

Spear/Smear/Tear of the Nation: Trauma and Competing Rights in Post-Apartheid South Africa



Claudia B Braude is an independent scholar based in Johannesburg. She is a Research Fellow of the Helen Suzman Foundation.

The Cry

*Advocate Gina Malindi's recent cry in the High Court – where he was appearing on behalf of President Jacob Zuma and the ANC to have artist Brett Murray's genitally-flamboyant portrayal of Zuma, *The Spear*, removed from public sight – represents in the contemporary South African political and psychic landscape that acts as backdrop to the Spear saga what Nomonde Calata's cry represented at the outset of the Truth and Reconciliation Commission (TRC).*

In April 1996 Nomonde, the widow of Fort Calata, one of the tortured and murdered Cradock Four activists, put her head back and wailed in anguish when she described hearing the news of her husband's brutal murder in 1985 at the hands of the apartheid state¹. "His hair was pulled out, his tongue was long, his fingers were cut off, he had many wounds on his body. The dogs had bitten him severely," Nomonde testified to the Commissioners². Her cry was considered a defining moment of the TRC.

A leading United Democratic Front activist, Malindi was among the twenty-two trialists in the Delmas Treason that ran from 1985 to 1988. Today he is a member of the Victoria Mxenge Group at the Johannesburg Bar, named in honour of Victoria and, by extension, her husband Griffiths Mxenge, prominent anti-apartheid activists and lawyers who were brutally murdered by the apartheid state. Four years after Griffiths' assassination in 1981, and shortly before her own, Victoria orated powerfully at Calata's and the Cradock Four's massive funeral. Inspired by this human rights legacy, the group of advocates (which includes Matthew Chaskalson, son of Arthur Chaskalson who was in the Delmas defence team; and Steve Budlender who submitted evidence on behalf of *City Press* newspaper to the Film and Publications Board's hearing which subsequently classified *The Spear*) is "committed", says Muzi Sikhakhane, Group founding member who appeared with Malindi on *The Spear* matter, "to ensuring ... that access to justice is facilitated for those whose material conditions still reflect the dehumanizing conditions of poverty engraved on our society by apartheid and colonialism"³.

Malindi's own life was powerfully affected by these conditions. George Bizos, who also represented Malindi in the Delmas Treason Trial and is godfather to his child, recalls his client's emotional testimony in the witness stand when he described apartheid's impact on black families. Prohibited from living in the city with his family, Malindi's father could only visit them for seventy two hours at a time⁴; and as a boy of nine, Malindi tried to prevent his father being arrested by denying who he was⁵. "Malindi wiped away tears with his hands" as he testified in the apartheid court, Bizos remembers⁶. He spent a year of his five year sentence on Robben Island before his conviction was overturned. Breaking down twenty five years later while representing President Zuma and arguing for dignity and against the continuing

dehumanization of millions of South Africans, Malindi recalled past traumas. “I was just overcome by emotions and there is a history to it as a former activist,” he said immediately afterwards⁷.

Judge Neels Claassen’s decision to insulate Malindi’s cry from public view reiterated the way his and others’ pain and trauma have consistently been swept under the carpet of reconciliation. Government spokesman Jimmy Manyi’s criticism of E.tv for not broadcasting Malindi’s emotional moment, before Claassen’s decision, provides a key to understanding the significance of the *Spear* saga. “E.tv censored the visual that would have shown [Malindi’s] deep pain and emotion, that expressed the culmination of the sentiment of humiliation and denigration of the dignity of President Jacob Zuma, his office and the African culture that is shared by millions of South Africans,” said Manyi⁸. Consistently suppressed in the name of forgiveness and reconciliation, these ‘sentiments of humiliation’ ‘shared by millions of South Africans’ are manifestly raw to the touch.

By eliciting perceptions of The Spear as profoundly attacking Zuma’s dignity, the decision by the Goodman Gallery to hold Murray’s exhibition, Hail to the Thief, II, inadvertently brought to the surface the rage, pain and denigration many black South Africans continue to feel, in spite of all the political changes.

Humiliated, Still

By eliciting perceptions of *The Spear* as profoundly attacking Zuma’s dignity, the decision by the Goodman Gallery to hold Murray’s exhibition, *Hail to the Thief, II*, inadvertently brought to the surface the rage, pain and denigration many black South Africans continue to feel, in spite of all the political changes. “Blacks feel humiliated and spat on by their white counterparts in situations like this,” writer and sangoma Mongane Wally Serote told the *Mail & Guardian*⁹. The painting was “no different to labelling black people kaffirs”, he said¹⁰.

