could not but return Kondile, Mthimkulu and Madaka to a subordinate position in its statement on their disappearances.

Kondile, Mthimkulu and Madaka were disciplined as missing at the Harms Commission through what could be said and what was said about the 'allegations' of who was responsible and to be held accountable for their disappearances and killings. This was based on Coetzee's 'confession', his testimony and evidence together with Harms's rejection thereof and his alternative versions. Coetzee's 'allegations' detailed how Kondile and Mthimkulu and Madaka were produced as missing persons and as missing dead bodies and those responsible to be held accountable. Based on Coetzee's 'allegations', Kondile, Mthimkulu and Madaka's physical bodies were missing. For Harms though, by a process of an "abuse of contextual proof" within a "judicial historiography" (Ginzburg), Kondile, Mthimkulu and Madaka were registered as missing only insofar as Harms operated within a system of discipline as "a political anatomy of detail" (Foucault) that enabled his anatomy of disappearances.

In other words, if to discipline the body- the docile body- following Michel Foucault, is to register that "discipline is a political anatomy of detail"[78], Harms's evaluation and dismissal of Coetzee's 'allegations' about the disappearances of Kondile, Mthimkulu and Madaka figured them as missing within competing and mediating discourses. These discourses – judicial and political but mediated by the discourse of history through its iterations of conflating evidence and context - served to implicate the missing as responsible for their own disappearances. Harms's anatomy of disappearances disciplined the disappeared as missing through presenting alternative versions to counter those of Coetzee's 'allegations' and in so doing, could not account for the missing as missing through what Lalu, in a different context,

[78] M. Foucault, *Discipline and Punish: The Birth of the Prison* (London: Penguin Books, 1991), 139.

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articulates as "the fabrication of historical subjectivity" – that "process by which the subject is necessarily cast as the very object of historical discourse."[79] Yet the missing are by no means docile, no matter how attempts at docility through disciplining in its various guises might be figured.

Harms' refuting of Dirk Coetzee's 'allegations' through a disciplining of the missing was based on an abiding question of whether Coetzee was lying, and overwhelmingly Harms responded in the affirmative. In response to the Harms Report, Coetzee penned a letter addressed to Harms that was published in the newspaper *Vrye Weekblad*. The newspaper decided to use the concluding sentence of that letter, 'Jy sal nog agterkom ek het nie gelieg nie' [You will realise that I did not lie] as the title.[80] In 2010 Harms maintained, "you must remember, much of what Dirk Coetzee said was inherently untrue" but later in the newspaper article, he conceded, "Look, Coetzee had moments of truth in his evidence."[81] To abide by the question 'who lied?' is to operate within the logic of the judge as historian, the historian as judge and Dirk Coetzee as the perpetrator-witness. It might therefore be tempting for the historian's anatomy of disappearances to present an alternative version of the missings' disappearances following Ginzburg's rational but by including Reid's analysis as a way into such an alternative narrative. Such an alternative narrative however, as I suggested above, places the historian in the double bind of seeking to make sense of assertions of events that never happened constituted by a re-reading of the "abuse of contextual proof" by Harms that would be used by the historian to account for his "fears and apprehensions" where the "contextual proof" comes to serve as the very evidence that the historian would use to construct the "fears and apprehensions" of both Harms (judge) and Coetzee (witness – perpetrator).

[79] P. Lalu, *The Deaths of Hintsa*, 13.
[80] D. Coetzee, 'Jy sal nog agterkom ek het nie gelieg nie' in *Vrye Weekblad* (16 November 1990).
[81] J. Smith, 'Judge who came in harm's way' in *Saturday Star* (16 October 2010).

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I suggest therefore that the historian take heed of David Scott's point that, "the way one defines an alternative *depends* on the way one has conceived the problem. And therefore, reconceiving alternatives depends in significant part on reconceiving the object of discontent and thus the longing that stimulates the desire for an alternative."[82] The object of discontent that drives the historian's desire to account for the missing and their disciplining would be to not only reverse, albeit historically as a reading of, a miscarriage of justice, but to show how 'justice' had both been administered and executed as an exercise. Yet, and borrowing from Scott again, what historians should be preoccupied with is a reading "historically not just for the answers that this or that theorist produced but for the questions that are more or less the epistemological conditions for those answers." Reading historically, to clarify, is an "appreciation of prior understandings of the relation between pasts, presents and futures [which] is to think of different historical conjunctures as constituting different conceptual-ideological problem-spaces, and to think of these problem-spaces less as generators of new propositions than as generators of new questions and new demands."[83] It is this understanding of not merely reading historically, but also thinking historically that is productive for the historian's anatomy of disappearances.

If abiding to a 'who lied?' question constitutes a problem-space in the way Scott articulates it, the historian's anatomy of disappearances should entertain a provocation by Luise White when she asks, "what if historian's didn't care about which versions of events was true?" The historian not caring about which version is true, according to White, allows for narratives about pasts and presents to "tell

[82] D. Scott, *Conscripts of Modernity: The Tragedy of Colonial Enlightenment* (Duke University Press, 2004), 6.
[83] D. Scott, *Conscripts of Modernity*, 7.

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more."[84] Indeed, abiding by a question of 'who lied?' is to abide by the very logic of a system of subjection and subjugation and in so abiding is to miss an opportunity - a 'telling more' - at discerning the stakes of a history that must account for the disciplining of the missing. What might this 'telling more' entail and 'reveal'?

I suggest that a 'telling more' as it relates to the disciplining of the missing requires a re-thinking and re-reading historically of the administrative apparatus of the commission of inquiry itself, specifically within apartheid South Africa. Such a re-thinking and re-reading enables an elaboration of what I suggested above in so far as what both Coetzee and Harms could say and what they actually said about Kondile, Mthimkulu and Madaka as missing was the very condition of possibility at disciplining the missing and can be gleaned when considering the genealogy of a particular kind of commission of inquiry in apartheid South Africa. This telling more then is to consider the Harms Commission itself as part of, albeit a variation of, what Adam Sitze calls apartheid's 'Tumult Commissions'.

What Sitze for "heuristic purposes" calls 'Tumult Commissions', were commissions of inquiry generally appointed following and /or during violent state repression of riots or disturbances and that form a "loose yet coherent unity", a "loose but internally consistent genre."[85] Apartheid's 'Tumult Commissions' were concurrent with what Adam Ashforth calls the 'Grand Tradition' of the 'Native Question' Commissions of Inquiry that sought to understand 'race relations' in South Africa.[86] Yet whereas 'Native Question' commissions' studied 'race relations' so as

[84] L. White, 'Telling more: lies, secrets and history' in *History and Theory*, Vol. 39, No. 4, Theme Issue: "Not Telling": Secrecy, Lies and History (Dec; 2000), 12. See also L. White, *The Assassination of Herbert Chitepo: Texts and Politics in Zimbabwe* (Bloomington: Indiana University Press, 2003).
[85] A. Sitze, *The Impossible Machine: A Genealogy of South Africa's Truth and Reconciliation Commission* (Ann Arbor: The University of Michigan Press, 2013), 15, 160.
[86] See A. Ashforth, *On the Native Question: A Reading of the Grand Tradition of Commissions of Inquiry into the Native Question in Twentieth-Century South Africa* (Oxford: Oxford University Press, 1987).

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to avoid "racial strife", 'Tumult Commissions' studied 'race relations' where it "was already too late to avoid racial strife, where racial strife already had manifested itself in violence and repression, and where the aim of the Commission of Inquiry was consequently to present remedies for avoiding the recurrence of racial strife (or, at least – and indeed more often – the avoidance of its expression in the form of violence.)"[87] The 'Tumult Commission' took up the abiding problems of amongst others, that of safety as it relates to secret organisations, assassinations and police and military forces.[88] 'Tumult Commissions' were tasked with gathering information about acts of violence committed by functionaries of the apartheid state and according to Sitze, shared some remarkable features that instead of securing public confidence in the government of the day, was instead largely viewed as a 'whitewash' by those opposed to its policies. Sitze traces the emergence and genealogy of such commissions through its colonial and apartheid (re)iterations and underscores incomplete repetitions and insufficient differences that are also evident through South Africa's Truth and Reconciliation Commission (TRC).

