on the campuses of former Afrikaans universities such as Stellenbosch and University of the Free State, which remain dominated by white Afrikaans speaking students and fiercely protective of white hegemony.[22] While those who hold power in such places feel no qualms about asserting the right to safeguard their heritage, they are decidedly upset when this is called by its proper name: white supremacy. Nigel Zhuwaki documented the Open Stellenbosch Collective from its formation in March 2015. He took several photographs of the protest staged by the collective at the ceremony marking the removal of the plaque honouring H. F. Verwoerd, one of the primary architects of apartheid, and Prime Minister of South Africa from 1958 until 1966 when he was assassinated.[23] In addition, he has made a number of portraits of student protestors that convey elements of Black Consciousness philosophy in visual form. Zhuwaki's series of silhouettes of the heads of young Black people incorporating other photographs, including images of the protests on the Stellenbosch University campus, were made using double exposure. These photographs refer to Biko's claim that 'the most potent weapon in the hands of the oppressor is the mind of the oppressed' (Biko 1987, 68). Zhuwaki's photograph (not pictured here) of the head of a young man that contains an image of the empty corridors of a university building is in marked contrast with the 'freedom dancer' who resides in another version of this same silhouette (Figure 5.3). In another image, the freedom dancer is replaced by an ominous portrait of a young security guard or police officer pointing a gun directly at the photographer, and viewers of the image, through the head of the silhouetted figure (Figure 5.4).

The visual references to Black Consciousness in Zhuwaki's work can be read in relation to photographs by Tony Maake, a former student at Stellenbosch University and a talented photographer, whose professional

FIGURE 5.3 Double portrait, Stellenbosch University, South Africa 2015
Photograph by Nigel Zhuwaki

moniker is Tony Mac, who participated in the protests.[24] He has taken a large number of portrait photographs in Kayamandi, a township neighbouring the town of Stellenbosch where many of the Black people who work in the town reside. His images of children and everyday life in the township are interspersed with photographs of beautifully-clad sartorialists, evoking the legendary style of Sophiatown at the height of the jazz era in the 1950s, before forced removals, and the *Amapantsulas* – those who defied the apartheid order and developed a distinctive mode of dress and dance-style in the 1960s.[25] These images draw on the iconography created by photographers who produced photo-essays for the influential *Drum* magazine, which documented the experiences, music and style of Black South Africans from the 1950s onwards. While the connections between fashion and Black Consciousness and liberation may seem tangential, those who are familiar with the history of Black resistance movements in the 1970s will recall slogans such as "Black is Beautiful", and will recognise how the art of self-fashioning was and is central to contesting racist representations of Blackness. Mac's photographs also recall an even earlier set of images of educated, well-to-do, Black South Africans in the early 1900's before the catastrophic Natives Land Act was passed in 1913, which form the subject of Santu Mofokeng's *The Black Photo Album/ Look at Me: 1890–1950*. [26] Some of Mac's photographs of sartorialists include students who participated in the protests, and the way in which the photographs are captioned, and in particular Mac's

'Black Formation' series, make the political content of the images clear. These photographs, like Zhuwaki's portraits of young people who are claiming their identities as Black and proud, are intended as part of the broader movement to decolonise not only institutions but also people's minds.

The photographs that came to signify the 2015 student uprising contain an echo of documentary struggle photography of the 1970s and 1980s, and at the same time break from that tradition.[27] One fundamental difference between the documentation of the student protests that began in Soweto and spread across South Africa in 1976, and continued into the 1980s, and the contemporary student movements is that the images of the earlier protests were taken by journalists and documentary photographers rather than by the students themselves. While many of the photographers who documented the struggle against apartheid were also activists (for instance, some of those who formed part of the Afrapix collective, founded by Omar Badsha, Lesley Lawson, Mxolisi Moyo, and Paul Weinberg in 1982, were, as Afrapix member Gille de Vlieg states about herself, "activists first and photographers second"), there were not many student-activist photographers.[28] In the case of the recent protests on university campuses, many powerful images were taken by students who are photographers and who themselves form part of the movements for change, and hundreds of thousands of images were taken

FIGURE 5.4 Double portrait, Stellenbosch University, South Africa, 2015
Photograph by Nigel Zhuwaki

by students who would not describe themselves as photographers but who took photographs with their mobile phones. This is both because of the widespread use of camera phones and digital media and because some of the student protestors are practicing photographers who own digital cameras. While journalists were often present at the protests, the images that were circulated most widely and rapidly were often those taken by student photographer-protestors. In addition, these student photographer-protestors were able to photograph 'behind-the-scenes' events and not only the marches or large-scale events attended by mainstream journalists. In this sense, some of the images produced by student-activist-photographers resemble those taken by activist-photographers under apartheid who documented the meetings of trade unions and of organisations such as the End Conscription Campaign and the United Democratic Front.

The rapid and wide circulation of images was a significant difference between the contemporary protests and those that began in 1976, when the apartheid state controlled the media and photographers were routinely jailed for documenting protests. All the student movements established their own social media pages and circulated information amongst themselves. Within a few days of their formation, the Rhodes Must Fall and Open Stellenbosch Facebook pages had thousands of members, growing to around 10,000 and 5,000 respectively. Interestingly, the students I worked with as part of the Open Stellenbosch Collective were often oblivious to the fact that they were featured on the front page of printed newspapers such as *The Argus, The Cape Times* and *Die Burger*. This seems to indicate the degree to which online media has supplanted print media amongst young people in contemporary South Africa. The newspapers were keenly aware of this fact, and the editors of *The Argus* invited RMF activists to edit a special edition of the newspaper. Many of the student protestors were acutely aware of the role of images in shaping perceptions and used visual media to great effect. For instance, the Open Stellenbosch collective created circular signs that contained an image of the apartheid-era South African flag with a red cross painted over it and held these up *en masse* during the ceremonial removal of the plaque honouring H. F. Verwoerd that remained in place at the university until 2015. The university was obliged to take down the plaque due to the insistence of the students, and the bizarre, formal ceremony paid homage to Verwoerd even as the removal of the plaque was framed as a form of redress. Students held up the signs in unison during the speeches delivered by the Vice Chancellor and by Verwoerd's grandson. The message of the silent protest was widely received due to the photographs of the protestors, which were published in print and online newspapers. In 2015, Contraband Cape Town (a small group of students at the University of Cape Town) produced a documentary about the experiences of students at Stellenbosch entitled *Luister* (Listen). After the film was viewed by close to 400,000 people online within a matter of weeks, a national debate about racism in the country

erupted and the Open Stellenbosch collective were called to a meeting at Parliament to address their grievances, along with the university management, who were instructed to account for how they intended to address the problem of racism at the institution.[29] Neither the filmmakers nor anyone who appeared in the film anticipated that it would be so widely circulated. The effects of the documentary testify to the power of the combination of film and social media to rapidly widen the circle of engagement and draw the attention of those who were outraged by racism at the university, as well as that of right-wing detractors.

Even more important than the images produced to be viewed in the public sphere, were those that were shared between student protestors via WhatsApp, which made the rapid transfer of information about protests across the country possible. Images of protests, security guards and police officers, and of court interdicts would be sent to let protestors know where to gather, which spaces to avoid, and to document the presence of heavily armed guards. These images circulated beyond the protestors themselves through friends, family members, and networks of lawyers who were supporting the student movements, to NGOs and the public more broadly. To some extent these images served to counter representations in the mainstream press of the student protestors as violent, and to contest accounts issued by university management. While the ways in which the management teams of universities across the country made use of visual and social media is beyond the scope of this chapter, it seems important to note that the communications, marketing and public relations arms of the various institutions – key components of the corporate university – went into overdrive in order to keep up with and fight back against what they, for the most part, perceived as an attack by the students on institutions they needed to defend.

A photograph by Nigel Zhuwaki of student activist Ijeoma Opara coolly surveying the movements of a white woman, most likely a member of staff at Stellenbosch University, from her leopard-like position on an office chair outside of a university building that students had occupied in protest, perfectly captured the disdainful view young activists have of the persistence of apartheid-era modes of thought and being in the present. The power of this photograph is magnified once the viewer is aware of the location in which it was shot – Stellenbosch University was the birthplace of Afrikaner ideology and the university attended by all the Presidents who led the apartheid state.[30] The chair, which has been liberated from its former role as office furniture, appears outside of one of the many large white buildings that dominate the university campus. The seemingly permanent order of white supremacy on the campus is shown to have been radically disrupted in this photograph in which the chair, rather than the Black student who sits on it, is out of place. If this image is read through the lens of the resurgence of Black Consciousness in South Africa, Ijeoma Opara's act of claiming the chair evokes Biko's insistence on the right to a chair in detention. According

to the account of the Security Police given in the aftermath of Biko's murder, an argument began after Biko demanded his right to a chair in his cell and thereafter 'a scuffle ensued' that lead to Biko's death. Those responsible for his murder were not found guilty of this act.[31]

Zhuwaki's digital copy of the image of Opara disappeared from his collection however, and in the aftermath of the protests he has not been able to locate it. When I asked him about it, he said he could not recall whether he took the image, or whether it was taken by Tony Mac. In place of the image of Opara seated on the chair, he sent me a photograph taken on the same day in which Opara is shown standing alongside student activist Khule Duma, who is sitting on the chair, while a group of student protestors are pictured on the steps behind them (Figure 5.5). While this photograph also portrays how the students claimed the space of the campus, it does not capture the affective charge of the divide between Black and white people in Stellenbosch 20 years after the end of apartheid. Having become a phantom image, existing only in the description I have provided here, the first image comes to stand for how so much that was made visible through the protests of 2015 and 2016 has disappeared again, absorbed back into the quicksand of post-apartheid amnesia.

FIGURE 5.5 Khule Dume, Ijeoma Opara, and Open Stellenbosch protestors, Stellenbosch University, South Africa, 2015
Photograph by Nigel Zhuwaki

Zhuwaki's photograph can also be linked to the work of Greer Valley, visual artist and Open Stellenbosch student activist, in particular her exhibition 'The Chair', which took as its subject the continued homage Stellenbosch University pays to former leaders of the apartheid state. Valley dislocated the chair that forms part of the collection of the Stellenbosch University Museum that belonged to D. F. Malan, Prime Minister of South Africa from the beginning of apartheid in 1948 to 1954 and repositioned it as part of a critique of the ways in which the violence of apartheid is disavowed in the narrative the university produces about itself in the present. The exhibition opening included powerful spoken word performances by the Inzync collective and poet Adrian 'Diff' Van Wyk, who conducted an imaginary dialogue with a bust of D. F. Malan's silent stony head.[32] Collectively these creative works can be understood as part of what Badat terms 'the laboratory of cultural innovation' that did not simply emerge through the protests, but rather played a key part in the formation of the student movements.

The disappeared image of Ijeoma Opara on the chair outside of the building, and its replacement in the archive of accessible images of the student protests with one that positions a prominent male leader of the Open Stellenbosch movement at its centre, provides a disturbing parallel to the forms of erasure I discuss in the section below.

"Dear History, this Revolution has Women, Gays and Queers too"[33]

During the time of the protests there were at least two photographic exhibitions that took the student-led movements as their subject. 'Fees Must Fall', curated by photographer Tony Maake, was held at EineWeltHaus in Munich, Germany in January 2016 and included photographs by Tony Mac (Maake), Justin Sullivan, Justice Machaba, Megan Damon, Nigel Zhuwaki, Christian Helgi Beaussier and Keshia Lee. This exhibition, probably as a result of its location away from the epicentre of the protests in South Africa, did not lead to the same contest over the nature of its content and the narrative it portrayed as was the case with 'Echoing Voices from Within' held at the Centre for African Studies Gallery, UCT in January 2016. The latter exhibition was curated by Pam Dhlamini and Wandile Kasibe, both of whom formed part of RMF, and Paul Weinberg, curator of the gallery.[34] For some, it came much too soon and represented an attempt both to control the representation, and thus the narrative, history and meaning, of the protests, and to turn events that were still unfolding into history. The exhibition included framed photographic prints of what the curators perceived to be key moments in the chronology of the protests. The orderly display of the images, as though the content of the exhibition should not affect the form, was bound to provoke dissent, and the decision to stage an exhibition on the university campus could certainly be read as an attempt to defuse and even neutralise

the calls to decolonise the institution.[35] Black staff and students were in the midst of making powerful arguments about how structural racism at the university ensured that they could not belong there. Through institutionalising Rhodes Must Fall, and in spite of the intentions of the curators, the exhibition seemed designed to undercut these claims.