Murray was insufficiently attuned to the way his politically satirical representation of Zuma employs a visual language highly evocative of racist representations and treatments of black male bodies. But others quickly drew his and wider attention. “The painting ... reopens old and painful wounds. Flawed as Zuma is as the head of state, husband and father, no one deserves to be humiliated in that way. Especially not in a country with a long and shameful history of publicly putting its black males in ‘a state of undress’,” Siyanda Mhlongo commented¹¹. “I am a descendant of those who were dispossessed of their land ... [M]y ancestors were made to strip naked in public and – like cattle – walk through a dipping tank filled with disinfectant to live and work in the city,” he said, describing the emergence of the black proletariat and the creation of cheap black labour pools¹². “[M]any of my father’s generation ... still had to be subjected to the dastardly deed of having his genitals exposed in public for city officials to decide if they were healthy enough to work or had to be deported to some ‘homeland’ in the yonder,” Mhlongo said¹³.

Mhlongo and others compared Murray’s representation of Zuma with the treatment of Sara (Saartjie) Baartman (1890–1915), the Eastern Cape Khoi woman orphaned in a Commando raid and owned as a slave by Dutch farmers. “Ten years after the return of Baartman’s remains ... to SA on May 6, 2002 ... and almost in the vein of Cezar and Regu, the ... Goodman Gallery has exhibited a painting of President Jacob Zuma with his genitals exposed,” Corwin Luthuli Mhlahlo wrote to the press¹⁴. She was referring to Hendrick Cezar, brother of the slave owner, who exhibited Baartman in England, and French animal trainer Regu, who exhibited her in France. After Baartman’s death,

her genitals were displayed in the Musée de l'Homme in Paris, only removed from view in 1974. Agreeing with regard to Zuma that "Baartman suffered the same humiliation by the colonialists who ridiculed her body"¹⁵, Mhlongo asserted the necessity of balancing constitutional rights. "[G]iven our country's history of racial humiliation and oppression ... freedom of expression, which includes the right to artistic creativity ... should be exercised with utmost responsibility and respect for human dignity," he said¹⁶.

If Malindi's cry echoes Calata's, the Spear saga echoes that surrounding the South African Human Rights Commission's (SAHRC) 1999 inquiry into racism in the media.

Freedom of Expression v Dignity

Indeed, emerging from our country's struggle against this history, and responding to its dehumanising and humiliating impact on the lives of the majority of our people, the South African Constitution is founded on three "conjoined, reciprocal and covalent"¹⁷ rights: freedom, equality *and* human dignity.

Events around Murray's exhibition, particularly the thousands of people who marched on the Goodman Gallery to assert the supremacy of dignity over freedom of expression (many wearing free ANC T-shirts declaring "We say No to Abuse of Artistic Expression"), have forcefully shown us the challenges involved in balancing these rights as our transitional society reels under the weight of the material realities of our broken communities and wounded psyches.

If Malindi's cry echoes Calata's, the *Spear* saga echoes that surrounding the South African Human Rights Commission's (SAHRC) 1999 inquiry into racism in the media. I consulted to the Commission on the inquiry, which was initiated by a complaint from black professionals distressed by what they considered to be consistently racist media representation.

Watching the Murray versus Zuma saga unfold, I had a sense of déjà vu. Together with the SARHC, I learnt the hard way about people's difficulties in even acknowledging the need to balance the three foundational constitutional rights. The media refused to engage in the research process, erroneously believing that such an examination in the name of an individual's dignity fundamentally assaulted freedom of expression. Their lawyers defended their refusal on the basis of American jurisprudence which foregrounds freedom above everything. Mocking the process, the media falsely represented it to the public as an assault on freedom of expression and consequently our constitutional democracy.

But two years later, in an unrelated judgment, Judge Johann Kriegler explicitly dismissed the applicability for South Africa of reliance on the American approach to freedom of speech. Noting the difference between the 'unequivocal and sweeping'¹⁸ American First Amendment and the limitations¹⁹ on the right to freedom of expression relating to the corresponding Section 16(1) of the South African Constitution, Kriegler described reliance on the First Amendment, unencumbered by considerations for dignity that counter our discriminatory past, as "a wholesale importation of a foreign product"²⁰ which "does not fit and is more likely to confuse than to clarify"²¹. At the same time, he strongly upheld freedom of expression and its significance in South Africa's post-apartheid democratic society. "Having regard to our recent past of thought control, censorship and enforced conformity to governmental theories, freedom of expression – the free and open exchange of ideas – is no less important than it is in the United States of America," said Kriegler²². "It

could actually be contended with much force that the public interest in the open market-place of ideas is all the more important to us in this country because our democracy is not yet firmly established and must feel its way," he said²³.