Some of the features that Sitze names as being evident in reading reports of 'Tumult Commissions' can be gleaned from the Commission of Inquiry appointed in 1836 into the death and 'alleged' beheading of the Xhosa King Hintsa in 1835.[89] That commission shared a reading strategy that Sitze names as the historiographical modes of accuse, exonerate and mourn most explicitly evident in the colonial Jamaica Royal Commission (JRC) Report that investigated the Morant Bay Rebellion of 1865. Through a reading thereof and contemporaneous readings, Sitze underscores the ways in which indemnity jurisprudence and its emergence influenced the ways in which colonial commissions of inquiry reported findings of violence enacted upon colonial

[87] A. Sitze, *The Impossible Machine*, 161.
[88] A. Sitze, *The Impossible Machine*, 161.
[89] See also P. Lalu, *The Deaths of Hintsa*, 31-64.

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subjects – 'natives' - by functionaries of colonial power and how those findings were read, interpreted and put to use.

Sitze recounts and narrates the 1866 attempt of John Stuart Mill, a prominent leader of the Jamaica Committee comprised of a group of "English radicals", to have Governor Edward Eyre prosecuted for his violent suppression of the Morant Bay Rebellion that included the issuing of marshal law and the executing of George William Gordon, one of the leaders of the rebellion. Sitze deftly shows how Mill read the report to 'accuse' Eyre, how the British undersecretary of state, Charles Bowyer Adderly, read the report to 'exonerate' Eyre. This Adderly did by claiming that the report could not be read as "cause" for legal action but simply as a description of the evidence and how the colonial secretary, Edward Cardwell, read the report as neither to prosecute nor to exculpate, but to 'mourn', to "grieve, to lament, to experience a tragedy all the more poignant for the fact that it was, as all the evidence clearly showed, unavoidable."[90] None of these readings, Sitze posits, " can be said to be a misreading" because,

> [t]he report did not at all exclude the possibility of prosecuting Eyre and his cronies for the suffering they caused. To the contrary, the epistemic field it produced carefully left that possibility open…at the same time, however…it painstakingly neutralised that same possibility, compensating for its allowance of one reading of its findings by pointedly opening up the possibility of a reading opposed to it. The report did not, then, *rule out* the possibility of prosecution. It produced an epistemic field that *cancelled out* that possibility. It hosted the possibility of accusation – a calling to account – but it equally hosted the possibilities of exoneration and, differently, of depolitised suffering. The report was written as if its purpose was to validate all three historiographical modes at one and the same time, each compensating for the other through a carefully calibrated latticework of weights and counterweights – as if the governmental task of restoring equilibrium *to* the colony could only be accomplished if the principle of equilibrium first governed the report on disequilibrium *in* the colony. Thus did the JRC's report establish a subtle but decisive paradigm for the interpretation of the victims of colonial violence.

[90] A. Sitze, *The Impossible Machine*, 147.

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> Judicious without also being judicial, it accused without prosecuting, exonerated without pardoning, and mourned without fury or rage.[91]

Sitze argues that apartheid's 'Tumult Commissions' inherited, in varying iterations and calibrations but with incomplete repetitions and insufficient differences, these historiographical modes of accuse, exonerate and mourn that were intimately connected to indemnity jurisprudence as it evolved in South Africa.[92] More specifically apartheid's 'Tumult Commissions' inherited from those colonial 'Tumult Commissions' attempts to go to great lengths to publicise their hearings and to invite all with vested interests to testify, yet,

> [on]ly to express considerable doubt and sometimes even scorn regarding the veracity, credibility, and reliability of the resulting testimony (which commissioners repeatedly found to be filled with lies, inconsistencies, and excessive narration.) Most, but not all of these commissions', were, like the JRC, mandated to investigate the question of the necessity of the use of police and military force in supressing riots and rebellions, and like the JRC, some of these commissions' did end up finding fault with the military and police authorities for their actions. But in each case where a commission ensured that the violent acts of colonial authorities were, as Mill put it in 1866, 'so deservedly but so mildly condemned', that condemnation would always be qualified in familiar ways. In some cases where state officials were found to have committed crimes, Tumult Commissions did end up recommending prosecution. More often however, nothing happened at all. Like the JRC before it, the Tumult Commission carefully calibrated condemnations of police not only with criticisms of the natives themselves but also with praise of the promptness and even the severity of authorities responses.[93]

Sitze thus argues that, "this carefully calibrated 'evenhandedness' would become so formal and regular, would become such a hallmark of the Tumult Commissions' epistemic field, that it would even determine the grammar of certain Tumult Commission reports."[94] Sitze continues and posits that as apartheid neared its legal dissolution as a system of governance, its 'Tumult Commissions', as opposed to its

[91] A. Sitze, *The Impossible Machine*, 149. Italics original.
[92] See A. Sitze, *The Impossible Machine*, 72-97; 98-130.
[93] A. Sitze, *The Impossible Machine*, 163.
[94] A. Sitze, *The Impossible Machine*, 164.

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colonial predecessors, "was no longer mainly…a governmental technique for the management of populations that also – in the course of its self-criticism of state violence – happened to justify the 'lamentable necessity' or 'necessary evil' of violent state action:

> It now became mainly a discourse through which the state justified its violent repression of agitators to its critics abroad, and only secondarily served as an attempt to inquire into populations in order to manage them, and as the source of a tragic narrative on the regrettable inevitability of violence as part of that management. This was not an epistemic break (in which the Tumult Commission assumed an entirely new way of knowing), but rather, a shift in emphasis…One sees here, in particular, a new declension of the tragic mode, in which the stress was less on the reciprocally terrible consequences of miscommunication and misunderstanding for all parties involved and more on the sense in which the police officer was unfairly at risk of becoming figured as a scapegoat, a flawed hero in whom collective guilt could be concentrated and at whose expense the public could absolve its own conscience.[95]

There is much that the historian's anatomy of disappearances can glean from Sitze's rendering of the genealogy of 'Tumult Commissions' and its apartheid (re)iterations, while acknowledging the incomplete repetitions and insufficient differences. But it is his reading of the 1979 'Commission of Inquiry into the Riots at Soweto and Elsewhere', a commission also headed by one man, Supreme Court justice Petrus Malan Cillié, hence its colloquial name of the Cillié Commission, which resonates with a reading of the Harms Commission that is able to pose the question of a 'telling more' as it relates to the disciplining of the missing.

Like the Harms Commission in 1990, those who opposed it politically boycotted the Cillié Commission of 1979. As such, and like the Harms Commission, it was mostly informed from the perspective of the police. And like the Harms Commission, the perspectives of the police, those accused of wrongdoing, were cast in a sympathetic light that was filled with great understanding: an attempt to avoid a

[95] A. Sitze, *The Impossible Machine*, 173.

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narrative in which, as the qoute above signals, "the police officer was unfairly at risk of becoming figured as a scapegoat, a flawed hero in whom collective guilt could be concentrated and at whose expense the public could absolve its own conscience." Of course, and somewhat ironically, at the Harms Commission, one could read the figure of Coetzee as the scapegoat, as the flawed hero, who by Harms exonerating the police Coetzee implicated, exonerated and absolved Coetzee himself. Lastly, like the Harms Commission, the Cillié Commission was ultimately regarded as a 'sham and a charade'.[96]

Without going into too much detail of Sitze's reading of the Cillié Commission Report via a critique of Richard Price's detailed account of its Report, there are two main points that I wish to underscore.[97] The first point relates to Price's reading that the Cillié Commission Report presented "apartheid as part of the South African problem rather than the solution" in that it was apartheid policies itself that established the conditions of the uprising. The second point was that the uprising was presented also as a result of external forces, particularly that of the USSR as "outside agitators." The conclusion for Price was that through the Cillié Commission's Report, it was evidence of a " 'dramatic indicator' of the degree to which Soweto undermined the basis of and force of apartheid rule."[98] While Sitze does not completely undermine this conclusion of Price, he does argue that a genealogical reading of the Cillié Commission shows the extent to which apartheid's 'Tumult Commissions' pushed the internal logics of its colonial predecessors and earlier apartheid's 'Tumult Commissions' to the extreme. This extreme, according to Sitze, enabled the Cillié

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[96] A. Sitze, *The Impossible Machine*, 182.
[97] For a slightly different reading of the Cillié Commission, one which resonates, yet also challenges White's provocation of asking what if historians did not care about which versions of events were true, see H. Pohlant-McCormick, 'I saw a nightmare…' Violence and the Construction of Memory (Soweto, June 16, 1976) in *History and Theory*, Vol. 39, No. 4, Theme Issue: "Not Telling": Secrecy, Lies and History (Dec; 2000), 23-44.
[98] A. Sitze, *The Impossible Machine*, 182.