The opening of the exhibition was stunningly interrupted by the UCT Trans Collective who powerfully refused the neat chronicle of events portrayed through the static images with their physical bodies and through their inscriptions over some of the photographs in a substance that resembled blood.[36] This act of resistance evoked Chumani Maxwele's earlier act where he threw excrement at the statue of Rhodes at the centre of the university campus. The act of the Trans Collective in one sense replicated Maxwele's protest, and at the same time significantly queered it. Smearing the image with the blood-like substance may not have permanently overwritten the meaning of Maxwele's act, but it fundamentally threw into question what was widely considered to be the founding moment of the student protests, leading to the removal of the Rhodes statue.

The protest by the Trans Collective sought to make visible a different set of images, including one of Chumani Maxwele assaulting a protestor who formed part of a group of Black queer women who questioned a secret #FeesMustFall meeting dominated by men held at the University of the Witwatersrand.[37] In spite of the alleged intersectional politics of the Rhodes Must Fall movement, trans people who formed part of the movement experienced discrimination and even violence both within and without the student movement they helped to found. In their statement released after their protest at the exhibition the Trans Collective wrote:

> It is disingenuous to include trans people in a public gallery when you have made no effort to include them in the private. It is a lie to include trans people when the world is watching, but to erase and antagonise them when the world no longer cares. We have reached the peak of our disillusionment with RMF's trans exclusion and erasure. We are done with the arrogant cis hetero patriarchy of black men. We will no longer tolerate the complicity of black cis womxn in our erasure. We are fed up with RMF being 'intersectional' being used as public persuasion rhetoric.[38]

Members of the Trans Collective lay on the ground at the entrance to the exhibition, insisting that if people wished to see the images, they would have to step over their bodies to do so, repeating the elision of trans experience in the show itself. They asserted that, 'There will be no Azania if black men simply fall into the throne of the white man without any comprehensive reorganisation of power along all axis [*sic*] of the white supremacist, imperialist, ablest, capitalist cisheteropatriarchy'.[39]

"It Wasn't Roaring, It Was Weeping"[40]

The Trans Collective drew attention to the fissures within the student movements and the larger context of violence against women and LGBTQI people both during the protests and more generally in South Africa. Similarly, the work of Lihlumelo Toyana offers perspectives on the protest movement at University of the Free State and makes visible the violence experienced by women and LGBTQI students.

Toyana's photograph of a young woman student being dragged along the ground by a private security guard at the University of the Free State campus is certainly one of the most disturbing images taken during the protests (Figure 5.6). In spite of this, it has not assumed iconic status as a symbol of the protests, nor has it been widely circulated or discussed. It powerfully conveys the extent and extremity of the violent measures employed by private security guards and the police in their attempts to block the protests. The photograph is an indictment of the impunity that makes such forms of violence possible and of the normalisation of violence against Black women and queer people in South Africa. The composition of Toyana's image draws attention to how structural violence is compounded by an unwillingness or refusal to see what is before you. In the photograph two heavily armoured male security guards, armed with riot shields and batons, are pictured walking through what appear to be bushes of the sort planted at the roadside. It is an area on the margins of the shared, public spaces of the campus and its isolated location gives the image an even more sinister quality than it would have were the woman in the centre of a group of protestors or in a more publicly visible place. The image conjures up stories of women and LGBTQI people who have been dragged into the bushes at the roadside and who have been raped, beaten and killed at so many places across the country that the landscape reads as a map of horror.

Between the security guards is the woman, her body concealed by the dense foliage in the foreground. Her face appears resolute. The security guard in the foreground holds her by her backpack and is dragging her backwards. He seems to be walking towards the camera, his face angled towards the ground, his expression inscrutable. A man who appears as though his terrible actions will haunt him in the future, in fact, already seems haunted, and indeed, this is at least part of the task of this photograph. It resolutely asserts that this man dragged this woman along the ground. That this scene had very few witnesses besides the perpetrators is captured in the photograph itself – in the background a small group is pictured sitting together on the edge of a low wall. It is clear that the woman who is being dragged along the ground is not visible to them. It is an event no one was meant to see. And yet the photographer has witnessed this violence and has made it visible, and once it has been seen, it cannot be unseen. The guard standing a short distance away from the woman, who could easily kick her or

FIGURE 5.6 Student protestor being dragged along the ground by private security guard, University of the Free State, 2016
Photograph by Lihlumelo Toyana

hit her with his baton, looks over his shoulder with an expression that implies he suspects they have been seen, or that he has caught sight of the photographer as she documents their act.

Toyana's photograph does not show the woman struggling or resisting arrest. Rather the image conveys the woman's powerlessness at the hands of the police. The presence of the police van affirms the unequal balance of power between the protestors and the forces that seek to restrain them. The police are agents of the state – they are armed and have the means to both cause serious injury to the students and to arrest them. In some of the images from the protests at Wits University in Johannesburg that took place in October 2016 students are shown holding riot shields they have liberated from the police in order to protect themselves from a hail of rubber bullets. The students begin to resemble a makeshift army, donning the stolen, discarded or invented armour that is the thoroughly inadequate uniform of civilians everywhere in times of war and state-sponsored violence. Women and LGBTQI people were particularly vulnerable to the violence of the police and private security guards and several students recounted being groped and assaulted during the protests.

Toyana's photograph provides chilling evidence of the way in which women and queer students have been targeted, threatened, and abused by security guards and police officers. It evokes footage and still images circulated on social media of a female student at UCT being dragged by her hair by a security guard, and whose braids were torn from her head, in October 2016.[41] Female students have occupied central roles in the movements challenging racism and sexism at South African universities as well as in the Fees Must Fall movement. At the same time, these collectives and the protests they have held have been dominated by the heavy presence of hetero-normative male aggression and violence. This has taken form in the presence of a phalanx of physically intimidating and ostentatiously armed and armoured private security guards and police officers at every protest and through the actions and words of some of the angry and less critically informed protestors who are either oblivious or blatantly opposed to the intersectional politics that underpinned the formation of these movements. The powerful role women have played in the protests, as well as the key part of LGBTQI students, has been a wake-up call to the majority of South African men and the emergence of queer and feminist activism on campuses across the country revivifies hope of young people resisting and addressing ongoing gender-based violence and inequality in the country. At the same time, speaking out and standing up against the marginalisation of women and queer people has been met with violence both from inside and outside of the student movements.

Photographs representing the violence students experienced at the hands of the police and private security affirm the epistemic, symbolic and physical violence students have recounted experiencing at universities prior to the time the protests began. Thando Njovane, who completed her Master of Arts degree at the University currently known as Rhodes, writes powerfully of her experience of enduring 'the accumulation of seven years of hateful and hurtful violence' while she was a student there.[42] The student protests in 2015 and 2016 have sought to chart a course away from the violence of the past and, in the process, have been met with intense resistance and violence in the present. Although, as of yet, little has been resolved, young people in South Africa are refusing to have the question of a decolonised future deferred any longer. For those who insist on the need for patience, James Baldwin's retort in his essay "Faulkner and Desegregation" is apposite:

> But the time Faulkner asks for does not exist – and he is not the only Southerner who knows it. There is never time in the future in which we will work out our salvation. The challenge is in the moment, the time is always now.[43]

Notes

1 See Nicolson (2017). The response of the white spectators to the protest can be read as a horrifying reversal of Nelson Mandela's famous gesture of national reconciliation, when he donned a Springboks rugby jersey at the Rugby World Cup in 1995. It could also be argued that that earlier moment was an instance of the superficial gestures of reconciliation that sought to paper over the deep-rooted racism of white South Africans and that the roots of the violence that erupted at UFS in 2016 can be traced back to the failures of the negotiated transition. Thanks to Darren Newbury for suggesting that I draw attention to this connection here.
2 On the Reitz incident see van der Merwe and van Reenen (2016).
3 Nicolson (2016).
4 For a detailed account of the events at UFS in February 2016, see the report to the Council of the University of the Free State by the Independent Panel appointed to investigate what had occurred. University of the Free States, "People Not Stones" (2016). www.ufs.ac.za/docs/default-source/all-documents/ufs-shimla-park-report_27-february-2017.pdf
5 There have of course been numerous statements, memoranda and lists of demands issued in the name of the various student movements and articulating the aims of the Fees Must Fall movement. The Open Stellenbosch Collective drafted a new language policy for Stellenbosch University and members of the various movements have published articles online and in the newspapers. However, it is certainly the visual (performance, photographs and film) that dominates during the protests themselves, on social media and in the press.
6 The Economic Freedom Fighters (EFF) is a socialist revolutionary political party founded in 2013 by party leader, Julius Malema, after he was expelled from the ANC Youth League.
7 Stopforth's work "Freedom Dancer: The South African" forms part of the permanent collection of the South African Constitutional Court, Johannesburg. On Stopforth's Biko series, see Hill (2015), Stopforth (2010), and Thomas (2014).
8 Email correspondence, Paul Stopforth, 5 March 2011.
9 Biko (1978).
10 See Nyamnjoh (2016) for a critical overview of the Rhodes Must Fall movement.
11 The founding members of the Open Stellenbosch collective included Emile Engel, Mohammad Shabangu, Simone Cupido, Thato Phatlane, Majaletje Mathume, Wamuwi Mbao, Neil du Toit, Stephane Conradie, Portia Lujabe, Ijeoma Opara, Khule Duma, Athini Mzayiya, Nwabisa Makaluza, Monde Petje, Rabia Abba Omar, Phumile Sikiti, Thando Joka, Jodi Williams, Tshepo Modiri, Anelisiwe Mbude, Kara Ikaneng, Greer Valley, Leonard le Roux and Adrian "Diff" van Wyk, and myself, and the collective grew rapidly as the protests began.
12 On the violence directed at the protestors by the white spectators at the rugby match at the University of the Free State, see Nicolson (2016).
13 Some of the incidents of protestors who were shot with rubber bullets or otherwise injured by the police are included in a statement issued by Amnesty International: "South Africa: Investigate excessive use of force against "fees must fall" protesters" (2016).
14 For instance, at UCT students called out the university management and Council for having blood on their hands for holding shares in Lonmin.
15 Photographs of crosses that were placed at Marikana a few months after the massacre by the opposition political party, the Democratic Alliance, were widely circulated in the media. That people living at Marikana saw this as an opportunistic gesture and tore down the crosses in anger is less widely known.
16 On the murder of Andries Tatane, see De Waal (2011). On the Marikana massacre, see Satgar (2013).