Responding in 1999 to the SAHRC inquiry, the media failed to understand that freedom of expression in South Africa has to be thought *in relation to* rather than *independent of* an individual's dignity. Misusing its power to shape public perception, it implicitly corroded its role as the Fourth Estate and itself contaminated the development of a truly democratic post-apartheid society. Its disregard for the constitutional emphasis on an individual's dignity has had long-term and damaging consequences. Had the media's legal representatives not bolstered their clients' defensiveness with a weak reading of our Constitution insufficiently cognisant of dignity as a foundational value, and had the media instead taken seriously professional and ethical codes of conduct and engaged their readers with respect, it would, in my view, have gone a long way to disarming the dignity card subsequently brandished by politicians and their supporters as a tool for media and other control. Had current *City Press* editor Ferial Hafajee and her colleagues seriously addressed the issue then, she and her readers would have been better equipped to deal with the multiple challenges posed by the *Spear* saga now. The corresponding, if inverted, blindness in some political and other circles to the value our Constitution simultaneously places on freedom of expression is the flipside of the coin. Had Zuma and other leaders of the ANC and South African Communist Party (SACP) and their supporters understood that dignity has to be thought in relation to, and not independent of, freedom of expression, the *Spear* saga might never have arisen.

In the name of the noble idea and grand narrative of forgiveness and reconciliation, in the sixteen years between the cries of Calata and Malindi, the individual apartheid subject who experiences psychological trauma has effectively been written out of the post-TRC national script.

The Silenced Apartheid Survivor

While actively shaping public opinion, the media also reflects it, operating within prevailing discursive norms. Indeed, the inattention to the individual displayed by the media in its response to the SAHRC systemically contaminates our entire social fabric and political landscape.

Nowhere is this more the case than in relation to the traumatised victim of apartheid who, like Malindi's cry in court, has been rendered mute in our post-apartheid society. This is true, paradoxically, where he or she was most vocal: in the TRC's human rights hearings. As a nation, we carefully staged a platform for the survivors to speak. We listened to Nomonde Calata at the TRC momentarily before we, equally carefully, choreographed her off the stage of our national consciousness. In the name of the noble idea and grand narrative of forgiveness and reconciliation, in the sixteen years between the cries of Calata and Malindi, the individual apartheid subject who experiences psychological trauma has effectively been written out of the post-TRC national script. Overlooked in our collective societal understanding, the ongoing trauma remains untreated. As such, it threatens our social stability and the future of our democracy.

A brief retrospective look at key moments in two related international conferences held at the University of Cape Town and organised by psychologist Pumla Gobodo-Madikizela makes this clear. The first, in 2006, reflected on memory and forgiveness a decade after the TRC²⁴; the second, in 2009²⁵, considered the aftermath of mass trauma.

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2006: Vamik Volkan

In his keynote address at the 2006 conference, psychoanalyst Vamik Volkan, who has worked in trouble spots around the world, emphasised that blindness to the dignity of the individual in the form of his or her psychological needs has consequences far beyond that person's immediate life²⁶. Highlighting the post-traumatic stress endemic in South African society, he showed that its effect is ripping apart the fabric of

our society, and warned us that we leave trauma untreated at our own individual and collective peril.

Volkan emphasised the need to deal, not only with the material challenges left in apartheid's wake (poverty, unemployment, HIV/Aids ...), but simultaneously to consider the psychological phenomena that can arise after a political transition from a traumatising political system such as apartheid, when some people were traumatised at the hands of others, to the new political system in which the trauma previously experienced is ostensibly over.

He had only to refer to the previous day's *Cape Times* newspaper to illustrate his emphasis that "psychological processes contaminate every real life situation"²⁷ in this kind of transitional society. "Last year, according to the *Cape Times* yesterday, 1200 children were murdered in South Africa," he said, holding up the newspaper²⁸. "1 500 children were victims of attempted murder. Last year in South Africa, according to yesterday's editorial, 24 000 children were assaulted, 22 000 children were raped"²⁹. "Aggression and societal masochism have increased," said Volkan³⁰. "We are sitting in this room. It is so 'normal' we don't feel the idea of children being killed," he said, visibly shaken himself³¹.

Volkan presented a psychoanalytic explanation for the social reality behind the child murder and other statistics, and the associated numbness of his audience and South Africans more widely. He described it as "biosocial degeneration", a self-destructive group phenomenon that occurs "when the shared trauma [inflicted by] long-lasting political regimes that aim to humiliate and cause severe losses in a society break the tissue of that society to one degree or another"³².