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Commission (and some of apartheid's earlier 'Tumult Commissions'), to be publicly understood as,

> conceal[ing] more than they revealed, to increase more than decrease hostility, to produce more than reduce hostility. No longer an effective mechanism of colonial governance, the Tumult Commission now had become little more than an empty ritual, a legal husk that continued to repeat colonial truths under postcolonial conditions, conditions in which those truths openly appeared as untruths. The Tumult Commission thus finally became what, latently, it always already was: an administrative means to the end of maintaining a colonial rule founded, in the last instance, on a militarised police force.[99]

While I engage the significance of Sitze's overall argument as it relates to the TRC (in which he provocatively poses a question that questions the TRC as a Tumult Commission of a special type) and more importantly its implications for the figuring of the missing as 'Categorically missing' in the following chapter of this dissertation, the above has been to note some of the features of apartheid's Tumult Commissions. In so doing I wish to suggest that while the Harms Commission might not have precisely followed the script of such commissions, in its resonance therewith there are certain elements of the Harms Commission that enables a 'telling more'. This 'telling more' situates the disciplining of the missing within a mode of critique that Michel De Certeau points to as part of the historiographical operation:

> As a substitute for the absent being, an enclosure of the evil genius of death, the historical text plays a performative role…Historiography uses death in order to articulate a law (of the present). It does not describe the silent practices that construct it, but it effects a new distribution of already semanticized practices…historiography furnishes death with a representation that, in placing the lack within language, outside of existence, has the value of an exorcism against anguish. But, through its performativity, historiography fills the lacuna that it represents; it uses this locus to impose on the receiver a will, a wisdom, and a lesson…the dead [missing] of which it speaks become the vocabulary of a task to be undertaken. Such is the ambivalence of historiography: it is the condition of a process and the denial of an absence; by turns it acts as the discourse of a law (historical saying opens a present to be made) and as an alibi, a realistic illusion (the realistic effect creates the fiction

[99] A. Sitze, *The Impossible Machine*, 187.

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> of another history). It oscillates between 'producing history' and 'telling stories', but without being reducible to either one or the other.[100]

De Certeau's insight into the historiographical operation, part of which I have shared above, is relevant for what I am calling the historians anatomy of disappearances that must ask what a 'telling more' might entail that both produces history and tells stories as the historian (re)reads the Report of the Harms Commission as a historical text. Indeed, Sitze offers readings of select Reports of some of apartheid's 'Tumult Commissions' and responses to those so as to underscore certain internal logics that asks of the historian, as genealogist in the Foucauldian sense, to map out the grids of intelligibility that orders her readings thereof.[101] Mapping out the grids of intelligibility of the Harms Commission genealogically then is to suggest that if the Harms Commission resonates with apartheid's 'Tumult Commissions', as I suggest it does, the historian's anatomy of disappearances must account for it as being caught up in the "event of history" as I pointed out earlier.

From Sitze's reading of the genealogy of apartheid's Tumult Commissions, and by entertaining Whites provocation of not abiding to a who lied question that enables a telling more, the historian's anatomy of disappearances is left with a question that seeks not to present an alternative narrative of the way in which the Harms Commission disciplined the missing, but rather pose a question that foregrounds apartheid itself as a question and a problem. This is to suggest, and re-assert as I have earlier in this chapter, that my reading of Ginzburg and Reids's intervention is productive in so far as Reids's argument of that which is missing from Ginzburgs analysis of the Sofri Case is an account of both the fears and apprehensions of the witness Marino and the judges so as to glimpse their worldviews that subjects

[100] M. De Certeau, *The Writing of History* (New York: Columbia University Press, 1988) 101-102.
[101] See M. Foucault, 'Nietzsche, Genealogy, History' in D. F Bouchard (ed.) *In Language, Counter-Memory, Practice: Selected Essays and Interviews* (Ithaca: Cornell University Press, 1977).

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them to a particular history of Italy's "years of lead". Yet I argue ultimately that such a reading amounts to a conflation of evidence and context, as a "slipping tacitly (and illicitly) from the plane of mere possibility to the level of asserting a fact; from the conditional to the indicative" leading to a "logical error, paradoxically based on an abuse of so-called 'logical proof'.[102] In other words, such an approach would be to operate within the very logic of Coetzee as perpetrator-witness and Harms as judge and in so doing, miss an opportunity to tell more, a telling more that cannot but foreground apartheid, in following Scott, as a question and a problem.

Thus, in following Sitze's genealogy of apartheid's 'Tumult Commissions', the judicial historiography of the judge that Ginzburg takes issue with, can now be re-read in the grammar of the 'Tumult Commission'. In so doing and more specifically as it relates to the Harms Commission, the 'evidential paradigm' that Ginzburg champions in so far as a reading for 'clues', will not be lost to the historians' anatomy of disappearances. Though importantly it must be acknowledged and posed as a problem that the grammar thereof orders her reading as a narrative strategy of accusations and exonerations (the question of mourning, or the empty place left to mourning in the script of the Harms Commission is taken up in the following chapter of this dissertation) that itself has a genealogy within apartheid as a system of subjection and subjugation – expressed through a genealogical account of apartheid's 'Tumult Commissions'.

By posing the question of apartheid, or rather by naming apartheid as a question and a problem, which is not reduced to evidence and context as an abuse of contextual proof, is to foreground a reading of apartheid that is deeply implicated in the disciplining of the missing, through not only its bureaucratic apparatus of its

[102] C. Ginzburg, *The Judge and The Historian*, 118-119.

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'Tumult Commissions', but also the historians' reading thereof, as a genealogist in the Foucaudian sense. This then is to read the Harms Commission as part of a system of subjection and subjugation that was the condition of possibility for what both Harms and Coetzee could and did say about the disappearances of Kondile, Mthimkulu and Madaka. More so, it enables an examination of what could not be said by Harms and Coetzee, namely, that their versions of events that happened and events that did not happen were caught up in "the event of history". It is the historians' anatomy of disappearances that must name that event of history, as a particular question, a particular problem and a particular critique of apartheid.

And yet a response to a question of posing apartheid as a question and a problem must necessarily take heed of Lalu's provocative argument that three questions have not guided the critique of apartheid: "what kind of disciplinary power did apartheid represent, what kind of normalising effects does it entertain and where would we mark the ends of apartheid?"[103] Provocative precisely because of its seeming obviousness and more so in relation to the Harms Commission, these questions nonetheless are significantly apt for thinking through what it might mean to write a history figured by and taking account of the disciplining of the missing. I would however add caution at wanting to too hastily arrive at responses to these questions.

My caution is in part prompted by a reading of a seminar paper presented by David William Cohen titled 'A Small Matter of the Truth'. In that paper, Cohen revisits an earlier text, *The Risks of Knowledge: Investigations into the Death of the Hon. Minister John Robert Ouko in Kenya, 1990*. Cohen re-asserts that he and his co-author E.S. Ateieno Odhiamo were not concerned with finding out whom exactly was

[103] P. Lalu, *The Deaths of Hintsa*, 26.

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responsible for the murder of Ouko - they were, and he is still not, concerned with who lied. Rather, they were concerned with understanding "how the force of the question influenced the shifting frames of knowledge formation, politics and governance in Kenya." Indeed, part of the force of *The Risks of Knowledge* is its concise mapping of the notion of 'the production of history'.[104] It is the concluding remarks of Cohen's paper that gives me pause in wanting to respond too hastily to Lalu's three questions that he argues have not guided the critique of apartheid. Cohen writes:

> I am not certain whether it is analogy, or the thing itself, but I find haunting Walter Benjamin's 'Critique of Violence'. One achievement of Benjamin's essay is that he takes into his optic on violence something other than legalistic and victimological programs of defining particular acts of violence, or in the analogy, lies. By acknowledging the force of lies, or violence…there is more at hand than the challenge of mitigation…Benjamin's essay is more a circle, and in the end, there is no end…to violence…or, by implication, no end to lies. But reading Benjamin's essay raises the question of whether we can stand outside law, discipline, text, critique, performance, history, temporality…to recognise the powers and limits of these frames which we combine together and through which we view and act upon our world.[105]

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If the disciplinary power of apartheid in relation to enforced disappearances was represented through a disciplining of the missing by the Harms Commission understood within a genealogical tradition of apartheid's 'Tumult Commissions', what then are its normalising effects and how might those effects be articulated in a way that does not amount to a "miscarriage of justice" to the missing? If following Cohen reading Benjamin, then there can be no escape from the violence of the apartheid 'past'. Indeed, this is precisely what I read Lalu as suggesting when he

[104] See also L. White, *The Assassination of Herbert Chitepo: Texts and Politics in Zimbabwe* (Bloomingdale & Indianapolis: Indiana University Press – published in Cape Town: Double Story Books (Juta), 2003).
[105] D. W Cohen, 'A Small Matter of Truth', Paper presented at WISH Seminar, WISER, University of Witwatersrand (24 March 2016). 12, 18.