17 Badat (2016), 16.
18 Badat (2016), 17.
19 A selection of these photographs can be viewed online. See: http://dambakuombera.tumblr.com
20 Lihlumelo Toyana is a documentary photographer and visual activist. She was born in the Eastern Cape and has completed two degrees at the University of the Free State. In 2014, she completed her certificate in Photojournalism and Documentary Photography from the Market Theatre Photo Workshop in Johannesburg, an organisation founded by David Goldblatt and that has trained some of the most influential photographers working in South Africa today. Her photographs were included in the '40/40 – Politics of Photography' exhibition held at the Market Photo Workshop Gallery in 2016 see: www.contemporaryand.com/exhibition/4040-politics-of-photography/
21 This statement appeared on posters during the 2015 student protests at various campuses across the country.
22 On the renaming of buildings by student protestors at the University of the Free State, see Hatcher (2016).
23 A selection of images of the protest at the Verwoerd plaque removal can be viewed online: http://dambakuombera.tumblr.com
24 Photographs by Tony Mac can be viewed online: http://tonyshouz.tumblr.com
25 Tony Mac's work is included in a book edited by Nathaniel Adams and Rose Callahan (2017).
26 Mofokeng, 2013.
27 Perhaps the most important work documenting the student uprising in 1976 is Magubane (1986).
28 In an interview I conducted with Gille de Vlieg in 2012 she described herself as an activist who also took photographs, whereas she said of the other Afrapix members that "they were activist photographers, they saw themselves as photographers". See Chapter Three of this book.
29 See Nicolson (2015) and Adonis and Silinda (2021). *Luister* can be viewed online: www.youtube.com/watch?v=sF3rTBQTQk4
30 See Open Stellenbosch (2015).
31 For an account of Biko's life and murder see Bernstein (1978) and Mangcu (2013).
32 For a more detailed discussion of the exhibition, see Mbao (2016).
33 Statement on a poster at a protest at the University of Cape Town, 2015.
34 The press release for the exhibition can be viewed here: http://webcms.uct.ac.za/sites/default/files/image_tool/images/327/Events/2016/RHODES%20MUST%20FALL%20EXHIBITION%20-%20PRESS%20RELEASE.pdf
35 I am grateful to Darren Newbury for his suggestion that the gallery exhibition could be read as defusing the urgency of the images.
36 The UCT Trans Collective is a collective of transgender, gender non-conforming and intersex students and their allies at the University of Cape Town. See: www.facebook.com/transfeministcollective/
37 The image of Chumani Maxwele assaulting a queer protestor is included in Fezokuhle Mthonti's article in which she reflects on the connections between the patriarchal violence of Jacob Zuma and Maxwele and can be viewed online. See Mthonti (2016).
38 UCT Trans Collective, 10 March 2016, Facebook page
39 See Ramji (2016) for an account of the exhibition. 'There will be no Azania' has a double meaning in this quote from the Trans Collective – it refers both to the name given under apartheid by the Pan-Africanist Congress to the future-liberated South Africa and to the name RMF activists gave to the first building they occupied on the University of Cape Town campus, 'Azania House'. The Pan-Africanist Congress was found in 1959 when a group under the leadership of

Robert Sobukwe broke away from the ANC in opposition to the Freedom Charter and the policy of multi-racialism.

40 "Weeping" is an anti-apartheid song that was released in 1987 by the South African band Bright Blue. The song and the original music video can be found here: www.youtube.com/watch?v=qdyu_jcLYW8 B

41 See Furlong and Hendricks(2016) and Mark (2016)

42 Njovane (2015), 119.

43 Baldwin (1956), 573.

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6

REFUSING TRANSITIONAL TIME

The South African Truth and Reconciliation Commission (TRC) hearings mark a foundational moment in the making of the post-apartheid, where the false history and the vast secret operations of the apartheid state were, at least partially, unearthed. The TRC convened public hearings between 1996 and 1998 to investigate human rights abuses perpetrated between 1 March 1960 and 31 December 1993.[1] In addition to the victim hearings, at which those who had been subject to human rights violations testified about their experiences, hearings were held at which members of the apartheid state security forces provided accounts of the crimes they had committed. The controversial amnesty clause, which made it possible for those guilty of committing gross violations of human rights to evade punishment on condition they made full disclosure of their acts, meant that some of the atrocities committed under apartheid were not only made public, but were affirmed as true by those who had for so long denied that they ever took place.[2] However, the inner workings of the state were largely kept secret, and even after the TRC hearings drew to a close, there is much about the past that remains unknown, contested, repressed, and silenced.[3]

One of the most controversial aspects of the Commission's work was a clause known as "Amnesty for Truth". Those perpetrators who came forward to testify before the Commission, and who disclosed the full truth about their deeds, could be granted amnesty from prosecution. As a safeguard against future impunity, those who were denied amnesty, or who did not present themselves to testify before the Commission, would be liable for prosecution. However, since 2003, when the final TRC report was released, none of the perpetrators responsible for crimes committed during apartheid has been held to account. The unresolved cases of activists who were detained, tortured and murdered by the Security Police have been

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systematically suppressed for political reasons.[4] In 2015, the reasons for the state's failure to pursue the TRC cases were exposed, when Thembi Nkadimeng sought to compel the NPA to prosecute the Security Branch officers accused of torturing and murdering her sister, Nokuthula Simelane, an anti-apartheid activist who was abducted in 1983.[5] Although the family of Simelane had been told on numerous occasions that the case was being investigated, it emerged that political interference ensured that the matter was blocked. The advocates responsible for the case were dismissed from their posts.[6] The failure to pursue the cases against apartheid-era perpetrators was revealed to be the result of decades of collusion and of secret agreements allegedly made between members of the new government and senior members of the old regime,[7] which came about, as Jeremy Sarkin notes, "partly because of the fear that prosecuting such cases would see calls for even-handedness, and thus the possibility that crimes committed by ANC members would have to be prosecuted as well".[8]

In this chapter, I focus on the murder of anti-apartheid activist Ahmed Timol on October 27, 1971, the inquest into his death conducted in 1972, and the landmark judgement in the re-opened case delivered on October 12, 2017. I argue that the re-opening of the inquest into the murder of Ahmed Timol interrupts 'transitional time' (the suspended time after the past and before the future), and returns us to political time (the time of action), making it possible to chart a different course in the present.

The 2017 verdict delivered by Judge Mothle overturned the findings of the 1972 inquest that found that no one was to blame for Timol's death and affirmed what the Timol family had maintained all along – that Ahmed Timol did not commit suicide but was murdered by members of the Security Branch of the South African Police after being interrogated and tortured.[9] The Timol family waited for justice for precisely as many years (1971–2017) that the apartheid regime held power (1948–1994). It took 46 years for the truth regarding Timol's murder to be recognised in a court of law, and what is perhaps most difficult to comprehend is how it was possible that 23 of those years were passed *after* apartheid's legislative end.

Post-traumatic Transitional Time

The re-opening of the inquest into the Timol case, and the return of the events surrounding his murder in the present, fractures the hegemony of post-apartheid transitional time. The teleological ideal implicit in the notion of transition is undone, as the re-opening of the case demands that we recognise the relation between the time of Timol's murder in the 1970s, the time of the TRC in the 1990s, and the current time. In this way, the case exposes what I am terming the 'dyssynchrony' of South African society post-apartheid, literally a place where time does not operate in a synchronous way and metaphorically, adapting the medical term, a place where the activation

of different parts of the heart are improperly synchronised and where auditory stimuli are not processed synchronously. A country that, were it a human body, could be diagnosed with both a neurological and cardiological condition that impairs its ability to listen and to feel, one ear stone-deaf and the other filled with the ceaseless voices of the dead.

In December 2014, newspaper reports revealed that an auction house in South Africa was offering the autopsy records of murdered anti-apartheid activists, Steve Biko and Ahmed Timol, up for sale.[10] The opening bidding price was to be R70,000-R100,000 for the Biko records and R20,000 for the Timol records. In the 1980s, the forensic pathologist who had been hired by the Timol and Biko families, Dr Jonathan Gluckman, handed the autopsy records to his private secretary, Maureen Steele, for safekeeping. Steele died in 2011, and the documents were being sold on behalf of her children, Clive and Susan Steele, who apparently had not thought of what the sale of these records would mean to the Biko and Timol families, nor about who really owned them and whether they had the right to sell them. In fact, after the Timol and Biko families won their case to interdict the sale of the documents, the Steele's went so far as to insist that Biko's son, Nkosinathi Biko, apologise to them for insinuating that the autopsy records had been stolen.[11]

The failure on the part of the Steele's to understand not only the symbolic weight of the autopsy records but also their significance in a juridical sense reveals something of the dyssynchrony that characterises the transitional post-apartheid state. In the minds of the white children of an elderly woman who died a natural death, the autopsy records of people who had been killed more than thirty years before, belonged to a time long past. In a mercenary sense, they were clearly aware of the value of the documents and sought to profit from their sale. For them, apartheid clearly is no more, a closed chapter that is safely behind them, and it is for this reason that the auction house could describe Biko's autopsy record as "a unique document of the Struggle era of great historical importance".[12] For the families of the murdered activists, the value of the autopsy records far exceeds their historical significance, for although Biko and Timol were murdered more than forty years ago, no one has been held to account for their deaths, and the cases remain unresolved. In the press release issued by the Steve Biko Foundation on behalf of the Biko and Timol families after they learned that the Steele's refused to return the autopsy records to the family members, Timol's nephew, Imtiaz Cajee, stated:

> We believe that this is a matter that is not only of relevance to our respective families, but one which has a bearing on all South Africans. The Timol Family is united with the Biko Family and the Steve Biko Foundation to ensure that Clive and Susan Steele hand these documents over to us. In life, both Ahmed Timol and Steve Biko suffered indignities

> that were gross violations of their rights. Together, we will ensure that these indignities do not continue in death.[13]

For the Timol and Biko families the murders that took place in the 1970s are not situated in the distant past but continue to determine the shape of the present.

On 27 October 1971 the parents of anti-apartheid activist Ahmed Timol were informed that their son had committed suicide by throwing himself out of the window of room 1026 of what was then known as John Vorster Square, the police headquarters in central Johannesburg. Timol was a member of the South African Communist Party and a well-loved teacher who worked at Roodepoort Indian High School, not far from Johannesburg. Timol's family were convinced that he was murdered by the Security Police and this view was widely accepted by everyone who opposed the apartheid state at the time. Writing under his pen-name 'Frank Talk', the Black Consciousness Movement activist and political thinker, Steve Biko, expressed his disdain for the patently fabricated claims made by the Security Police about the events that led to Timol's death while in police custody: "The late Ahmed Timol was prevented from 'dashing' through the door but it was found impossible to stop him from 'jumping', through the 10th floor window of Vorster Square to his death".[14] Biko's article appeared in the widely-circulated newsletter of the South African Students Organisation in early 1972, just a short while before the African National Congress (ANC) submitted a memorandum to the decolonisation committee of the United Nations calling for South Africa's expulsion from the organisation and for the denunciation of apartheid as a crime against humanity. The memorandum asserts what was common knowledge at the time – Timol's death was not the result of suicide but of murder: "The murder of Ahmed Timol at the hands of the Security Police on the now notorious 10th Floor of John Vorster Square Police Headquarters is still fresh in our minds".[15] A short time later, at the inquest held in 1972, Magistrate JJL De Villiers ruled that no one was responsible for Timol's death.