Comparing the psychological phenomenon of mourning involved when an individual loses a loved one with the societal mourning involved in the loss of prestige, honour, jobs etc, Volkan encouraged his South African audience to pay careful attention to the psychodynamics of the ability of individuals as well as large groups to mourn losses. "When there is biosocial degeneration, the mourning becomes extremely difficult. There are reasons why society becomes like individual perennial mourners," he said, referring to mourners whose grief doesn't end in the normal, healthy way but is sustained long after the experienced loss³³. "This is extremely important to understanding South Africa or other traumatised societies," said Volkan³⁴. "Reviewing all your losses – *dignity*, jobs, education, land, District 6, people who were killed or maimed – you get stuck in perennial type mourning, hoping to bring back what is lost. How are you going to form the remembrance formations that are key to healthy mourning?" he asked³⁵.

Considering the dangers involved in incomplete societal mourning, Volkan highlighted other complex psychological phenomena resulting in the violence and numbing social breakdown. He indicated the shared unconscious identification with the oppressor,

which in South Africa involves identification with the racist oppressor. “You have an internal struggle. You find one kind of security identifying with the oppressor while, at the same time, you want to kill them. That brings all kinds of conflicts [which], when freedom comes ... corrupts the freedom period until it takes its course and can be corrected,” he said³⁶.

He also discussed the significance of people’s shared inability during apartheid to be assertive when they were told where they could live, work and travel, for fear of being arrested, assaulted or worse. Exacerbating the trauma already resulting from the intolerable shame, humiliation and dehumanisation of apartheid, the increased helplessness accompanying this blocking of external motor activity resulted in the further blocking of a second psychological activity. “There is no avenue for the normal expression of aggression,” said Volkan³⁷. “If your expression is blocked, you cannot turn it against the real enemy. You idealise masochism. You get stuck in it. The aggression turns towards your self. Splits occur in society, and people kill and humiliate each other,” he said³⁸. “You forget who are the original enemy and turn it into crime within your own community” he said³⁹, presenting an acute diagnosis of the crime statistic and an analytical tool for understanding the bewildering and endemic violence.

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“True forgiveness cannot happen, as far as I’m concerned, without some work on the mourning process,” said Volkan, gently but firmly popping the discursive national bubble⁴⁰.

His message regarding the endemic social effects of unacknowledged and untreated individual and collective trauma and unsuccessful mourning, and the accompanying limitations for forgiveness and social reconciliation, remained largely unheard in a context giddy with the prevailing narrative of healing through forgiveness, in which the trauma of the survivor plays second fiddle to forgiveness for the perpetrator.

Forgiving the Perpetrator (2006)

This was a conference which, celebrating “Archbishop Desmond Tutu’s Life of Peaceful Justice”⁴¹, hosted apartheid minister of law and order Adriaan Vlok who oversaw and authorised apartheid States of Emergency and the bountiful blood and destruction that flowed from them.

A beatific smile irradiated Vlok’s face as he extolled the experience of washing the feet of the wives of men for whose deaths at the hands of his agents he was ultimately responsible. (Hoping Vlok would reveal their husbands’ graves, the women endured his ritual⁴²). Vlok smiled similarly as he was interviewed, on camera in the hallway, by Erda Siebert, a German psychoanalyst and daughter of a high ranking SS officer active in 1941 in Lithuania (where 96,4% of the Jewish population was murdered by Nazis and their enthusiastic Lithuanian collaborators). Siebert (who subsequently presented at the 2009 follow-up conference⁴³) considered ‘forgiveness’ of Vlok and others responsible for serial deaths in the name of the state to be a useful paradigm in her quest for a form of posthumous forgiveness for her genocidal Nazi father⁴⁴.

Gobodo-Madikizela, who assumed responsibility unto herself for ‘forgiving’ one such apartheid serial murderer, Eugene de Kock, is key to the success of Tutu’s forgiveness script. Tutu’s international promotion of the TRC as what he considers an advance

in human civilization compared to Nuremberg is dependent in no small measure on being able to demonstrate the psychological healing potential for victims of letting their perpetrators off the hook. Solicited by Tutu for assistance in spinning the amnesty-as-forgiveness-as-healing-the-victim narrative, Gobodo-Madikizela duly embarked on her encounter with De Kock, recorded in *A Human Being Died That Night: A Story of Forgiveness*⁴⁵, a cornerstone of the international TRC/forgiveness industry of which her conference was both an expression and a promotional tool.

Gobodo-Madikizela's professional engagement did not extend, however, to sufficient empathy for the apartheid survivor to inform anti-apartheid activist, human rights organiser and member of Khulumani Support Group for apartheid survivors Shirley Gunn – who didn't know – that Vlok would be simultaneously participating in the conference next door to Gunn's own presentation on Khulumani's post-TRC journey⁴⁶. The conference's promotion of forgiveness took precedence over the trauma that could be re-experienced by the woman who Vlok had incarcerated, with her infant son, cynically holding her responsible for an act that was in fact committed by his police, on his orders – the 1988 bombing of the headquarters of the South African Council of Churches.