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posits that, "if violence is the signature of our modernity, then we might say that this very violence is that which we cannot escape." He continues by suggesting that

> The uncertain relation of history to the intrinsic violence of modernity also places it in an uncertain relation to the encounter with the violence of apartheid. Given the aporia, it has become necessary to return to the place of history in this modernist predicament, not as a source, but as a symptom. If apartheid is symptomatic of modernism's violence, then we might say that its history has not really escaped the realms of complicity. The discourse of history, we might say, hosts modernity's supposedly inescapable paradox. That much is known to us.[106]

My caution at not wanting to too hastily respond to Lalu's provocation is prompted by the very question of where the ends of apartheid might be marked as it relates specifically to the disciplining of the missing but that cannot be attended to without a critique of apartheid that must account for apartheid's disciplinary power and its normalising effects through the disciplining of the missing. In so doing, the historian too needs to offer an anatomy of the disciplining of the missing, but an anatomy that does not abide by a 'who lied?' question but rather one which seeks to tell more.

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In response to the Harms Report and as mentioned in the Introduction to this chapter, The Independent Board of Inquiry into Informal Repression (IBIIR) distributed a discussion document titled 'Who Lied?' The document was "dedicated to the memory of Bheki Mlangeni"; the lawyer killed by an explosive device hidden in a Walkman meant for Dirk Coetzee was opened instead by Mlangeni, killing him instantly.[107] Lawyers who submitted documents detailing over two hundred acts of violence with an apparent political aim represented the IBIIR at the Commission. The

[106] P. Lalu, *The Deaths of Hintsa*, 264.
[107] On the 16 February 1991 a walk-man bomb intended for Coetzee killed ANC lawyer Bheki Mlangeni. Eugene De Kock later claimed responsibility for the attempted murder of Coetzee and the murder of Mlangeni. See E. De Kock, *A Long Nights Damage: Working for the Apartheid State* as told to Jeremy Gordin (Contra Press, 1998), 203-210.

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'Who Lied?' document stated that "investigators for the Board succeeded in uncovering a host of corroborative evidence concerning various allegations made by [Dirk Coetzee]" that were submitted to the Commission. While acknowledging that in the Final Report of the Commission Harms had "commended and thanked the Board's counsel for their assistance", the document underscored criticisms of the Commission and pointed to differences between the IBIIR lawyers' heads of argument and the findings of the Commission.[108]

Significantly in the 'Who Lied?' document was the IBIIR's assessment of Harms' findings as it relates to Mthimkulu and Kondile. After laying out the IBIIR's Heads of Argument and the Commission's Report with regards to Mthimkulu, the IBIIR noted that, "The Commission is unable to find a probable poisoner despite the fact that Port Elizabeth security police officer Colonel Hermanus Barend du Plessis stated categorically that nothing could have happened to Mtimkulu in detention without his, (Du Plessis's) knowing about it." With Regards to Kondile, the IBIIR's assessment was that, "The veracity of Coetzee's account of this case and the Vusi and Peter killings was tested again in the case of Neethling versus the *Vrye Weekblad* and the *Weekly Mail*." [109] The IBIIR noted that, "the contradictions between the Harms Commission findings and Judge Kriegler's judgement [the Lothar Neethling civil suit], especially in regard to the credibility of Coetzee's evidence, highlights the problems of the commission's format in investigating these types of allegations."[110] Coetzee had claimed that the poison – knock-out drops- given to Kondile before he was shot dead - was provided by Lothar Neethling. Providing an account of the Lothar Neethling case (a civil suit based on defamation of character), a Lieutenant General in the South African Defence Force whom the *Vrye Weekblad* and *Weekly*

[108] 'Who Lied?, 3.
[109] 'Who Lied?', 15.
[110] 'Who Lied?, 34.

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Mail implicated in a number of criminal acts based on Coetzee's 'allegations', the 'Who Lied?' document argued that

> In the Harms Commission Report Coetzee's version of …the Kondile incident was rejected as either improbable or implausible. However Judge Kriegler found Coetzee's version… to be not only plausible but probable…a large part of the Harms findings on police activities were effected by Harms' assessment of Coetzee as an inherently unreliable witness. Kriegler found him to be a basically truthful witness and found that Neethling was not only an untruthful witness in his court, but had also misled the Harms Commission.[111]

Harms concluded in his Report that, "in the course of the Commission it … appeared that although allegations and accusations are rife as to who did what and why, there is a basic lack of evidential material that might put some flesh on the bones. In general, victims failed to furnish information."[112] In concluding, the 'Who Lied?' document noted that, "the whole issue of the abuse of power by the State is obviously one of prime public interest. However, after the conclusion of the Harms Commission…it is extremely doubtful whether the public is satisfied that all death squad allegations have been 'opened to the bone.'" [113] The IBIIR suggested that "some form of public inquiry" be established but "should not take the form of a commission of inquiry, which is subject [to] certain structural limitations, but rather a body independent of all state organs with powers to subpoena and grant indemnity, powers usually invested in a court."[114] While not as a consequence of the IBIIR's suggestion, in 1995 the TRC was established that seemingly overcame the "structural limitations" that the IBIIR noted as evident in the Harms Commission.

Without the expectation of an affirmative response, this chapter has posed the question of what it might mean to offer a critique of apartheid through a reading of the disciplining of the missing through multiple powers expressed through the

[111] 'Who Lied?, 34.
[112] 'Harms Commission Report', 196.
[113] 'Who Lied?, 34.
[114] 'Who Lied?', 34.

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administrative and bureaucratic institution of the Harms Commission that has resonances with apartheid's 'Tumult Commissions'. This chapter has been a consideration of what it might mean to think a history that must account for the disciplining of the missing. This is necessarily to ask questions about the category of history and how it might be deployed at activating a history that must account for the disciplining but also abide by the missing by not foregoing its and, their reckoning.

I argue that the Harms Commission is significant for the ways in which such a history begins to emerge as a politics of history and a history of apartheid that disciplines the missing. It provokes the question of what it might mean to write a history after apartheid that must account for this disciplining – a telling more! More specifically, how might a history after apartheid activate a postapartheid future that abides by the missing-ness of the missing? These questions are not mutually exclusive, for to think and write a history after apartheid is to imagine a postapartheid future in the wake of apartheid, in its wake. This chapter then has been a ground clearing in asking after a history that must account for the disciplining of the missing. The stakes of asking after such a history should be considered as a mapping of the contours of a critique of apartheid that abides by careful and measured attempts at articulating a question of missing-ness.

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Chapter Four

Categorically missing

On the 7 March 2013 it was reported by news agencies in South Africa and internationally that Dirk Coetzee had died of kidney failure. Recalling the previous chapter, Coetzee was a former captain in South Africa's apartheid security police and commander of the infamous Vlakplaas. He is known for his "revelations" about his involvement with apartheid death squad activities in the early 1980s that were first publicised in 1989.[1] Those "revelations" included details regarding the fate of Sizwe Kondile, an anti-apartheid activist who had joined the African National Congress (ANC) in Lesotho and who had 'disappeared' on the 26 June 1981. At Coetzee's 1996 testimony before the Truth and Reconciliation Commission's (TRC) Amnesty Committee, and as he had done before at the 'Harms Commission of Inquiry into Certain Alleged Murders' (1990), he vividly described the time it took and the "callousness" at burning a dead body. That description was based on his participating in the 1981 burning and disposal of the dead body of Sizwe Kondile, whose remains remain missing.

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In the wake of Coetzee's death many obituaries were published recounting his infamous and checkered life.[2] One in particular, written by advocate and former director of the National Prosecuting Authority Vusi Pikoli, and a close friend of Sizwe

[1] See 'Bloedspoor van die SAP' in *Vrye Weekblad* (17 November 1989). See also J. Pauw, *In the Heart of the Whore: The Story of apartheid's death squads* (Johannesburg: Southern Book Publishers, 1991).
[2] See for example Philip De Wet, 'Rumour trails Dirk Coetzee to the grave' in *Mail and Guardian* (8 March 2013)
http://mg.co.za/article/2013-03-07-rumour-trails-dirk-coetzee-to-grave
(Accessed 30 August 2018);
Mandy De Waal, 'Jacques Pauw on Vlakplaas; Apartheid assassin, Dirk Coetzee' in *Daily Maverick* (8 March 2013)
https://www.dailymaverick.co.za/article/2013-03-08-jacques-pauw-on-vlakplaas-apartheid-assassin-dirk-coetzee/
(Accessed 30 August 2018).