In spite of the certainty of Timol's family that he was tortured and killed in detention and although this view was shared by many South Africans, not one of the Security Police officers involved in his arrest and interrogation came forward to offer information about the case after the end of apartheid when the Truth and Reconciliation Commission proceedings began. Nor did anyone ask for amnesty for their part in Timol's murder, who, in 1971, was the twenty-second person to die in detention at the hands of the Security Police since the introduction of detention without trial and the seventh person to have allegedly committed suicide while in police custody.[16]

The Timol family's lengthy quest for justice is the subject of Enver Samuel's documentary film, *Someone to Blame: The Ahmed Timol Inquest – A 46 Year Wait for the Truth* (2018), which begins with a black and white

image of a row of closed doors along an empty corridor. The camera moves into one of the rooms and focuses on the metal instruments used to perform autopsies, and the figure of a person wearing a facemask and lab coat is shown leaving the room, closing the door. The effect is that the viewer is left behind inside the mortuary, one that represents the room where the autopsy on Ahmed Timol's tortured body was performed. The voiceover, which is spoken in English, inflected with the Afrikaans accent of the judge who presided over the 1972 inquest, narrates the findings of the case:

> The identity of the deceased is Ahmed Essop Timol, an Asian male, 29 years old, a born South African, teacher by profession. Date of death, 27 October 1971. Cause or probable cause of death: the deceased died because of serious brain damage and loss of blood when he jumped out of the window of room 1026 of John Vorster Square and fell to the ground on the Southern side of the building. He committed suicide. No living person is responsible for his death. Murder, in view of the testimony given, and even considering it, is ludicrous. – Findings of Magistrate J.J.L. De Villiers, at the 1972 inquest into the death of Ahmed Timol, Johannesburg Magistrate's Court.[17]

Watching this chilling opening sequence, one can imagine Imtiaz Cajee, permanently keeping vigil over the body of his uncle, unable to exit this horrifying place, trapped in time. For the Timol family, liberation did not come in 1994, nor did it come at the TRC hearings, where Hawa Timol testified about her son's murder. At that time, Cajee vowed to seek justice for his family and despite the challenges he has faced, has not given up. Cajee has refused to allow the event of his uncle's murder to be assimilated into the chronology of post-apartheid transitional time within which the past progressively recedes from the present. He has effected this not only by assembling all the materials that constitute the memory of Ahmed Timol – photographs, testimonies, news reports, legal documents – but through his own embodied memory and his physical presence in legal proceedings as representative of the Timol family. As Cajee's book, *The Murder of Ahmed Timol*, makes clear, the unwillingness of apartheid-era perpetrators to disclose the truth about the events of the past both at the TRC and in the decades afterwards, made it extremely difficult to re-open the inquest into Timol's death. This difficulty was compounded by the partial or complete destruction of archives containing information about apartheid-era crimes. With regards to the material relating to the Timol case, Cajee writes:

> What we know about the first inquest is limited to that part of the court records that still exists. Only 504 of the 1,157 pages have survived, less than half of the full record. This comprises the last part of the record, including the 77-page judgement. Significantly, some of the missing

> elements include the oral evidence of the police witnesses and certain photographs and other exhibits.[18]

Through his extensive research, Cajee has collected a large number of documents and newspaper articles relating to his uncle's murder, all of which he has made available online, and has also published two books about the long struggle his family has faced.[19] As Noha Aboueldahab notes, "this landmark case illustrates the significant impact of both documentation and advocacy in challenging so-called established truths, even more than four decades later".[20]

Someone to Blame traces the events that led up to the re-opening of the inquest and through interviews and footage of the 2017 court proceedings, conveys the magnitude of this event for the Timol family. Cajee is shown on his way to the re-opened inquest, and driving between Pretoria and Johannesburg, he describes how he was trying to visualise the day in April 1972 when his maternal grandparents went to the first inquest, just four months after the murder of their son. As he relives their journey to the court to attend the inquest in 2017, Cajee quite literally remembers the pain of his grandparents. Like many trauma survivors for whom the present is overdetermined by the past and who seek a way to heal from what they have endured, Cajee sought to go back in time and to change the past. In psychoanalytic terms, this process of renarrativisation takes place within the psyche and enacts a form of symbolic repair. In Cajee's case, the immense effort he has expended in resisting the paralysis of transitional time has resulted in a historic return.

Writing of the way in which the memory of the Nakba is mobilised in Israel/ Palestine, Nadim Rouhana and Areej Sabbagh-Khoury develop the concept of the 'return of history', which, they argue,

> is not merely a process in which people simply "re/discover" historical "truths", facts, or evidence and reconstruct them within the present context, as they do with collective memory. It is also a process in which historical memories – those that were silenced but never forgotten – are transformed into political assets.[21]

The significance of the court's findings in 2017 for the Timol family cannot be overstated – Cajee has devoted his life to the pursuit of justice and in many ways, it is a deeply personal quest. At the same time, the finding in the Timol matter and the possibility that those responsible for human rights violations under apartheid will be tried in criminal courts is of enormous significance for the country as a whole. Through his refusal to allow the murder of his uncle to be consigned to the past, Cajee has tied a knot in time and has 're-turned history', recalibrating political time. In this sense, the Ahmed Timol case is a great victory for all those who suffered under apartheid and who had given up hope of ever attaining justice.

The re-opening of the Timol case restores the names and experiences of people who were detained and tortured to public memory. At the same time, the case serves as an important reminder of the lengthy timespan of impunity in South Africa and raises questions not only about the past but about the present. The re-opening of the case returns us not only to the 1970s but to the beginning of the negotiated transition and to the time of the TRC. Through the re-opening of the case, the names and faces of people who committed atrocities under apartheid have also re-emerged and with them a reminder of how so many people responsible for terrible deeds were reabsorbed into society, as if they had never done anything wrong at all. This re-opens the contentious matter of amnesty and all those who seemingly disappeared at the end of apartheid, all those who refused to tell the truth at the TRC, or who refused to come forward and be held accountable for their crimes.

At the re-opened inquest in 2017, Judge Mothle ordered that Joao 'Jan' Rodrigues be charged with Timol's murder and with defeating and/or obstructing the administration of justice. In response, Rodrigues sought a permanent stay of prosecution that if it were granted, would apply not only to him, but to all former Security Branch and former state agents who would effectively be exempted from being held to account for their actions in the future. Following the perverse logic that can characterise legal procedures, Rodrigues' defence argued that a trial against him would be unfair due to the time that has lapsed since Timol's murder. In an article about Rodrigues' attempt to evade being tried in court, Cajee is cited as saying,

> when Rodrigues faces the court on Thursday for a permanent stay of prosecution, he will be carrying on his shoulders the hopes and fears of hundreds or thousands of surviving policemen, soldiers and politicians who have until now not been held accountable for apartheid crimes.[22]

At a political moment in which the hope of justice seemed less possible than ever, the recognition of apartheid not only as a series of violations of human rights but as a crime against humanity has returned to public debate.[23]

This is one of the important outcomes of the re-opening of the Timol case – it deepens public knowledge and understanding of the many cases of people who were tortured and murdered under apartheid and it serves as a reminder that those responsible for committing atrocities have almost without exception evaded responsibility and have never been held accountable for their crimes.[24] More than this, in most cases those who perpetrated these acts have never been publicly identified, nor have they been subject to the scrutiny and censure one would expect in the aftermath of historical injustice. In a similar way to those who committed crimes as part of the National Socialist regime in Germany, almost all of the apartheid-era perpetrators have been absorbed into civilian life and have not been punished.[25] The re-opening of the TRC cases and the possibility that perpetrators will be tried for

committing crimes against humanity has the potential to radically shift how people think about what apartheid was, how it continues to affect the present, and how people experience and understand impunity and injustice.

Remembering the Monster

> My cousin-brother Matthews Marwale Mabelane died at the hands of the police at the John Vorster Square Police Headquarters in February 1977. It was claimed that he jumped from the notorious tenth floor of the building and died instantly. Seeing that the stories of the 10th floor jumps were never and will not be true, we want to know why the killers are not coming out and apologise for their deeds. Such tricks by the perpetrators of those atrocities are really infuriating because these killers will only start talking about these things immediately they are exposed – otherwise they will keep quiet. Do they really think that their victims will just forget about the hardships they caused them? Or do they think that the people are still afraid of them hence talking about their deeds would cause them some more troubles like in the past? The family and relatives are very upset about the silence of the killers of Matthews. Time is running out now. Let them come out and tell the story. We also want to see them, how they look like, whether they are real human beings and have families, children, relatives and friends.[26]

"Time is running out now", Mr K. C. Mabelane wrote in an entry, four years after the legislative end of apartheid, in the Register of Reconciliation, an initiative that invited people who did not testify at the TRC to share their stories as well as to apologise for the wrongs of apartheid. The register indicates that the timespan for collective reckoning and atonement was brief – it begins in December 1997 and the final entry is dated December 2000.[27] Matthews Marwale Mabelane was 22 years old when he was detained by the Security Police. He was held in detention for 25 days and the police claimed that he climbed onto a window ledge and fell to his death from the tenth floor of John Vorster Square on 15 February 1977. The case remains unresolved and is one of the cases that will be re-opened in the wake of the findings of the 2017 Timol inquest. I discuss the Mabelane case in greater depth in the final chapter of this book.

The testimony of anti-apartheid activists who were detained by the Security Police at the same time as Timol and whose descriptions of the torture they suffered provided evidence of the routine practices used in interrogations at that time were pivotal in the re-opening of the Timol case. The experiences of Salim Essop and of Dilshad Jhetam were used to cast light on what Timol himself must have endured, and their testimonies, which were not heard at the TRC, were told for the first time in court as a result of the re-opening of the Timol case.

It was because of the new evidence presented through the testimony of Essop, who had been arrested with Ahmed Timol in 1971, that the case was re-opened by the National Prosecuting Authority. The torture Essop was subjected to was so severe that after being assaulted for four days he was close to death, and he was incarcerated for months in a prison hospital. Deeply traumatized by his experiences at the hands of the Security Branch, Essop did not appear before the TRC. Twenty years later he was convinced by Imtiaz Cajee of the importance of his testimony and his account proved critical in the re-opening of the Timol case. Essop described in court how the Security Police perceived torture to be like a sport and explained that they kicked him and shocked him on his thigh until his hair began to fall out, "tufts of my hair were coming out, I could see my hair on the ground". In his testimony, Essop described having seen Ahmed Timol, who could not stand on his own, being dragged along a passageway by members of the Security Branch.[28]

The testimony of people who were detained and tortured leads not only to the names of perpetrators and provides evidence of the human rights abuses for which individual members of the Security Police are responsible, but also to the names and stories of other political activists.[29] The claims made by Security Police officers regarding detainees who allegedly jumped to their deaths through the windows of the tenth floor of John Vorster Square have been proved untrue by the testimonies of people who survived being tortured. Anti-apartheid activist Abdulhay Jassat relates how, after he was tortured by Security Policemen, the officers who interrogated him asked him if he wanted to escape. They seized him and took him to a window:

> They lifted me by my shoulders and pushed me headfirst out of the window. All you see is concrete. There is no one around at that time as it was about 2am. They then put two chairs next to me, a police officer on each one, and they pushed me out and held me by my ankles. Every now and again, they would ask if I was going to speak, but you can't speak, you're dangling there and all you see is concrete. Then the one guy would let go of your ankle, and you think that you're gone. And while he makes a grab for your ankle again, the other one let's go. This went on for quite a while. Now if they miscalculate, you're gone, you fall three floors down. That is what they did to Babla Saloojee at Grey's Building … as they did with (Ahmed) Timol, who they threw from the tenth floor of John Vorster Square.[30]

Jassat's account reveals how his own experience was affected by his knowledge of how Saloojee and Timol were murdered, and his own experience serves as evidence of what they endured. The testimonies of detainees like Essop, Jhetam and Jassat provide evidence of how the memory of what they endured is retained in their bodies. Their detailed accounts expose the sharp

contrast between those who were tortured and who, try as they might, can never forget, and those who tortured them, who claim not to remember anything at all.

The re-opening of the Timol case provided an opportunity for those Security Branch officers implicated in the murder of Ahmed Timol to disclose the truth about what had happened more than 40 years before. The failure on the part of apartheid-era perpetrators to come forward and testify at the TRC significantly undermined the work of the Commission:

> It is the view of the Truth and Reconciliation Commission (the Commission) that the spirit of generosity and reconciliation enshrined in the founding Act was not matched by those at whom it was mainly directed. Despite amnesty provisions extending to criminal and civil charges, the white community often seemed either indifferent or plainly hostile to the work of the Commission, and certain media appear to have actively sought to sustain this indifference and hostility. With rare individual exceptions, the response of the former state, its leaders, institutions and the predominant organs of civil society of that era, was to hedge and obfuscate. Few grasped the olive branch of full disclosure.[31]

By 2017, several of the men who interrogated Timol had already died and only three remaining Security Branch members could be traced, Joao 'Jan' Rodrigues, Neville Els and Seth Sons. The hope that they would tell the truth in order, as Howard Varney put it to Neville Els in his questions to him at the re-opened inquest, to "help the Timol family to find closure" was clearly misplaced. "I cannot remember that, I cannot recall" was the refrain that ran through the responses of both Els and Sons, a criminal amnesia that alone should indict them.[32]

Although the Security Branch officers chose to remain in 1972 and stuck to the fabricated version of events that was put before the apartheid-era inquest, in 2019 the lies told by the Security Police were finally accepted as untrue, and although this served to confirm what was already widely known, the validation by the court and the possibility that those implicated in the murder would be tried, constitutes one of the most significant moments in South African history. The withholding of the truth in the many other cases of violations of human rights committed under apartheid continues to have considerable force, a force that goes beyond the need for closure in each individual case. The Timol case makes it possible to recognise the connection between the lies told by the Security Branch officers in service to the apartheid state and the grand lie of apartheid itself, the claim to white supremacy and the legitimation of a system that was itself a crime against humanity. That those who know most about the torture and murder that took place under apartheid continue to lie about these events exposes the radical dyssynchrony of the post-apartheid state. Post-apartheid transitional time insists

that we are all occupy the time of transition that has a blurry beginning and no precise end, a time before the time of true liberation in which everyone would not only be free, but in which there would be houses, security and comfort for all. Between the two points of transition and liberation is the continuous present, a time in which time is on endless repeat and the possibility of addressing the challenges bequeathed to us by the past have come to seem insurmountable, their enormity serving as a useful excuse for inaction in the present. In order for there to be justice, the erasures effected by transitional time have to cease. In the South African context, it is impunity that keeps the hands of transitional time ticking, and at the same time, locked in place.