Herman dismissed the merits of encouraging the victim to engage in a process of forgiveness with the perpetrator. The last thing participants in her study desired was, she said, forgiveness of the perpetrator.

Subordinated to Tutu's, Gobodo-Madikizela's and others' spiritual wishful fantasy and defensive belief that we were to a lesser if not greater extent living a miracle, Volkan's message was trampled at the 2006 conference, leaving his warnings about the dangers of incomplete mourning unacknowledged in our public discourse.

2009: Judith Herman

The defensive narrative remained in place at Gobodo-Madikizela's follow-up conference three years later, when Judith Herman, psychiatrist and author of the seminal *Trauma and Recovery: The aftermath of violence from domestic abuse to political terror*⁴⁷ presented a keynote address⁴⁸.

Considering both retributive and restorative justice systems, Herman discussed the comparative impunity enjoyed by two different groups of perpetrators who are difficult to bring to justice; namely, perpetrators of globally endemic sexual abuse and of human rights violations. "[W]hat would it take to hold five to ten percent of the population [who are guilty of sexual violence] accountable for serious crimes?" she asked⁴⁹. "We don't have any structure which encompasses a problem on that scale. In that sense, sexual domestic violence has much in common with situations of countries emerging from dictatorships or oppressive regimes where the human rights violations were so widespread," said Herman⁵⁰.

Describing a study she'd conducted with victims, predominantly of sexual and domestic violence, about what justice would look like if victims were consulted, Herman dismissed the merits of encouraging the victim to engage in a process of forgiveness with the perpetrator. The last thing participants in her study desired was, she said, forgiveness of the perpetrator. In spite of this, "public forgiveness often trumps the need of the victim ... In restorative justice, one often sees pressure on victims to forgive," she said⁵¹. "There are many reasons why the community might want to dismiss the legitimacy of victims' feelings of anger, even feelings of hatred, towards wrongdoers," she said⁵²:

"An angry survivor is a scary person for many of us ... The righteous anger of survivors ... who insist something [is done] to right the wrongs ... is such a burden

I asked Herman questions designed to rupture the complacency in the conference's discursive logic. Had we choreographed apartheid survivors into a premature posture of forgiveness? Could this be one source of the endemic violence and anger in South Africa?

for the rest of us ... It's so much easier for us to say, 'put it in the past, let's move on; in the interests of social peace won't you get over it and not require we do something for you' ... In countries moving away from political oppression, the community needs may not be congruent with those of the victim. The community may want to move on when the victim, in contrast, has a long memory for what has happened and cannot forget so readily," said Herman⁵³.

Informed by Volkan's input three years earlier, I asked Herman questions designed to rupture the complacency in the conference's discursive logic. Had we choreographed apartheid survivors into a premature posture of forgiveness? Could this be one source of the endemic violence and anger in South Africa?

In her response, Herman acknowledged what she considered successful aspects of the TRC, including the conditional rather than blanket amnesty provided to perpetrators ("the first thing respondents in my study wanted was acknowledgment ... What was amazing about what the TRC did ... was that at least individual perpetrators had to come forward and give some acknowledgement of the facts in exchange for amnesty"⁵⁴); and the vindication it offered the survivors ("the respectful attention to survivors that was given, the chance for survivors to tell their stories ... was a huge advance over any process that had taken place in any other country"⁵⁵).

At the same time, Herman said "from the victims' point of view much more was needed":

"[T]he TRC fell short. Survivors were pressured to forgive without apology, without any effort on the part of the perpetrators to make amends or for society to really hold the perpetrators accountable in any serious way. ... [C]rimes [were] committed on a vast scale and there was no commensurate effort to hold perpetrators to account on the same scale. If that

had been possible to negotiate politically, if there had been something like a victims' compensation fund in a way commensurate with the damage that had been done, then there might have been a greater ability to address the vast economic inequalities and to start to make amends to the oppressed groups in some more serious way. ... I think the premature pressure for forgiveness without apology or amends means that you are now left ... with the task of making things right and of achieving social justice in a way that lets the perpetrators off the hook. I think *for that reason you may see still a lot of pent up anger and righteous indignation that has no outlet, and that can then become dangerous*"⁵⁶.