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Kondile, stands out notably with its strident title, "Dear Dirk, I will not miss you". [3] The subtitle of the obituary reads, "Former Vlakplaas death squad commander Dirk Coetzee killed many ANC comrades, including Sizwe Kondile. The same Coetzee was embraced by the same comrades while they branded Sizwe a traitor…"[4] In the obituary Pikoli recounts not only Coetzee's life, but places such a recount alongside the death and life of Sizwe Kondile whose physical remains remain missing. The obituary authored by Pikoli in response to the death of Coetzee is challenging to read. The challenge stems in part from not knowing to whom the obituary is addressed and whom (or what) is to be, or not to be, grieved and mourned given its title: "Dear Dirk, I will not miss you". While seemingly an obituary as a notice of the death of Coetzee, I show that it is a notice of multiple 'deaths' and 'lives' that complicates both a reading of the life of Coetzee and Kondile. It is also challenging because not only is it published in a newspaper, the *Sunday Independent*, but significant parts of the obituary also appear in *My Second Initiation: The Memoir of Vusi Pikoli*, a memoir penned by journalist Mandy Weiner but co-authored with Pikoli that details his life.[5] The challenge thus is in being able to pull apart the many strands that constitute the obituary filtered as it is through a number of discourses and discursive strategies of reading and writing that begs the question as to the function of the obituary and its presumed audience.

I rely specifically on the work of Judith Butler, Mark Sanders and Jacques Derrida to assist in the challenge of reading the obituary. This chapter then is framed by three readings of the obituary written by Pikoli so as to trace the ways in which

[3] Vusi Pikoli, 'Dear Dirk, I will not miss you' in *Sunday Independent* (10 March 2013). For the online version see:
https://www.iol.co.za/sundayindependent/dear-dirk-i-will-not-miss-you-1483724
(Accessed 30 August 2018).
[4] V. Pikoli, 'Dear Dirk, I will not miss you' in *Sunday Independent* (10 March 2013).
[5] V. Pikoli and M. Wiener, *My Second Initiation: The Memoir of Vusi Pikoli* (Johannesburg: Picador Africa, 2013).

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Kondile is figured as categorically missing through history and its discourses by both naming and denying the eventfulness of him being missed and missing. In so doing, this chapter, and building on the previous chapter, asks how a history 'after' apartheid, in the wake of apartheid, might activate a postapartheid future that is able to abide by a question of missing-ness that apartheid-era disappearances give rise too. This chapter then is guided by a question that relates to the naming and denying of missing as event- its eventfulness- and the implications thereof for thinking mourning and its work that is symptomatic of a remembering of apartheid.

What the previous three chapters of this dissertation have suggested thus far is that a question of missing-ness can be understood as the figuring of persons' such as Siphiwo Mthimkulu, 'Topsy' Madaka and as elaborated in what follows, Sizwe Kondile, through various discourses and discursive strategies, practices and processes, complicit in and implicated by history and its discourses. A question of missing-ness understood in this way clearly requires that what is named as apartheid is not only registered in its effects, implicitly confusing an effect for a cause, but also through what escapes the discourses of its, apartheid's, naming. It is precisely as a category that sits uneasily in these discourses that a question of missing-ness acquires the full force of its implications for any attempt, even in its impossibility, at coming to terms with apartheid. Indeed, abiding by a question of missing-ness is to acknowledge, though without foregoing, a working through of the conditions of (im)possibility that so marks any history of the missing. To the extent that Kondile can be thought and abided by as an instance in which this destabilizing effect on the discourses surrounding apartheid becomes apparent, I argue that he is registered in the index of apartheid as categorically missing.

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I suggest that the obituary be read as a text that enacts the work of mourning in so far as it is a text in and of mourning that underscores a reckoning at work in remembering and grieving Kondile as missing alongside what seems to be a prescription on the grievability of the life of Coetzee that, following Butler, underscores the precarity and precariousness of the obituary. I proceed to discuss the ways in which accounts of Kondile as missing victim and Dirk Coetzee as perpetrator is constituted through an intertwined narrative of incomplete accusations and insufficient exonerations that figures Kondile to the categories 'informer' and 'traitor' and is constitutive in naming and denying the eventfulness of Kondile produced as missing. In so doing, I underscore a question of mourning.

Through the specificity of Kondile produced as missing and maintained in that state, I suggest that what is at stake in the precarious obituary written by Pikoli is an asking anew of apartheid, of "what it was" and "what it *is*", of remembering apartheid that complicates Mark Sanders notion that "apartheid *is* a proscription on mourning".[6] It might be possible to think apartheid, for to think apartheid is also to remember apartheid, more akin to a notion of "there shall be no mourning" following Jacques Derrida's reading in 'Lyotard and Us'.[7] I argue in this chapter that we abide by - endure and reckon with- the question of missing-ness that the figuring of Kondile gives rise to.

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A precarious obituary

Obituaries are public notices of death that are about life and lives expressing grief, loss, mourning and remembering. Bridget Fowler, in mapping a sociogenesis of

[6] M. Sanders, *Ambiguities of Witnessing: Law and Literature in the Time of a Truth Commission* (Johannesburg: Wits University Press, 2007), 35.
[7] J. Derrida, 'Lyotard and Us' in P. Brault and M. Naas (eds.), *The Work of Mourning* (Chicago: University of Chicago Press, 2001).

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obituaries, notes five 'genres' discernable through the form of an obituary. She names those first as the 'obituary and its positive form', the "traditionally positive or neutral form, close to the eulogy". Second is the 'negative obituary' understood as "a form of critical disourse" in which "the subject's subversion of legal or ethical rules" is revealed and in so doing, the writer of the obituary "effectively undercuts the obits ostensible objective: to praise." Third is the 'tragic obituary' that sees contradictions or social clashes in the life of the subject of the obituary. These, according to Fowler "possess tragic dimensions…the tragic element – as opposed to the purely negative – lies in the recognition of the structural forces stacked up against him or her." Fourth is 'the ironic obituary' that, "subtly subvert[s] common obituary conventions by inviting a contrasting and distanced reading of the subject's actions" For Fowler, here the "subject is subtly objectified: she or he can be safely mocked for elitism, but not excluded as a monstrous other…running through these obits is a broad vein of subjects selected as 'characters', judged to be beloved or dangerous according to the degree of subversive threat they represent." Lastly is the increasingly numerous 'untraditional positive obituary' understood by Fowler as "miniature biographies [that] abandon the assumption of a steady ascent upward, as in the classical career. Instead, their subjects have been thrown by a roller-coaster of experience, sometimes feted, at other times marginalized."[8] Each of these 'genres', and to varying degrees, coalesces in the obituary written by Vusi Pikoli.

A key insight by Fowler is her argument that obituaries "mould collective memory" in so far as the contemporary obituary is able to "recapitulate the past, not just by delving into the bare bones of *Who's Who* but – increasingly via memories of the subject's unique experience, gathered from those in his or her group networks." In

[8] B. Fowler, *The Obituary as Collective Memory* (New York: Routledge, 2007), 17-22.

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so doing, obituaries are able to "simultaneously reflect on an individual's concrete, indeed unpredictable life, while also revalorising a certain view of the past." For Fowler therefore, "there is a great tension between collective memory, vested in individuals, and history/ies." Fowler thus posits that obituaries, "coming as they do as an overall verdict on a life – have provoked their own increasing demand for…authoritative accounts." Yet, as she points out, "paradoxically, the more the obit has become stripped of its euphemistic codes, the higher are reader's expectations for its judicious assessments."[9] In many ways then an obituary can be considered as a biographical 'genre', given that it is, despite being a notice of death, ultimately about life, lives.

Though as a 'genre' of biography, an obituary, which has its own sub-genres as noted above, might, as Carlo Ginzburg articulates the notion of 'genre', also be "defined by a series of characteristics which imply at the same time restrictions and possibilities."[10] While Fowler takes issue with Judith Butler's rendering of the 'genre' of the obituary, that which Butler in *Precarious Life* initially articulates as, "where lives are quickly tidied up and summarized, humanized, usually married, or on the way to be, heterosexual, happy monogamous", there is a resonance between Fowler's articulation of the moulding of collective memory through obituaries and Butler's concern at the stakes involved within a "hierarchy of grief."[11] For Fowler, Butler is "somewhat dated in her view of contemporary obituaries: not all of them have subjects who are heterosexual and 'married or on the way to be'. Although the focus of the obituary is on the public sphere, the distinguished are often now acknowledged to be in private, somewhat transgressive figures." Despite this quibble, Fowler

[9] B. Fowler, *The Obituary as Collective Memory*, 10-11; 25-40.
[10] See C. Ginzburg, 'Representing the Enemy' in *Threads and Traces: True False Fictive*, trans. by Anne C. Tedeschi & John Tedeschi (California: University of California Press, 2012), 152.
[11] B. Fowler, *The Obituary as Collective Memory*, 3; J. Butler, *Precarious Life: The Powers of Mourning and Violence* (New York: Verso, 2004), 32.