Apartheid: Crime Against Humanity

The landmark verdict in the Timol case can be understood as an act that restores something of the deep loss of faith in the law South Africans suffered under apartheid. At the same time, this case raises the question not only of why it has taken so long for justice to be served, but of what justice in the aftermath of apartheid means. This is to ask not only about the timeframe within which justice should or can be done but about what form justice should take. In indicting Rodrigues for the murder of Timol, the court recognises individual wrongdoing, but fails to indict the system of which the Security Police formed part. Recognising apartheid as a crime against humanity would mean indicting those who enforced the system itself and not only those directly implicated in individual violations of human rights. As Suren Pillay argues:

> If we wish to think beyond the individualizing move that the TRC makes, we would need to reconsider this violence in relation to apartheid. We will need to think about how this violence relates to the law itself since apartheid was a legal regime. And we would need to think about how this violence – orphaned by both law and the official political narrative – relates to the constitution of political community in a society with a colonial genealogy.
>
> *(2011, 44)*

One of the features of the apartheid state was the significant place accorded to the judicial system and the 'rule of law'. In a similar way to the passing of the Nuremberg Laws in Nazi Germany, apartheid was brought into being through a slew of legislation. The apartheid system operated through the fetishization of the law and a simultaneous disregard for justice (under apartheid the courts were used to enforce the oppressive rule of the state while at the same time insisting that there was no pretence involved, and that events like the Treason Trial, The Rivonia Trial and inquests into the deaths

of people who died in detention were all conducted within the bounds of the law). At the same time, and as the TRC report reveals,

> Evidence placed before the Commission indicates, however, that from the late 1970s, senior politicians – as well as police, national intelligence and defence force leaders – developed a strategy to deal with opposition to the government. This entailed, among other actions, the unlawful killing, within and beyond South Africa, of people whom they perceived as posing a significant challenge to the state's authority.[33]

The report goes on to state that "Killing is the most extreme human rights violation. Any legally constituted state that executes people outside of its own existing legal framework enters the realm of criminality and must, from that point on, be regarded as unlawful".[34] Framed in this way, it is extra-judicial killings that constitute the illegality of apartheid and that serve to render the state 'unlawful'. However, what the Timol case shows is how the apparatus of the law was manipulated to ensure that in spite of the widespread recognition that the apartheid state was a criminal state, there was effectively no outside of apartheid's 'existing legal framework' and no matter what atrocities were committed, these could be integrated into the system.

"Can we apply the same principle that is applied to a governmental apparatus in which crime and violence are exceptions and borderline cases to a political order in which crime is legal and the rule?", Hannah Arendt writes in relation to Germany under National Socialism.[35] Under apartheid torture and impunity did not merely infest the criminal justice system, they were integral to the workings of the system of apartheid as a whole. Understanding apartheid as a crime against humanity is to recognise the injustice and systemic violence of apartheid itself, rather than reducing fifty-years of state-sanctioned racist hatred to a series of corrupt and criminal acts perpetrated within a system that otherwise operated within the bounds of the law. In their submission to the court in opposition to Rodrigues' bid for a stay of prosecution, advocates Salim Nakhjavani and Bonita Meyersfeld of the Southern Africa Litigation Centre (SALC) argue that:

> Timol was killed as a result of a system that committed acts of racial discrimination, mass violence and that murdered in the name of protecting minority interests. This makes the murder of Ahmed Timol one of the most serious crimes that can be prosecuted in domestic and international law. Therefore, the submission by SALC seeks a legal characterisation that includes the particular social and political context which requires an indictment for crimes against humanity.[36]

SALC's submission demonstrates that apartheid was recognised as a crime against humanity by the United Nations in 1971. Meyersfeld notes: "There

has never been any prosecution of apartheid crimes and if we cannot prosecute this, it does indeed make an ass of the law".[37] The inclusion of amnesty as part of the methodology of the TRC, which was intended to encourage those who were responsible for human rights abuses under apartheid to come forward to testify at the commission and to further the ends of national reconciliation, provided a way for the new order to operate on a continuum with the old.[38]

Apartheid and Traumatic Repetition

One way to understand the far-reaching consequences and significance of Judge Mothle's verdict in the Timol case is to read his findings in the light of recent events in the country, and in particular in relation to impunity in relation to state-sponsored violence. On 16 August 2012, almost 20 years after apartheid officially came to an end, a massacre took place at Lonmin Platinum Mine in Rustenberg, an area approximately 40 kilometres outside of Johannesburg. Hundreds of miners were injured, and 34 were shot dead by the police. The outcome of the Commission of Inquiry into the events that took place at Marikana, which exculpated the state, the police, and the Lonmin Mining Company, evokes the title of advocate George Bizos' book, *No One to Blame*, and reveals that the impunity that characterised the apartheid state has not been expunged.

In their letter to the President regarding the suppression of the TRC cases, the former commissioners take note of the disturbing fact that the investigating officers appointed to investigate cases of human rights violations that took place under apartheid were themselves former members of the Security Branch:

> Emboldened by the outcome of the reopened Timol Inquest, human rights activists placed 20 more cases (including the Cradock 4 and Pebco 3 murders) before the NPA and the Hawks in January 2018. Although the Hawks appointed investigating officers it was subsequently discovered that the officers leading the investigations were former Security Branch (SB) or associated with the SB. The most senior investigator had been implicated in the torture of a political detainee in the 1980s. This detainee, together with his wife, were subsequently shot dead by the SB, after he sued the SAP [South African Police] for damages. Although the two officers have since been removed from these investigations following complaints, it is hardly surprising that no progress has been made in any of these 20 cases. As recent as 2018 it is still business as usual with the TRC cases ultimately controlled by forces from the past.[39]

The 'forces from the past' that continue to control the present can be understood as both structural and psychic. The terrible events that took

place at Marikana expose the economic and political continuities between the past and the present. That the Commission of Inquiry into the massacre that took place in 2012 found 'no one to blame' makes clear that a deeply engrained societal acceptance of impunity for the gravest violations of human rights has not been overcome.[40]

The psychic state that has defined the national consciousness in the aftermath of apartheid has been a form of paralytic amnesia punctuated by bursts of rage and violence and underwritten by despair. Like melancholy somnambulists picking through the ruins of what has preceded us in a feverish sleep, we seem unable either to rest or to wake up and act in the present. An acute sense of living in a time *after time*, ostensibly moving towards a future that is always beyond reach but in actuality compulsively circling around the past that cannot be left behind, but that, as Moishe Postone writes, "has always been in tow", has come to define the transitional state.[41] "It sounds paradoxical", Sami Khatib argues, "from a historical perspective, the past is still ahead of us. The task is not to rewrite the past from the perspective of the present but to destabilize the seemingly solid ground of the present through the past".[42]

In his remarks to the court, Howard Varney, counsel for the Timol family at the re-opened 2017 inquest into Timol's death, noted the immense struggle Cajee undertook when he sought to reopen the case and asked: "Why did the Timol family have to move heaven and earth to get this inquest off the ground?".[43] The answer to this question lies in the enormity of what has been overturned along with the findings of the 1972 inquest. Imtiaz Cajee has, through a colossal effort and with the support of others, like advocate George Bizos, who was present at both the first and second inquest into the death of Timol, refused the relentless, amnesiac rushing of transitional time and called instead for a slow reversal, a painful return to the time when Timol was tortured and his body was thrown from the tenth floor of the police headquarters. Cajee's determination wrenched Joao 'Jan' Rodrigues from anaesthetised retirement in peaceful obscurity and thrust him back into the time of the murder. Judge Mothle's finding, that Timol did not commit suicide but that he was murdered, and that those responsible for his death should be put on trial in a criminal court, brings an event that took place 47 years ago into the present. While this bears a close resemblance to the re-emergence of traumatic memories that plague those who were tortured, it is also different in an important way – Mothle's judgement means that the victims of human rights violations, such as Salim Essop, are not forced to relive the events of the past only to have their torturers lies affirmed, but what they have suffered is recognised by law. On the day that the verdict was delivered and the truth about Timol's murder was recognised, a silence fell in the courtroom, Imtiaz Cajee began to cry, and a voice called out "Long Live Ahmed Timol! Long Live!".

The verdict in the Timol case resets the clock that has told the time for us in the years since the end of the Truth Commission hearings, a clock that

FIGURE 6.1 Ahmed Timol walking alongside his friend, Suliman Soojee c. 1970
Image courtesy of the Ahmed Timol Family Trust

represents the inertia of the transition, ostensibly moving forwards, in reality trapped like the hands of a stopped clock that only ever jitters a second forward and a second back. This is the significance of Imtiaz Cajee's long quest in pursuit of justice for his uncle, his family and for the country as a whole – he has forced us awake. The re-opened case and its findings do not undo the past, but they make possible a new and different course, one that sets out from the premise that justice in the aftermath of apartheid need not always be infinitely deferred. The logics of the promise of the gradual realisation of rights guaranteed by the Constitution and the endless deferral and suspension that characterises the post-apartheid condition (waiting for houses, waiting for safety, waiting for equal education, waiting for employment, waiting for a living wage, waiting for justice to be done) has been overturned, the clock switched back. As a result, the path of history opens up to present an as yet uncharted future, one in which it feels slightly less foolish to harbour hope.

Postscript

During the time it took to reopen the Timol inquest, all the Security Police officers directly involved in the matter died. Rodrigues, the final witness, died in September 2021. He never disclosed the truth about how Timol was murdered and never stood trial.