Failed Forgiveness (2009)

Herman's refutation of the psychological helpfulness for victims of forgiving the perpetrator was manifestly unhelpful to advocates of the forgiveness-as-healing-the-victim narrative. Antjie Krog who, together with Tutu and Gobodo-Madikizela, is the narrative's poster child, wasted little time in attacking them. "I disagree with Claudia with why there is anger now," she said, speaking on the panel following Herman's talk⁵⁷. "I think people are furious for forgiving because they thought whites would change and it would become a different country. Now that it doesn't happen, people are angry because there is nothing coming back," she said⁵⁸. Ostensibly disagreeing with my speculations, Krog was in fact implicitly rebutting Herman's expertise and views on forgiveness.

Krog's work on the TRC is significantly built on the testimonies and voices of the survivors, including Calata, and especially Cynthia Ngewu, the mother of Christopher Piet, one of the murdered Gugulethu Seven, who testified at the TRC in 1996⁵⁹. Krog quoted Ngewu's statement to the TRC:

"[Cynthia Ngewu] was asked after the perpetrator asked her for forgiveness, 'do you believe in reconciliation?'. 'This thing called reconciliation, if I'm understanding it correctly, this perpetrator who has killed my son, if it means he becomes human again so that all of us get our humanity back, then I agree, than I support it', said Cynthia ... Cynthia spelled out the full complex implications of the role of reconciliation in wholeness ... [,] that because the person who killed her child's humanity was affected, he was no longer human, and to forgive him would open up the possibility for him to regain his humanity, and if he regains his humanity

it makes it possible for her whose humanity has also been affected by the killing of her son, to move towards wholeness and a full humanity again. This is a remarkable formulation ... Both Pumla and the Archbishop were busy with a new humanism, with interconnectedness ... [Ngewu's response] affirms how somebody who would be regarded as illiterate let alone unschooled in African philosophy [could] spell out this interconnectedness"⁶⁰.

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Rebutting Herman, Krog suggested that, far from being unhelpful to Ngewu's healing, forgiving the perpetrator was actually central to it. Scaffolding her communitarian thoughts on 'interconnectedness' with her interpretations of prominent African figures and writers including Nelson Mandela, Tutu, Wole Soyinka and, especially in her then recent book *Begging to be Black*⁶¹, King Moshoeshoe, Krog presented her reading of forgiveness as an indigenous African worldview. For Krog, any questioning of this communitarian 'interconnected' forgiveness constitutes a racist inability to take African knowledge and experience seriously.

Thus dismissing expert evidence that perhaps apartheid survivors and others might be less comfortable with forgiveness than she, Tutu and Gobodo-Madikizela would like to believe, Krog played a key role in administering the same disappearing trick on Herman as on Volkan three years previously. Incompatible with the grand forgiveness narrative, their respective psychoanalytic and psychiatric emphases on emotional responses to loss and grief were made to disappear the instant they addressed the conferences.

Assertions that the (predominantly black) apartheid survivor experiences trauma differently to Volkan's and Herman's subjects and others familiar from the psychoanalytic literature displaced the 'psychoanalytic' subject with the 'indigenous' subject, a substitution that ironically recalls the denials of a common humanity between blacks and whites that informed racialised colonial psychiatry. Are we still to believe, albeit now in the name of forgiveness, reconciliation and African humanism, that the (predominantly black) apartheid survivor feels trauma differently from survivors of other traumas?

There was another disappearing act built into Krog's performance: Krog obliterated Ngewu's voice even as she spoke in her name. Krog's audience couldn't know that earlier that day she'd participated in a small session on trauma with Khulumani members and Ngewu⁶².

Describing the still traumatic images of her son's body sprayed with bullets "like somebody spraying ants that mess up your food"⁶³ as being "still vivid to me now"⁶⁴, thirteen years after her appearance at the TRC Ngewu spoke differently about forgiveness: "One of the killers ... had approached the mothers to express remorse and ask for forgiveness. But the white policeman who ordered [him] to shoot never approached the families. Because he did not apologise, and because he had not given her son a warning, Ngewu felt she could not forgive him," reported journalist Jo-Anne Smetherham. "Perhaps he didn't come to me because he is happy with his own children, not knowing the suffering he has caused me," Ngewu said⁶⁵.

Reliant on Ngewu's testimony as a pillar of her forgiveness narrative, Krog "stepp[ed] into the breach"⁶⁶, "trying to bring healing where none had happened"⁶⁷. "Would

it help if some other white person, in the place of the policeman, was to apologise?” Krog asked, absurdly⁶⁸. Reducing Ngewu’s emotional state to a simple binary of black victim/white perpetrator, Krog trivialised the experience of a grieving mother, the sophistication of whose thinking she acknowledges in other contexts. Selecting how Ngewu’s testimony could usefully be instrumentalised in her own script, Krog reiterated Ngewu’s ‘helpful’ 1996 testimony while omitting reference to her discordant statements earlier that morning. Krog thus maintained the false impression that forgiveness was a healing experience for Mrs Ngewu, on which rested the hopeful future of a new society. Ngewu, like millions of others, is still living with the trauma, while those ostensibly concerned with their dignity and the significance of their lives and experiences talk over them and drown them out.