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acknowledges that, "there *is* an underlying validity in Butler's view that some lives are more to be mourned than others."[12] What Fowler argues as an increase in "reader's expectations for [a] judicious assessement" of obituaries can be understood as resonating with an abiding question of Butler's, namely that of what makes for a grievable life through the expression of the obituary? As such, an obituary has the potential for precarity.

It is to Butler that a notion of precarity is most urgently raised in so far as wrestling with a question of the apprehension and recognition of the qualification of certain lives as injured or lost "if they are not first apprehended as living." Butler raises such a question on reflection of the aftermath of the vagaries of war, terrorism and violence in which certain lives do not qualify as lives and hence do not qualify as grievable. Evoking a question of precarity, for Butler, is to rethink "the complex and fragile character of the social bond and to consider what conditions might make violence less possible, lives more equally grievable, and, hence, more liveable." The task then is to explicitly acknowledge that, "the more or less existential conception of 'precariousness' is thus linked with a more specifically political notion of 'precarity'." My reading of the obituary titled 'Dear Dirk, I will not miss you' implicates such a political notion of precarity in so far as "subjects are constituted through norms which, in their reiteration, produce and shift the terms through which subjects are recognized."[13] The obituary written by Pikoli is decidedly precarious – its precarity framed by the very modalities of violence inscribed within it.

Butler asks "us" to "ask, again and again, how the obituary functions as the instrument by which grievability is publicly distributed." She suggests that the obituary "is the means by which a life becomes, or fails to become, a publicly

[12] B. Fowler, *The Obituary as Collective Memory*, 3-4.
[13] J. Butler, *Frames of War: When is Life Grievable?* (London: Verso, 2009), 2-4.

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grievable life, an icon for national self-recognition, the means by which a life becomes noteworthy." Butler continues and posits that, "as a result, we have to consider the obituary as an act of nation-building." As an act of nation-building however, Butler argues that "the matter is not a simple one, for, if a life is not grievable, it is not quite a life; it does not qualify as a life and is not worth a note. It is already the unburied, if not the unburiable."[14]

At first glance the strident title of the obituary written by Pikoli, "Dear Dirk, I will not miss you", suggests that the words following it are addressed solely to the figure of Dirk Coetzee. But, and adjusting one's inflection slightly, when Pikoli writes later in the obituary, "I will not miss him", it suggests that Pikoli appears to be addressing not only the figure of Coetzee, but, as a public statement about his life that is "publicly distributed", addresses a public that, if following Butler, can be named as the nation. Pikoli addresses the figure of Coetzee and states, "I will not miss *you*"; implying '*your* life is not grievable'. Pikoli, in addressing the nation states, "I will not miss *him*"; implying '*his* life is not grievable', a statement that can be read as either a proscription or prescription that is a question as to the grievability of the life of Dirk Coetzee.

Pikoli recalls his reaction on hearing the news of Coetzee's death, "Did the news leave me cold or numb? I could not tell. The news evoked an ache in my heart. I will not miss him."[15] Pikoli asking "did the news leave me cold or numb" seems to be ironic in its calculability in that it is reminiscent of the words of apartheid minister of justice and police, Jimmy Kruger, who in his statement on the death of Steve Biko stated, "I am not saddened by Biko's death and I am not mad. His death leaves me

[14] J. Butler, *Precarious Life*, 34.
[15] V. Pikoli, 'Dear Dirk, I will not miss you'.

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cold."[16] What Pikoli seems to register in this ironic calculability is precisely a question as to the grievability of the one whose death the obituary is seemingly indexing. Pikoli continues and writes, "I have never met him [Coetzee], but I always wanted to meet him…to ask him questions about Gcinisizwe Sylvester Khwezi Kondile, commonly known as 'Sizwe' or 'Tshonyi'."[17]

The questions that Pikoli would have liked to ask Coetzee, it seems, have to do with the exact location of where Sizwe Kondile was killed. A further question it seems that Pikoli would have liked to ask relates to, "From the time Sizwe disappeared in June 1981 in Maseru, Lesotho, until the revelation by Coetzee in 1989, he was labelled an enemy agent who had infiltrated the ANC."[18] The accusation of Kondile having been "labelled an enemy agent who had infiltrated the ANC", it seems, is in part what "evoked an ache in [Pikoli's] heart." Indeed, Pikoli writes, "[Sizwe] paid the ultimate price, but was branded a traitor by his own comrades and yet was killed by Coetzee and his death squad. The same Coetzee was to be later embraced by the same comrades. What a twist of fate, how ironic, what a travesty of justice."[19] Pikoli states, "Dear Dirk, I will not miss *you*" and later "I will not miss *him*" and asks "us" to consider the grievability not of the death of Coetzee, but of his life.

To assist "us", Pikoli describes a death that Coetzee is responsible and accountable for: "Coetzee told us the 'truth' we knew already; only the gory and gruesome details were new. What type of human being assaults another, shoots him in

[16] See X. Mangcu, *Biko: A Life* (I.B Tauris, 2013), 262. See also J. W. Bucher, 'Arguing Biko: Evidence of the Body in the Politics of History, 1977 to the Present' (Unpublished PhD thesis: University of Minnesota, 2010).
[17] V. Pikoli, 'Dear Dirk, I will not miss you'.
[18] V. Pikoli, 'Dear Dirk, I will not miss you'.
[19] V. Pikoli, 'Dear Dirk, I will not miss you'.

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the head and burns the body while 'having a braai and drinking liquor'."[20] Pikoli underscores the effects and affect of the 'abduction' and killing of Kondile, primarily that Kondile was accused of being an 'informer', and the suffering he (Pikoli), his comrades and the family of Kondile had to endure because of that accusation. Indeed, Pikoli states that he too was "looked at with suspicion."[21] Pikoli recognises and acknowledges that Kondile was exonerated through the "revelation by Coetzee in 1989" but questions his motive by stating, "Had it not been for former apartheid askari Almond Nofomela, who was sentenced to death for some other non-political murder; the 'courageous' Coetzee would never have spoken out. Coetzee came out of the woodwork because Nofomela decided to spill the beans on the eve of going to the gallows. He became a 'comrade' to save his bacon."[22] The obituary *is* about Coetzee's life, it is/was, recalling Butler above, "noteworthy", "worth a note", but only in so far as it is to register another's death and life.

Pikoli figures Sizwe Kondile in the obituary as a life lost, "cut short at the age of 24", "killed", and "perished at [the] hands" of Coetzee.[23] He states that it was Coetzee who "commanded the death squad that coldly calculated to mercilessly and permanently remove [Kondile] from the society he loved."[24] While Coetzee literally is buried, he is figured in the obituary, again recalling Butler above, as "the unburied" and seemingly always to be "the unburiable". Coetzee's life, seemingly, cannot be publicly grieved, for his is a life that must "fail to become a publicly grievable life."

Juxtaposed in the obituary is a death and life that is and must but cannot, at least

[20] V. Pikoli, 'Dear Dirk, I will not miss you'.
[21] V. Pikoli, 'Dear Dirk, I will not miss you'.
[22] V. Pikoli, 'Dear Dirk, I will not miss you'. As mentioned in Chapter Three of this dissertation, on the 19 October 1989, death row prisoner, Butana Almond Nofemela, submitted an affidavit on the eve of his scheduled execution, which the *Weekly Mail* published. Nofemela had named Coetzee as the leader of an assassination squad. In response, then Minister of Justice, Kobie Coetzee, appointed 'The McNally Commission' that found Nofemela's "allegations" to be false. See J Pauw, *In the Heart of the Whore*.
[23] V. Pikoli, 'Dear Dirk, I will not miss you'.
[24] V. Pikoli, 'Dear Dirk, I will not miss you'.