Notes

1 As Madeleine Fullard notes, the decision to use the date of the Sharpeville Massacre, which took place on 21 March 1960, rather than 1948 – the date of the founding of the apartheid state – to delineate the timeframe for the hearings signalled that the focus of the TRC was on physical rather than structural forms of violence and structural racism was decentred. This meant that for the most part, the TRC did not engage with the policy of apartheid itself as a crime against humanity. See Fullard (2004). On the establishment of the TRC see Sachs (1999); for a critique of the timeframe of the TRC, see Fullard (2004).
2 See the TRC Report, 2003, Volume 6 for the Reports of the Amnesty Committee. By April 1997 the Committee had received over 7,112 applications for amnesty concerning over 14,000 incidents. 5,392 requests for amnesty were refused.
3 See Pigou (2009). Organisations campaigning for access to information in South Africa include the Freedom of Expression Institute (www.fxi.org.za/index.php), founded in 1994; Right to Know (www.r2k.org.za), founded in 2010 to oppose the Secrecy Bill; and Open Secrets (www.opensecrets.org.za), which conducts research into apartheid-era economic crimes, and was founded in 2017.
4 For an overview of the history of the suppression of the unresolved TRC cases, see "Timeline of the Systematic Suppression of the TRC Cases" on the Ahmed Timol: Truth Prevails website, www.ahmedtimol.co.za/timeline-of-the-systematic-suppression-of-the-trc-cases/
5 For further details about this case, see Sarkin (2015).
6 The affidavits submitted by Advocates Vusi Pikoli and Anton Ackerman as part of the Simelane case describe how they were prevented from pursuing these cases

and were dismissed from their posts by former President Thabo Mbeki: www.southernafricalitigationcentre.org/wp-content/uploads/2017/08/Vusi-Pikoli-Affidavit-Simelane.pdf and www.southernafricalitigationcentre.org/wp-content/uploads/2017/08/Anton-Ackermann-Affidavit.pdf

7 Schmidt (2020), 281–291 provides insight into these secret meetings in his book, *Death Flight*. See also Sooka and Ntsebeza (2019).
8 Sarkin (2015), 32.
9 The judgement delivered by Judge Mothle can be accessed in full here: www.ahmedtimol.co.za/wp-content/uploads/2019/01/Judgment-THE-RE-OPENED-INQUEST-INTO-THE-DEATH-OF-AHMED-ESSOP-TIMOL.pdf.
10 Whittles (2014).
11 Pillay (2014).
12 "High Court Halts Auction" (2014).
13 Cajee (2014).
14 Biko (1972). Steve Biko was arrested and detained in August 1977 and tortured and murdered by the Security Police on 12 September 1977. The police claimed that Biko died as a result of head injuries sustained during what they described as a 'scuffle', and no one was held accountable for his murder.
15 African National Congress (1972), 3.
16 In 1961, the General Laws Amendment Act made it possible for the police to detain people for up to 12 days without trial. In 1963, a law was passed that made provision for 90-days detention and this was doubled in 1965 when the Criminal Procedure Amendment Act, commonly known as the "180-day law", was passed. In 1967, the Terrorism Act was enacted and allowed for indefinite detention without trial.
17 Someone to Blame (2018).
18 Cajee (2020), 123–124.
19 See Cajee (2005) and Cajee (2020). See also the Ahmed Timol website: www.ahmedtimol.co.za.
20 Aboueldahab (2018), 9.
21 Rouhana and Sabbagh-Khoury (2019), 3. For my own articulation of the concept of re-turning history, see Thomas (2018).
22 Venter (2019).
23 See Yates (2018); York (2019); Smith (2020).
24 In 1996, former colonel in the South African Police Force and commander of the death squad based at Vlakplaas, Eugene de Kock, was denied amnesty and sentenced to 212 years in prison. He was released on parole in 2015. Adriaan Vlok, the former minister of law and order received a 10-year suspended sentence in 2007 for ordering the Security Police to murder Reverend Frank Chikane. At the time of writing in 2025, these are the only two convictions of apartheid-era perpetrators that have taken place.
25 Weinke (2019).
26 Entry by Mr K.C. Mabelane in the TRC Register of Reconciliation, September 10, 1998. See: Truth and Reconciliation Commission of South Africa, "Register of Reconciliation", online.
27 The collection of statements forms part of the website of the Truth and Reconciliation Commission and can be accessed here: www.justice.gov.za/trc/ror/page16.htm
28 Tolsi (2017).
29 For further information about people detained and tortured at John Vorster Square see https://artsandculture.google.com/exhibit/detention-without-trial-in-john-vorstersquare/gQ-1o9MM.
30 Jassat, quoted in Vadi (2018), 12.
31 TRC Report (1999).
32 Masilela (2017).

33 TRC Report (1998), 213.
34 TRC Report (1998), 213.
35 Arendt (2003), 382.
36 Kisla (2019).
37 Kisla (2019).
38 In his 2013 book, *The Impossible Machine*, Adam Sitze traces the genealogy of Commissions of Inquiry, showing how they form part of the apparatus of colonial domination. To overlook this is to fail to understand a critical aspect of both the TRC and of other South African commissions, such as the Commission of Inquiry into the Marikana Massacre, and how, in maintaining the power to indemnify the state, they bring with them the bedrock of apartheid – the power to legalise illegality.
39 Sooka and Ntsebeza (2019).
40 The Marikana Commission of Inquiry: Report on Matters of Public, National and International Concern Arising out of the Tragic Incidents at the Lonmin Mine in Marikana, in the North West Province, 2015, can be accessed online at www.justice.gov.za/comm-mrk/docs/20150710-gg38978_gen699_3_MarikanaReport.pdf.
41 Postone (1980), 100.
42 Khatib (2017), 12.
43 Smith (2017).

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CONCLUSION

Call to the Living

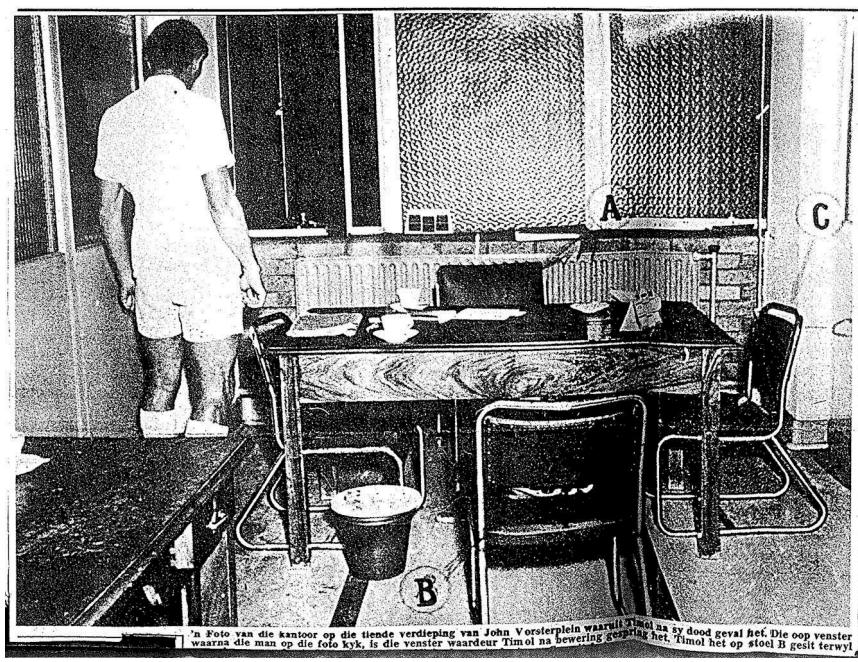

FIGURE C.1 A photograph of the office on the 10th floor of John Vorster Square where Timol sat before he fell to his death. The open window through which the man in the photograph looks, is the window through which Timol jumped. Timol sat on chair B while… "Timol: Getuienis Oor Geheime Name en Taal" [Evidence of Secret Names and Language], *Die Transvaler*, 27 April 1972

Image courtesy of the Ahmed Timol Family Trust

DOI: 10.4324/9781003515401-8

The photograph is of a man who rapes his own daughter. Years later, it is this to which he confesses. To the nights of violating the small body of his own child. The abyss widens. There is no outside.

As to how he spends his days, this he will never disclose. Instead, he stands at the window and stares down. There is no risk that he will fall. He is a statue, a monument, that like all monuments, speaks only of blood.

The dark is both outside and in, it bleeds over the edge of the window frame. I take note of the patterns and marks on the surfaces, the three strips of carpets that resemble animal hides. It is a strange and ugly scene and the man himself is the worst of it, his posture brutal and his costume perverse.

Outside the window is the tortured body of the man who was flung from the roof.

The country is eviscerated, and he finds a kind of pleasure in it – in the company of torturers he has found his place.

Against his back the tide rises and turns. He leaves the room, the sticky chairs that suck and leech at his skin in the gap between his shorts and high

FIGURE C.2 John Vorster Square under construction, Johannesburg, 1968. Photographer unknown
Image courtesy of South African History Archive/Museum Africa

socks in the October heat, descends from the tenth floor and disappears into the vast white field of blindness that will protect him as surely as it incinerates evidence and burns away the remains of the dead.

The night is amnesty. It pulls and pulls.

Forty years later the man resurfaces, and along with him, the photograph that positions him at the open window.[1] It is his daughter who identifies him, exposes his true name, and turns him in.[2] Of the Security Police officers implicated in the murder of anti-apartheid activist, Ahmed Timol, he is the last surviving member. The last man standing, as it were.

I consider a series of low-resolution images, most of them originally taken by members of the South African Police force during apartheid and held in police files. One of the photographs, taken by an unknown photographer, shows a large building in an advanced stage of construction, its white edifice punctuated by a series of dark rectangles intersected by the thin white t-shaped lines of the metal window-frames. At the top of the building are the partially built rooms of the ninth and tenth floors, hollow yet portentous signs of what is yet to come, horror by design.

The scale of the building announces the scale of the enterprise it is to house. A portrait of structural violence that exposes both a violent structure and the way in which violence is structured.

I notice the group of five people standing next to a car that is parked alongside the wall that blocks the construction site off from the street. I enlarge the image over and over to see the faces of these small figures. I can't be certain, but they appear to be Black men and women who are about to cross the street, while a short distance away is a smaller figure, possibly a white boy, who appears to be watching them. The reason for their presence in the street is impossible to say and is rendered both incidental and irrelevant by whoever took this image of the building that looms like a monster behind them.

It is 1968, 20 years into apartheid, eight years since the Sharpeville Massacre and the banning of political parties that sought to oppose the racist regime. Forced underground, the African National Congress, Pan-Africanist Congress and the South African Communist Party had begun the armed struggle. At the same time, the state intensified its programme of militarization, increased the police force, and vowed to end resistance to apartheid. Over the next two decades, 80,000 people would be detained without trial, thousands of people would be killed by the police and in political violence, and hundreds of people would be disappeared, arrested, tortured and murdered by the Security Police. One of the central sites in this landscape of terror was John Vorster Square, the police station in central Johannesburg.

'Foto 1'

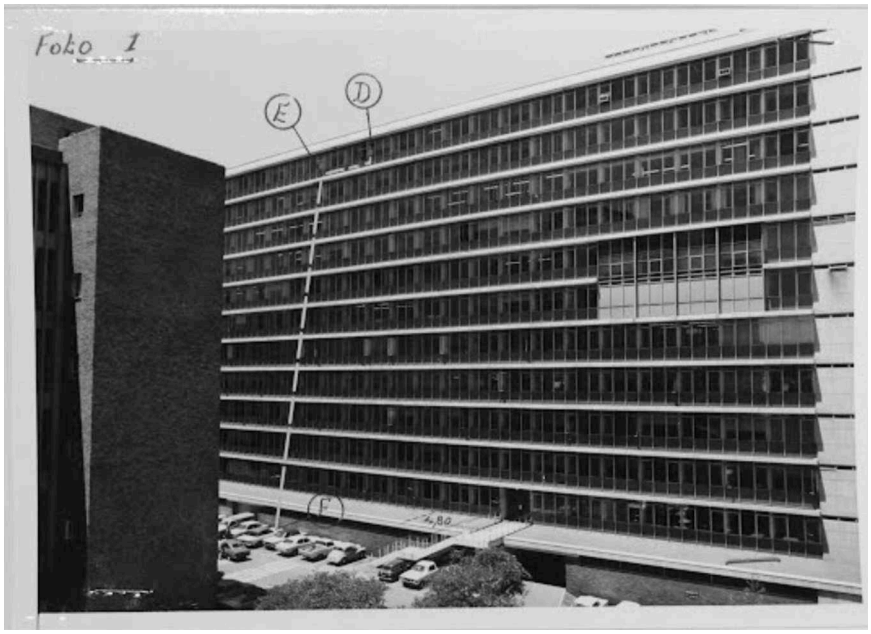

FIGURE C.3 Photograph made by the Security Police as part of the investigation into the death of Matthews Mabelane, John Vorster Square Police Station, Johannesburg, South Africa, February 1977
Image courtesy of the South African History Archive

This is the same building, but the windows seem to have multiplied. If in the first image there were hundreds of windows, now there are thousands.