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Post-TRC Transition (Phase II)

Krog’s and others’ employment of Ngewu to legitimise belief in the miraculous healing powers of forgiveness and reconciliation while ignoring the literature and expertise on, and evidence of, trauma and societal mourning is not just personally disingenuous. It is socially unhelpful.

While the TRC-generated grand narrative about forgiveness and reconciliation has brought us this far down the road of our political transition, having inadequately listened to Calata and Ngewu and thousands of others who wept when they testified to the TRC (and millions more who easily could have) we have failed to properly address the trauma and humiliation associated with the apartheid past. Brushing it under the carpet of reconciliation instead, we have deluded ourselves the pain has gone away.

Malindi’s cry has woken us irrevocably from this collective reverie. Justice Malala, political analyst, demarcates his cry as the moment of his own return to memory:

“Every so often something comes along that affects you so deeply, it shifts the very essence of your viewpoint. When ... Malindi ... broke down and cried..., something happened to me. The very centre of my being moved. I remembered a huge chunk of what I had put away in the deepest recesses of my mind. I remembered, I was forced to remember, that there is hurt, there is pain, there is anger and there is even hatred in my and my fellow black people’s hearts about what has happened here. I remembered apartheid ... [and] that once, not so long ago, we were subhuman in this country ... that the black man was viewed as a sex-obsessed, lazy [...], animal, really. We were not human here ... I cannot escape the raw and real pain and hurt that Malindi’s breakdown in court underlined ... There is a hurt that is still not processed. There is a pain so infinitely deep and huge that the [TRC] has done virtually nothing to assuage it. To many of the people outside court this week, this pain is raw and immediate. To them, Nelson Mandela and Desmond Tutu, with talk of reconciliation, are deluded dreamers”⁶⁹.

To continue to ignore the pain Malala describes is to continue to threaten the health of our constitutional democracy.

South African society sits on an important cusp, simultaneously potentially healing and dangerous. Even if it were possible to further repress the pain back under the carpet of reconciliation (it isn’t), it would reappear, hitting the streets in some other

form. Murray and the Goodman Gallery have served as the unwitting flashpoint on this occasion. Left unexpressed and untreated, others will necessarily appear.

We can choose, now, to break in healthy or destructive ways from the transitional narrative of forgiveness that suppressed the pain.

We can constructively clear the way to bring the individual back into the picture, and pay attention to our societal psychological wellbeing; to acknowledge, however belatedly, the extent and significance of the ongoing trauma, the fact of the incomplete mourning of the losses of the past and the resulting individual and societal problems we face. We can enable the healthy expression of people's grief, loss, pain and rage. We need urgently to formulate ways to address societal trauma and repair (reparate?) our societal tissue. Individual therapies are clearly unaffordable and unavailable. What would more group-based therapies look like? The *Spear* saga has shown us that art and culture is one key arena.

Positioning Zuma among history's most victimised and abject people rather than as one of the most powerful people on the continent, the ANC and SACP masterfully appeal to the millions of South Africans whose dignity continues, even under their watch, to be systemically suppressed.

Alternatively, we can continue to allow the now visible traumatic feelings of humiliation, the pent up anger and righteous indignation to remain untreated, leaving them easily harnessable for socially destabilising ends. Volkan warned that, in the hope of regaining what was lost, South Africans could develop what he characterised as entitlement ideologies. "If South African society continues to be unable to mourn healthily, and remains stuck in a perennial mourning process, political ideologies will develop around this inability," he said⁷⁰.

Notes for the Future

Here we need to be alert to the truth that President Jacob Zuma ≠ Saartjie Baartman. Whatever undeniable humiliation he has suffered in the course of his life, however irritated he might personally be with *The Spear's* representation of him, and however much his and others' sensitivities resulting from past racism might be re-animating by representations of exposed genitals, Murray's representation of him is *not* comparable with Baartman's life and after-life in a bottle in a European museum. When Blade Nzimande says that, were *The Spear* to "be allowed to go to Germany ... they [would be] making our president the second Sara Baartman"⁷¹, he positions Zuma – the head of a powerful political movement and country with an army and police force, who appoints people to the courts and the SABC – as a victim as powerless as an African slave woman prostituted and mutilated in nineteenth century colonial society. He and others profoundly trivialise precisely the humiliations and dehumanization in whose memory they and Zuma speak. They betray the struggle for dignity and social justice which Malindi pursued on Zuma's behalf.