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not fully, be privately and publicly grieved. Not only is Coetzee held responsible and accountable by Pikoli for the death of Kondile, he is also held responsible and accountable for Kondile's remains remaining missing. Kondile is literally "the unburied" and will always be "the unburiable". Pikoli writes that, "Coetzee's assistance to the National Prosecuting Authority's Missing Persons Task Team [MPTT]…was not very useful. He could not point out the spot where they killed Sizwe to enable the task team to try and retrieve whatever remained of Sizwe."[25]

After the success of the excavation and exhumation at Post Chalmers in 2007 as discussed in Chapter One of this dissertation, the MPTT decided to re-examine cases of missing persons' who had allegedly been burnt by security police as a means of disposal. Coetzee and other perpetrators who had applied for Amnesty at the TRC claimed that Kondile's body had been burnt on a surface fire that was lightly covered with soil and that his remains were left uncovered on the site. This would have exposed Kondile's physical remains to greater deterioration and disintegration than those of the 'Pebco 3' and Siphiwo Mthimkulu and 'Topsy' Madaka at Post Chalmers. Yet the MPTT still held hope that if the location of where Kondile's body had been burnt could be identified, they could excavate and sieve soil to attempt to recover any burnt human bone fragments left. In 2009 the then head of the Priority Crimes Litigation Unit within the NPA, Advocate Anton Ackerman, approached Dirk Coetzee to assist the MPTT.

While initially reluctant, Coetzee accompanied the MPTT team to Komatipoort and he pointed out a possible site. Coetzee recalled two farms that were relevant as the possible location, Avondstond and Castilhopolis. Coetzee also recalled that there

[25] V. Pikoli, 'Dear Dirk, I will not miss you'. See also N. Davids, 'Apartheid secrets die with Coetzee' in *Times Live* (8 March 2013). https://www.timeslive.co.za/news/south-africa/2013-03-08-apartheid-secrets-die-with-coetzee/ (Accessed 30 August 2018).

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were three concrete or cement bases or foundations at the site. However, after the site was trenched and examined by members of the MPTT team that included forensic archeologists' and anthropologists', nothing was found that indicated a large fire or any burnt human fragments and the site was excluded as a viable site. After the failure of the first search, the MPTT decided to continue investigating that included interviewing numerous persons and local police in the area. Two further sites were identified. However, the search did not yield any probable success of recovery of Kondile's remains.[26]

Paging through the *Sunday Independent* (10 March 2013) to get to page 13, where the obituary was printed, the reader's gaze is immediately struck by a blown up photograph, which as shown below, is an image within an image. In stark contrast to the way in which Coetzee was described at the Harms Commission by journalist David Beresford as "a stocky figure, smart in a checked jacket and dark slacks with a tongue of hair slicked across the forehead of his solid, rugby player's face"[27], and notwithstanding the passage of time, the photograph framing the obituary portrays a serious, grim and somewhat feeble looking Coetzee.

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The picture frames Coetzee standing in a clearing surrounded by lush green vegetation. Coetzee is staring straight at the camera with pursed lips and wearing blue jeans and a grey short-sleeved shirt. Like a mugshot, he is holding a placard stating the location - 'Komatipoort' with' Mpumalanga Prov' beneath it and followed by a series of letters not very clear to the reader (perhaps 'SA-KNT-01'?), and on the

[26] Report of 'Missing Persons Task Team Investigation: Location of the Sizwe Kondile Site Near Komatipoort'. See also V. Pikoli and M. Wiener, *My Second Initiation*, 224-229.
[27] David Beresford, 'In the Art Deco theatre, a gardener talks of murder' cited in *Weekly Mail* (3 May 1990), 10.

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bottom right corner a date, "30 03 2009".[28] Behind him is a building structure with corrugated roof and an unidentified woman sitting, legs stretched out, on what appears to be a delapitated wall in front of the building. Immediately to the left of where Coetzee is standing is another building structure with large stones set upon its roof.

Inserted to the right and positioned higher than the figure of Coetzee at the top left hand corner of the main picture just described, is an "insert" - pasted onto the image of the lush green vegetation - a face and partial torso, three fingers of a hand just visible, a young man wearing what seems to be a navy blue or black jersey with a lighter coloured shirt collar just visible, his eyes glanced to the right of the frame - away from the figure of Coetzee - and smiling widely, mischievously even, and yet, somewhat shyly - Sizwe Kondile.

Figure 6: '**Sins of the Past**: Dirk Coetzee at a site near Komatipoort where Sizwe Kondile's (insert) body was believed to have been burnt. Main Picture: NPA Missing Persons Task Team.'[29]

[28] In his published memoir, Pikoli has a close up of Coetzee's face that seems to be the same image published in the *Sunday Independent*. It is there that the wording of the placard is more visibile as opposed to the image published in the *Sunday Independent*.
[29] Note that the online version of the article does not include the 'insert' of Sizwe Kondile.

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Butler argues that, "when a picture is framed, any number of ways of commenting on or extending the picture may be at stake." However, as she continues, "the frame tends to function, even in a minimalist form, as an editorial embellishment of the image, if not a self commentary on the history of the frame itself." For Butler then, "this sense that the frame implicitly guides the interpretation has some resonance with the idea of the frame as a false accusation." Looking at the above image certainly resonates with an understanding of 'to be framed' in the sense of "if one is 'framed', then a 'frame' is constructed around one's deed such that one's guilty status becomes the viewer's inevitable conclusion."[30] Coetzee is guilty and it is the "insert" of the face of Kondile together with Pikoli's rendering of the life and death of Kondile that registers this. Though the question the photograph above evokes in relation to the obituary is not about *who* is framed but *what* is being framed in the sense of the caption framing the frame that requires no punctuation – 'Sins of the past' – not only are the "Sins of the past" registered as Kondile's physical remains remaining missing, but through the text of the obituary, also that he was accused as being an informer.

The framing of the text of the obituary, the above image, captures both Pikoli's prescription at the grievablity of the life of Coetzee and lament of Kondile's grievable life that underscores his physical remains remaining missing. Certainly the photograph is meant to capture Coetzee as not being able to identify the location of where Kondile's body was burnt and in so doing, exacerbate Pikoli's lament in the content of the obituary of Coetzee not being able to point out the spot as Pikoli states, "where they killed Sizwe to enable the task team to try and retrieve whatever remained of Sizwe." The caption surely attests to this.

[30] J. Butler, *Frames of War*, 8.

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But prefaced with "Sins of the past" as the caption does, the framing of the frame, or " 'frame the frame' or indeed the 'framer'" as Butler posits by drawing on the work of Trinh Minh-ha, is to "expose the the ruse that produces the effect of individual guilt." The point is that calling the frame into question "is to show that the frame never quite contained the scene it was meant to limn, that something was already outside, which made the very sense of the inside possible, recognisable." In other words, "the frame never quite determine[s] precisely what it is we see, think, recognise, and apprehend."[31] Thus it is not merely that the picture frames the obituary written by Pikoli, and it is not that the obituary frames the photograph, rather it is through a framing of the frame that the precarity of the obituary comes to the fore.

The image supplied to the *Sunday Independent* was provided by the MPTT, as the caption makes clear. We are not told who provided the "insert", the face of Kondile. The "insert" of the face of Sizwe Kondile serves as a particular kind of trace, one which re-affirms the precariousness of the obituary itself. The visual trace of the "insert" affirms that the photo of Kondile's face cannot restore the intergrity to the body it registers. This integrity is such that it must, but cannot restore the exoneration of the accusation of Kondile as an informer. This intergrity is such that it attempts, but cannot render, let alone restore the intergrity of Kondile's physical remains because Coetzee is figured as both responsible for the accusation and for Kondile's remains remaining missing. Indeed, as Butler posits, "the visual trace is surely not the same as the full restitution of the humanity of the victim, however desirable that obviously is."[32] The framing of the frame with both the face of Coetzee and Kondile registered in the photo suggests, as Butler argues, that no understanding of humanization, or rather an understanding of the image and humanization that Pikoli ascribes to Kondile

[31] J. Butler, *Frames of War*, 9.
[32] J. Butler, *Frames of War*, 78.

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in the obituary, can take place "without a consideration of the conditions and meanings of identification and disidentification."[33] But identification, as Butler reminds, is such that "it always relies upon a difference that it seeks to overcome, and that its aim is accomplished only by reintroducing the difference it claims to have vanquished." In this regard, the frame of the obituary is such that as a "critical image", following Butler, "it must not only fail to capture its referent, but show this failing."[34] And yet who or what is the referent of the "critical image" framing the frame of the obituary?