D marks the window out of which Matthews Mabelane was said to have climbed.

E marks the place where it was said he balanced on the ledge.

The dotted white line indicates the trajectory he was said to have followed when he plunged to his death.

F marks the site where he allegedly landed on the bonnet of a car in the parking lot below.

The darkness of the fortress wall of the structure in the foreground is rivalled by the darkness of the windows through which it is impossible to see.

The abyss is everywhere and nowhere at the same time.

'Foto 2'

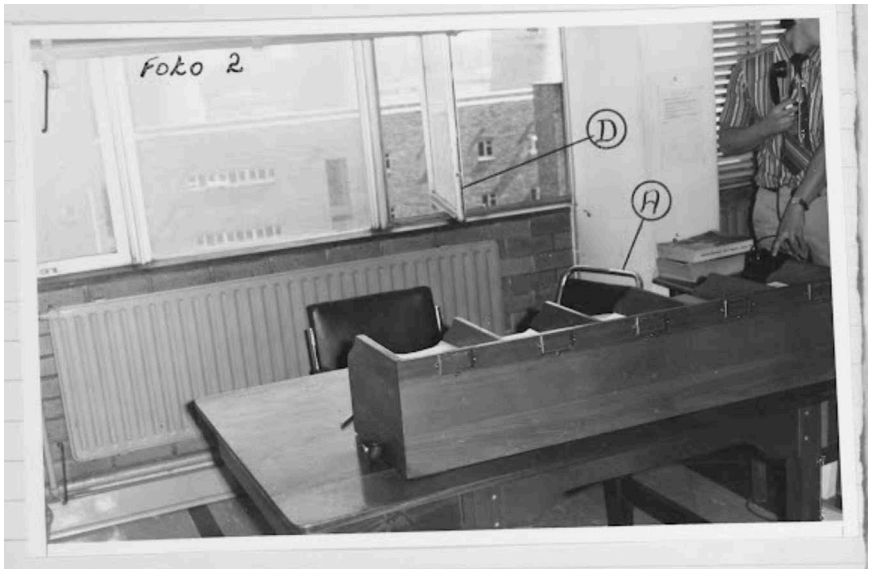

FIGURE C.4 Photograph made by the Security Police as part of the investigation into the death of Matthews Mabelane, John Vorster Square Police Station, Johannesburg, South Africa, February 1977
Image courtesy of the South African History Archive

Now we are inside the building, inside the office in which he was interrogated, looking through the window from which the Security Police claimed he fell.

And we are not alone in the room – at the edge of the frame is a man dressed in a striped shirt and tie, his right hand holding the receiver of a black telephone while his left hand is splayed, pressing down in a gesture at once banal and grotesque.

Why would the chairs be placed in such close proximity?

A possible answer is provided in the testimony of anti-apartheid activist Abdulhay Jassat, who relates how, while being tortured by Security Policemen he was asked if he wanted to escape. He describes how the Security Police, "lifted me by my shoulders and pushed me head first out of the window. […] They then put two chairs next to me, a police officer on each one, and they pushed me out and held me by my ankles.[3]

'Foto 3'

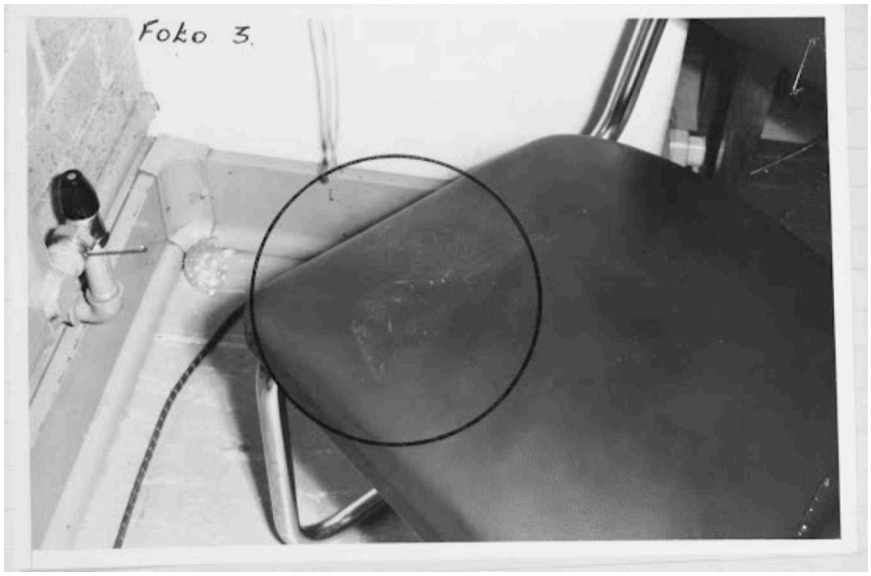

FIGURE C.5 Photograph made by the Security Police as part of the investigation into the death of Matthews Mabelane, John Vorster Square Police Station, Johannesburg, South Africa, February 1977
Image courtesy of the South African History Archive

Here is the chair on which Matthews Mabelane was said to have climbed, the scuffmarks, circled on the image by the police, ostensibly made by his foot. The last trace of the young man inside a circle that almost certainly holds no trace of him at all. In the corner of the room, lying outside the circle is a ball of discarded plastic wrap, nothing more than lunch litter, or otherwise a medium for suffocation, the detritus of torture. When I enlarge the image, it seems to be oozing from beneath the floor. In close-up it takes a more solid form, gelatinous and eviscerated.

Alongside the skirting board that edges the wall is an electrical cord, the thick, striped kind I recognize from my childhood. It does not seem to be connected to anything. Another ominous sign. Strangulation, I think.

'Foto 8'

FIGURE C.6 Photograph made by the Security Police as part of the investigation into the death of Matthews Mabelane, John Vorster Square Police Station, Johannesburg, South Africa, February 1977
Image courtesy of the South African History Archive

What falls between Foto 3 and Foto 8 is the body of Matthews Mabelane. I have not seen copies of the photographs that perhaps show his tortured body, his broken face.

Newspaper articles relate how Matthews' brother, Lasch Mabelane, was given a plastic bag filled with blood-soaked clothing. Written in the white lining of the dark green trousers Matthews was wearing when he was killed was a message that foretold his death and that indicates that his torturers informed him of the way he was to die. "Brother Lasch, inform mum and my other brothers that the police are going to push me from the tenth floor and I am bidding you goodbye, forever".[4]

Shallow Abyss

Let us return again to the man that stands at the window, looking out at the abyss below. The photograph shows Joao Jan Rodrigues, the Security Police officer who was ostensibly the last person to have seen anti-apartheid activist Ahmed Timol alive before his alleged leap to his death through the window of an office on the tenth floor of John Vorster Square Police Station.

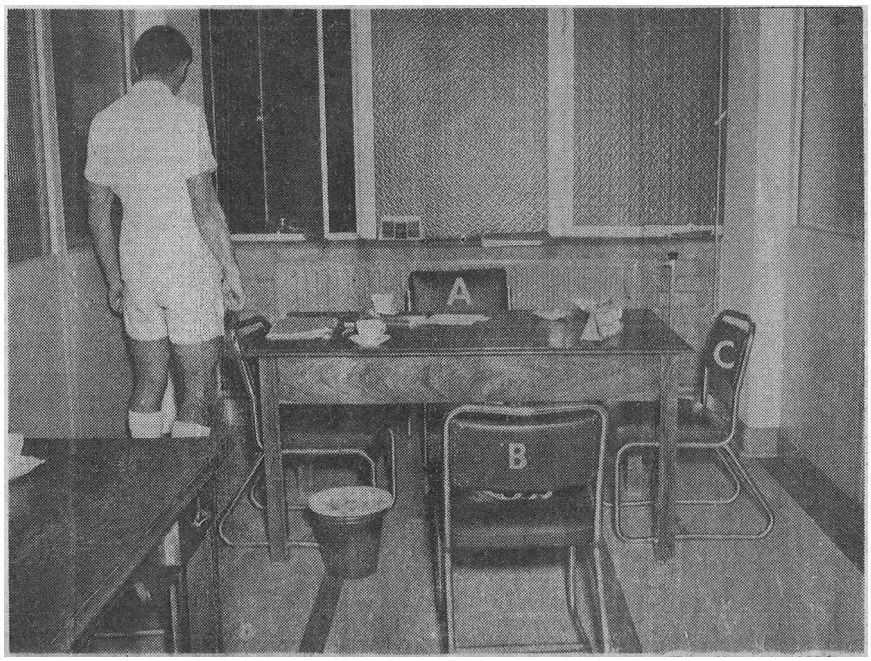

FIGURE C.7 Photograph of the room at John Vorster Square in which Ahmed Timol was interrogated by the Security Police, ostensibly providing evidence of how he committed suicide. *Rand Daily Mail*, 27 April 1972
Image courtesy of the Ahmed Timol Family Trust

The caption for this photograph (Figure C.7) included in the *Rand Daily Mail*, on 27 April 1972 reads:

> This Is Where It Happened. The office No. 1026 on the 10th floor of John Vorster Square and the window from which Mr Ahmed Timol fell. Minutes before the incident, according to the evidence, he was sitting at the table in chair B with Captain J.Z van Niekerk in chair C and Captain J.H Gloy in chair A. When Mr Timol rose from his chair, Sergeant Rodrigues was sitting in chair A. Extensive examination of Security Police witnesses marked yesterday's hearing of the Timol inquest.[5]

The photograph provides a concise visual record of the lie the Security Branch officers constructed about how Timol was killed – at one and the same time pathetic and horrifying. It was published in the Afrikaans language newspaper, *Die Transvaler,* and included alongside an article entitled "Laste Ure van Timol Beskryf [Description of Timol's Final Hours]".[6] The article cites Captain Johannes Hendrik Gloy, who is at pains to assert that

Timol was well-treated by the Security police: "He made some requests that we met, for instance to brush his teeth and to go and wash".[7] The reporter goes on to write that, "Die middag van sy dood het hy nog n koppie koffie saam met sy ondervragers geniet [On the afternoon of his death he enjoyed another cup of coffee with his interrogators]".[8]

The three cups of coffee Rodrigues ostensibly brought on a tray and served to Timol and his interrogators in Room 1026 are visible on the table and desk. Rodrigues is pictured from behind, looking at the open window, as if in disbelief at the dramatic scene he has just witnessed. This photograph was used to assert the veracity of the account given by the Security Branch, an image that so deliberately seeks to conceal evidence of torture that it simultaneously exposes it.

It took more than four decades of campaigning on the part of the Timol family for the inquest into the death of Ahmed Timol to be re-opened. In 2017, the lies told by the Security Police about the Timol case were finally accepted as untrue, and although this served to confirm what was already widely known, the validation by the court and the possibility that those responsible for the murder would be tried is undoubtedly one of the most significant moments in South African history. The apartheid-era verdict was overturned and as Timol's nephew Imtiaz Cajee writes, the proceedings brought about a form of restorative justice:

> A poignant moment in the hearing was when Judge Mothle made the decision to return to my uncle the dignity that was taken away from him by Magistrate de Villiers in his judgement when referring to him as "An Asian male". Judge Mothle consequently changed the inquest finding to read "The deceased is Ahmed Essop Timol, a South African citizen".[9]

In the wake of the 2017 re-opening of the inquest into the death of Ahmed Timol, the names and portraits of other activists have resurfaced, Matthews Mabelane among them.

Brought to Light

Who does not know a picture like this one? The insubstantial weight of it in your palm that belies what it carries, the ways in which it is loaded with being and time. The compression of everything into one tiny frame, a certain kind of fixed stare, the vulnerability of the human face. Open and unflinching, even after death. To remember this single face, to lift it from the vast genre of which it forms part – that of images that remain in the aftermath of violence, disappearances, massacres, mass death – detached, yet insistent.