Positioning Zuma among history's most victimised and abject people rather than as one of the most powerful people on the continent, the ANC and SACP masterfully appeal to the millions of South Africans whose dignity continues, even under their watch, to be systemically suppressed. Mobilising their support, they harnessed other people's real pain and humiliation to the grid of Zuma's political traction. By the time his supporters were marching on the Goodman Gallery, Zuma had entirely transformed Murray's political critique on their behalf into his own lobbying cry for their political support.

The thousands of people marching on the Goodman Gallery were only partly worthy of celebration. Correctly upholding the right of the marchers to protest, the Gallery removed artworks from its street-facing windows (“BIKO IS DEAD”; “LE NOIRE IMITE LE BLANC, LE BLANC IMITE LE NOIRE ...”), replacing them with the simple statement: “THE GOODMAN GALLERY SUPPORTS YOUR RIGHT TO PROTEST”.

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Physically embodying this cusp was the phalanx of police outside the Gallery defending its representatives and building from indignant supporters, not of the local football club but of the President himself, some of whom might have supported self-described Nazareth Baptist (Shembe) Church spokesman Enoch Mthembu’s call for Murray’s death by stoning, who were legally marching against Murray’s right to create freely.

Commenting on the divergent identities but shared conservative, violent and intolerant values of the defacers of *The Spear* Barend la Grange and Louise Mabokela (who was honoured as a national hero at the march), Professor Jonathan Jansen characterised the essence of this historical moment as constituting “not a clash of racial cultures [but] a clash of values,” he said⁷².

More accurately, the value divide – separated by a row of police on Jan Smuts Avenue – is not simply between liberals and conservatives, but between adherents to and rejecters of the rule of law.

Marching their indignation out of court and onto the streets, Zuma supporters were openly contemptuous of South Africa’s constitutional framework. “They [Murray and the Gallery] have not been interdicted by the courts. They have been interdicted by you,” ANC General Secretary and SACP Chairperson Gwede Mantashe told the protestors outside the Gallery⁷³. Having achieved through street action an outcome unlikely to have been achieved in court, they promptly withdrew the court action.

In contrast to Mantashe, Mabokela and Mthembu, others like Malala will not allow their pain and feelings of humiliation to undermine adherence to and belief in our constitutional democracy. Malala is able to allow memory to resurface while simultaneously upholding the Constitution and Bill of Rights. “To read this constitution ... is to recognise that even when we feel pain as Malindi so rawly and movingly did, the freedoms [and] dignity that we enjoy today, are enjoined in that constitution,” said Malala⁷⁴. “For us to enjoy all these and to continue to enjoy them, we have to acknowledge that this same constitution will allow things that pain us, things that kick us in the very heart of our being, to continue. ... I feel pain, but the painting must stay up, and the newspapers must be able to report about it,” he said⁷⁵.

Malala’s careful balancing, now, of dignity and freedom of expression does not entail any betrayal of Baartman, the Cradock Four, the Mxenges or anyone else who fought for freedom in South Africa and who suffered grotesque brutality as a

consequence. On the contrary: as former Chief Justice Pius Langa reminded us recently, the Bill of Rights in the Constitution was no foreign or Western import but flowed directly from the Freedom Charter on which it was partly based. It was, he said, the request of “ordinary people [who] wanted guarantees that when transition came, the state should be obliged to do certain things ... [and] to make sure we, who were beaten once by a government .. who were trodden upon so severely by the previous system ... that deprived us of dignity and our rights, should never again [be so treated]... so we wanted it in writing,” he said⁷⁶. Its omission “would have been a betrayal of people who were previously deprived of their rights,” said Langa⁷⁷.

Instead of thanking Murray and the Goodman Gallery for provoking the nation into a new examination of people’s sense of dignity in post-apartheid South Africa and engaging the function of freedom of expression in our transitional society, Mantashe and others rejected Murray’s freedom of creative expression guaranteed

“in writing” in the Constitution. The initial defence of one man’s dignity in a court room, ostensibly seeking the appropriate balance with freedom of expression, rapidly and regrettably segued into a march that explicitly assaulted Murray’s right to free political comment. “The march ... is also meant to condemn the defacing of an ANC logo with an inscription “FOR SALE” and “SOLD,” the ANC announced⁷⁸. “[T]hese actions are not only a violation of the right to dignity of cde President Jacob Zuma but are a clear and calculated attack on the ANC,” it said⁷⁹.

Time will tell if Malindi’s cry in court will continue to signify the beginning of a new, more psychologically accurate national acknowledgement and treatment of people’s pain, and introduce a new discussion about societal repair and reparations; or whether it will come to signify the cynical use of people’s pain for personal and/or party political ends and, with it, the beginning of the crumbling of our constitutional democracy.

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