The identification photograph of Matthews Mabelane I have included here is the most widely circulated image of him that can be found online.[10] The young man's face is sombre, his head tilted to one side, the whole small

FIGURE C.8 Identification photograph of Matthews Marwale 'Mojo' Mabelane
Image courtesy of the Mabelane family

picture slightly blurred and washed over by the yellowy-pink dissolution of time. When these kinds of images circulate in the public realm it is an almost certain sign that the person depicted was killed in a way that is terrible to imagine, or at the very least that they endured humiliation and torture. To enter visibility is not necessarily to be recognized, in the same way that to be entered into the juridical realm is not necessarily to be accorded rights, but often rather to be stripped of them. During apartheid to be assigned a place

within the political order as a Black person was not only to be unmade as a citizen – it was also to be entered into a necropolitical regime that fused administration and violence. The apartheid system operated through the fetishization of the law and a simultaneous disregard for justice. In the 1950s, the newly elected National Party passed a series of repressive laws. These included the Population Registration Act (1950) and the Natives Act (1952), which required all Black South Africans to carry a reference book. Widely referred to as a *dompas* (idiot pass), these documents included an identification photograph, and in this way, the camera came to be used directly by the apartheid state as a tool for implementing segregation. Passbooks served as a mechanism of terror that made it possible for the state not only to control and monitor movement, but to deprive Black South Africans of citizenship and to mark people for forced removal, ethnic-cleansing, and elimination.[11]

Later I find an image of the Mabelane family's photograph album online, opened to display four photographs that seem to have been taken not long before Matthews' death.[12] Captions made up of words cut from newspapers and glued onto the images describe Matthews as "distinctive," "the unpredictable" and as "Mr Jazz". There is a fourth caption that I cannot read. In the spaces between the photographs are paper flowers that you could buy in sheets to decorate scrapbooks and albums that I remember from my childhood. In the left-hand corner is a bunch of forget-me-nots. After I came across this photograph, I realized that the identification photograph of Matthews Mabelane must also have been included in this album – it is possible to see the thin striped board of the album's pages in the background of the image. The photograph, almost certainly made as one of the many millions of identification photographs that formed part of the machinery of the apartheid state to dispossess Black South Africans of their right to citizenship, came to occupy a place in a treasured family album that, in the context of Matthews Mabelane's murder, performs and exceeds its memorial function. The visual traces of Mabelane's life have been kept by his family for more than forty years in the hope that the truth about how he was killed would finally be brought to light.

Apartheid-era identification photographs provide a vivid way to consider the paradox of how individual portraits formed part of the obsessive production and policing of so-called "population groups" and played a central role in the practices of segregation and ethnic-cleansing that defined apartheid. These kinds of photographs were also used by the Security Police to target those who were, in the barely coded language of the time, to be "permanently removed from society". Remembering those who were meant to be expunged from social memory is to refute the intentions of those who gave the orders to "eliminate" so-called "terrorists" and those who carried out these deeds. To remember them in order to hold those who killed them to account, is to go even further. It is, as Jacob Dlamini has argued, to recognize the failed project that was the apartheid state, and more than this,

it is to refuse to allow its strategy of violence and erasure to lay claim to the future. Writing of the "terrorist album" – the book of 7000 photographs of people identified by the apartheid state as "terrorists" and used both as an interrogation tool and to target people for "elimination", Dlamini argues:

> Viewed from the vantage point of the twenty-first century, there is a sense in which the album – with its collection of black and white, young and old, liberal and radical – offers against itself and its compilers a collective portrait of the hope and idealism that animated the anti-apartheid movement of the twentieth century. To look at the album from this vantage point is to see not the omniscience of the apartheid state, with its neat framing of dissidence, but the hopeless failure of that state to stave off its demise.[13]

In July 2020 a petition was circulated by Cassiem Khan, co-ordinator of the Imam Haron Commemoration Committee, and issued on behalf of families and friends of apartheid-era victims, calling on President Cyril Ramaphosa to open a commission of inquiry "to find out the reasons for the undue delays by the NPA in investigating and prosecuting over 300 TRC cases".[14] The petition was accompanied by an image composed of several photographs that portray activists who were murdered by the Security Police, their funerals, and their loved ones who survived them.[15] Each portrait included in the collage of photographs testifies to the individual crimes of apartheid, and the assemblage of faces testifies to apartheid as a crime against humanity. The collective portrait provides visual affirmation of the position articulated by Kaajal Ramjathan-Keogh, director of the Southern African Litigation Centre, a civil society organization that has called for those accused of murders committed under apartheid to be tried for crimes against humanity.[16] She argues that the Ahmed Timol case,

> is not about a single murder […] It is about how a single murder is connected to the system of apartheid and therefore becomes a crime against humanity. The crime of apartheid has never been prosecuted, and this case should pave the way for such prosecutions to commence.[17]

The photographs and records relating to the TRC cases have been made visible at what Dlamini describes as a

> perilous moment in how we remember the history of apartheid […] a time when memories of the apartheid past and its depravities threaten to disappear altogether – unless we, taking inspiration from Walter Benjamin, recognize and seize them in the present.[18]

The portraits of the dead issue a call to the living to seize hold of them and mobilise them against the "triumphal procession in which the present rulers

step over those who are lying prostrate" and have the potential to return us to political time, and return to us, "a revolutionary chance in the fight for the oppressed past".[19]

The photographs of the activists who were murdered by the Security Police and of their loved ones who survived them and who are pictured together in the petition calling on the current state to re-open the unresolved cases into their deaths, testifies to how resistance to the annihilatory logics of apartheid continues in the present. In this book I have argued about how the work of photographers who documented the violence of apartheid as a form of resistance to the oppressive state, "can be read as a call to and for the law" precisely during those times when it was clear that law was suspended (States of Emergency – 1960; 1985; 1986) and justice negated (1948–1994).[20] If apartheid provides an object lesson in just far how law and justice can be prised apart, the work of activists and lawyers who opposed the regime makes evident how the hope for an alternative future, to be secured through the law, was never extinguished. The TRC report made clear that in cases where those who did not disclose the truth about the crimes they had committed, they should be prosecuted, and that amnesty was in no way intended to legitimize impunity. The work of activist-photographers who sought, through photographs, to produce evidence of violations of human rights at a time when there was no possibility of justice, can be understood as addressed to the future citizens of a just state. One point of arrival in the long struggle for justice was reached at the Truth and Reconciliation Commission, and I understand another to be in the present, as the family members of those who were killed, along with the activists and lawyers who are supporting them, re-open the unresolved cases of those who fought for freedom and who were murdered by agents of the apartheid regime.[21]

The Mabelane family's memorial album is featured in an episode focusing on the case of Matthews Mabelane of Enver Samuel's six-part documentary film series, *Truth be Told*, and the same identification photograph of Matthews appears in the album, alongside his date of birth and of his premature death.[22]

If the identification photograph of Matthews Mabelane that circulates online seems to be dissolving, this second version takes a more distinct form. It is an image that testifies to and against the violent erasure of the state. In this photograph Matthews Mabelane is reappearing, holding his beautiful, revolutionary gaze steady, awaiting the justice that is still yet to come. Between categorization and erasure, the portrait hovers before us, both a confirmation of the genocidal logic of apartheid and an image of defiance.

On the 11 March 2025, the Minister of Justice and Constitutional Development formally re-opened the inquest into the death of Matthews Mabelane.[23] The case is about attaining justice for the Mabelane family, and it is also about holding the apartheid regime to account. On the 29 May 2025, in response to the court application made by family members of activists who

FIGURE C.9 The identification photograph of Matthews Mabelane is included in the Mabelane family's memorial photograph album. Screenshot from the episode titled "Room 1008" that focuses on the case of Matthews Mabelane of the six-part documentary series *Truth Be Told*, directed by Enver Samuel
Image courtesy of the Mabelane family and Enver Samuel

were murdered during apartheid, President Ramaphosa announced that a judicial Commission of Inquiry will be held to investigate the delays in prosecuting the unresolved TRC cases.[24] Attaining justice for the crimes committed by the perpetrators of human rights violations committed during apartheid, as well as for the crime that was apartheid itself, is bound to achieving justice for those who were killed at Marikana in 2012, and at Stilfontein in 2025, and for all those who continue to be tortured and killed by the police in South Africa today.[25] As I have tried to show in this book, contesting impunity for apartheid is also about the very possibility of justice for us all.

Notes

1 "Timol: Getuienis Oor Geheime Name en Taal", *Die Transvaler*, 27 April 1972.
2 Flanagan (2018). www.thetimes.com/world/article/killer-apartheid-officer-turned-in-by-his-daughter-xw0vcxzxf.
3 Testimony of Abdulhay Jassat, quoted in Vadi (2018), 12
4 Khoza (2017).
5 "This is Where it Happened" (1972).
6 "Laaste Ure Van Timol Besryf" (1972).
7 "Laaste Ure Van Timol Besryf" (1972).
8 "Laaste Ure Van Timol Besryf" (1972).
9 Cajee (2020), 203.
10 I have drawn this image from the Ahmed Timol website: www.ahmedtimol.co.za/mathews-mabelane-1954-1977/ I have included it here with the permission of the Mabelane family.

11 Black South Africans were forced to carry passbooks until the law was repealed in 1986. By that time, millions of people had been arrested and jailed for pass law violations. See Savage (1986).
12 The photograph is included in the Getty Images Archive.
13 Dlamini (2020), 18.
14 The petition can be accessed here: www.change.org/p/president-cyril-m-ramaphosa-justice-for-apartheid-era-victims?recruiter=1129221506&recruited_by_id=fc99d010-c14e-11ea-9570-556a33de7107&utm_source=share_petition&utm_medium=copylink&utm_campaign=petition_dashboard
15 This collage can be seen on the webpage created by the Foundation for Human Rights to monitor progress in the quest to re-open the unresolved TRC cases: https://unfinishedtrc.co.za.
16 The Southern African Litigation Centre's Heads of Argument can be accessed here: www.ahmedtimol.co.za/wp-content/uploads/2019/03/SALC-Heads-of-Argument-Rodrigues-v-NDPP.pdf.
17 York (2019).
18 Dlamini (2020), xv.
19 Benjamin (2003), 395.
20 See, in particular, Chapter 3 of this book.
21 Information about the unresolved TRC cases, including the cases of Neil Aggett, Adriaano Louis Bambo, Hoosen Haffajee, Imam Haron, Sipho Charles Hashe, Qaqawuli Godolozi and Champion Galela (the PEBCO 3), Matthew Goniwe, Sparrow Mkhonto, Fort Calata & Sicelo Mhlauli (the Cradock 4), Welcome Khanyile, Ntombikayise Khubeka, Nicodemus Kgoathe, Matthews Mabelane, Ignatius 'Iggy' Mthebule, the Highgate Massacre, Eustice 'Bimbo' Madikela, Ntshingo Matabane, Fanyana Nhlapo and Zandisile Musi (the COSAS 4), Caiphus Nyoka, Nokuthula Simelane; Peter Thabuleka and Ahmed Timol, can be found on the Unfinished Business of the TRC website of the Foundation for Human Rights. https://unfinishedtrc.co.za/.
22 Truth Be Told (2024). I am grateful to Enver Samuel for sharing the film with me.
23 Foundation for Human Rights, "Press Release: The Minister formally reopens inquests into the deaths of Matthews Mabelane and the enforced disappearance of Boiki Tlhapi", 11 March 2025.
24 The Presidency, Republic of South Africa. "President Ramaphosa Establishes a Commission of Inquiry into Delay in Investigation and Prosecution of TRC Cases", 29 May 2025. www.thepresidency.gov.za/president-cyril-ramaphosa-establishes-commission-inquiry-delay-investigation-and-prosecution-trc.
25 According to the report of the South African Independent Police Investigative Directorate issued for 2024, 672 people died as a result of police action in the period 2023–2024. Two hundred and twelve people died while in police custody. Two hundred and seventy-three people were tortured, and 3176 cases of assault at the hands of the police were reported for the same period. See https://nationalgovernment.co.za/department_annual/527/2024-independent-police-investigative-directorate-(ipid)-annual-report.pdf.

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