The face of Kondile, the "insert" into "Sins of the past", haunts. According to Avery Gordon, photographs "provide the evidence that a disappearance is real only when it is apparitional, only when the missing or the lost or the not there shines through, there where it might not have been expected, there in that moment of affective recognition that is distinctive to haunting."[35] But the face of Coetzee, staring straight ahead, haunts as well. Emmanuel Levinas, whom Butler draws upon by engaging his notion of the 'face', considers the 'face' as evoking a moral and ethical demand and Butler posits that, "the 'face' of the other cannot be read for a secret meaning, and the imperative it delivers is not immediately translatable into a prescription that might be linguistically formulated and followed."[36] For Levinas, as Butler cites him,

> The approach to the face is the most basic mode of responsibility…the face is not in front of me (en face de moi), but above me; it is the other before death, looking through and exposing death. Secondly, the face is the other who asks me not to let him die alone, as if to do so were to become an accomplice in his death. Thus the face says to me: you shall not kill. In relation to the face I am exposed as a usurper of the place of the other…The face is what one cannot kill, or at least it is that whose meaning consists in saying 'thou shall not kill'.

[33] J. Butler, *Precarious Life*, 145.
[34] J. Butler, *Precarious Life*, 145-146.
[35] A. Gordon, *Ghostly Matters: Haunting and the Sociological Imagination* (Minneapolis: University of Minnesota Press, 2008), 102.
[36] J. Butler, *Precarious Life*, 131.

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> Murder, it is true, is a banal fact: one can kill the Other, the ethical exigency is not an ontological necessity…[37]

By offering an engaging reading of Levinas and his notion of the 'face' so as to elaborate on her ethics of precarity that for Butler is a demand upon "us", she posits that while "the face makes various utterances at once: it bespeaks an agony, an injurability, at the same time that it bespeaks a divine prohibition against killing."[38] In this sense, the beginning of the caption framing the obituary written by Pikoli, "Sins of the past" has a certain resonance to the faces depicted in the photograph. Literally and descriptively this might be translated as Kondile's face, in spite of the smile upon it, uttering agony and injurability as well as uttering the prohibition to his killing - you shall not kill - to the face of Coetzee, cast as the Other through Pikoli's prescription as to the grievability of Coetzee. But the face itself does not speak. The face, "the name for the face, and the words by which we are to understand its meaning – 'Thou shalt not kill' – do not quite convey the meaning of the face…[for] precisely the wordless vocalization of suffering that marks the limits of linguistic translation here."[39] What this underscores is that Levinas, for Butler, provokes a question as to the relation between representation and humanization:

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> When we consider the ordinary ways that we think about humanization and dehumanization, we find the assumption that those who gain representation, especially self-representation, have a better chance of being humanized, and those who have no chance to represent themselves run a greater risk of being treated as less than human, regarded as less than human, or indeed not regarded at all. We have a paradox before us because Levinas has made clear that the face is not exclusively a human face, and yet is a condition for humanization. On the other hand, there is the use of the face, within the media, in order to effect a dehumanization. It would seem that personification does not always humanize.[40]

The paradox for Butler, is the paradox between the evacuation of the face that does

[37] Levinas cited in J. Butler, *Precarious Life*, 131-132.
[38] J. Butler, *Precarious Life*, 135.
[39] J. Butler, *Precarious Life*, 134.
[40] J. Butler, *Precarious Life*, 141.

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humanize and how personification can at times perfom its own dehumanization. Butler suggests that we need to consider the different ways that violence can happen and one of those ways is precisely through the production of the face in the media. If following Butler's logic, not only is Coetzee's face, but the very mugshot pose in which the face is captured, presented as the face of tyranny and the face of deception.

It is evident that Coetzee is presented both through the text of the obituary and the image framing it as a personification of 'evil'. Thus, "a certain commensurability is asserted between that ostensible evil and the face." In this regard, and drawing on Butler, "this face is evil, and the evil that the face is, extends to …generalised evil…We personify the evil…through a face that is supposed to be, to capture, to contain the very idea for which it stands. In this case, we cannot hear the face through the face. The face here masks the sounds of human suffering and the proximity we might have to the precariousness of life itself."[41] Kondile's face, as an "insert", is presented as giving a face that underscores the terror, a face underscoring the evil of the "Sins of the past" named as 'Thou shall not kill', but only through the juxtaposition of Coetzee's face in the very same frame - the face of evil and deception. What the framing of the frame of the images suggests then is precisely a kind of unrepresentability. Butler articulates a distinguishing among kinds of unrepresentability:

> In the first instance, there is the Levinasian view according to which there is a 'face' which no face can fully exhaust, the face understood as human suffering, as the cry of human suffering, which can take no direct representation. Here the 'face' is always a figure for something that is not literally a face. Other human expressions, however, seem to be figurable as a 'face' even though they are not faces, but sounds or emissions of another order. The cry that is represented through the figure of the face is one that confounds the senses and produces a clearly improper comparison: that cannot be right, for the face is not a sound. And yet, the face can stand for the sound precisely because it is not a sound. In this sense, the figure underscores the incommensurability of the face with

[41] J. Butler, *Precarious Life*, 145.

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> whatever it represents. Strictly speaking, then, the face does not represent anything, in the sense that it fails to capture and deliver that to which it refers.[42]

It is to the "Sins of the past" that the 'face' of the framing of the frame, the photo and the text, and indeed the form of, the obituary fails to capture and deliver. There is no explicit violence shown in the images, but there certainly is a violence registered through the frame in what is shown in the images. The violence done to Kondile is framed by a mechanism – that of the framing of the frame – in which his life and death is unrepresentable but is at the same time representable through the 'capturing' of the "Sins of the past" through the 'face' of Coetzee. This violence is both effacement through occlusion and effacement through representation itself.[43]

It is not a simple matter apprehending and recognizing the referent of the images framing the obituary. It is not a simple matter reading this precarious obituary that frames the images through its framing of the frame. Both Kondile and Coetzee *are* figured as "icon[s] of national self-recognition", through Pikoli asserting the grievability of the death and life of Kondile who is missing and missed through a prescription that questions the grievability of the life of Coetzee. This double register at work in the obituary and the images in its double framing leaves 'us' to account for such doubleness. In other words, figuring Kondile and Coetzee, though for differing representations as "icon[s] of national self-recognition", the obituary, its framing, and the framing of the frame of the images, registers a call to remember the very conditions of possibility that renders its (in)visibility.

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Remembering incomplete accusations and insufficient exonerations

[42] J. Butler, *Precarious Life*, 144.
[43] J. Butler, *Precarious Life*, 147.

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Productive to think with in continuing my reading of the precarious obituary written by Vusi Pikoli is Mark Sanders insightful reading of what it means to remember apartheid in an aptly titled chapter, 'Remembering Apartheid'. Sanders posits that ways of remembering in South Africa are bound up with the work of TRC. He notes that before anything else, the task of the TRC was to "foster repair" and that this was underscored in its Report variously as "national memory", "public memory" and "social memory" that which Adam Sitze points out has been understood as historical cathersis.[44] Sanders questions that which was placed into such memory in so far as a legacy of apartheid is concerned. He argues that the TRC Report did not fully take into account what had been taking place at TRC hearings in the ways in which witnesses who testified remembered and expressed apartheid's legacies. Sanders argues that through the TRC Report, apartheid is remembered in a particular way:

> Aside from the interpretation that it explicitly rejects, that apartheid is continuous with colonialism, and other interpretations - apartheid as 'racial-capitalism' - that have an equally marginalised place in the report, what such an account asks the readers of the report to do is to remember apartheid as a system of which the main architect and builder was the state, whose main instruments and tools were an array of laws. With its investigations and report restricted to the 'gross violation' of human rights, this characterisation of apartheid, although central to the picture, is like a ghost in it and cannot be a fully acknowledged presence in its account. It is certainly there, the commissioners appear to say, and it haunts our every word, but we have no mandate to deal with it.[45]

According to Sanders, to remember apartheid is to ask, "what it was" and "how it is being remembered", but is also to ask, "what *is* apartheid". In other words, to know what apartheid was, it is implied; we will know what apartheid is. Acknowledging the aporia inherent in his formulation in that "the essense of what apartheid is has been derived from an activity of remembering that is historically contingent", Sanders seeks to traverse the aporia "provisionally [but] without eliminating it." In so doing

[44] A. Sitze, *The Impossible Machine: A Genealogy of South Africa's Truth and Reconciliation Commission* (Ann Arbor: The University of Michigan Press, 2013), 193-201.
[45] M. Sanders, *Ambiguities of Witnessing*, 38.

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the title of his chapter, 'Remembering Apartheid' "lays claim to knowledge. It announces: this is apartheid, for this is was apartheid was." Sanders therefore states that remembering apartheid must "acknowledge that just as forensic evidence assembled by the [TRC] may be bound up with the grieving of witnesses, no claim about the nature of apartheid can be untouched by the affective demands of those who bear the burden of remembering." He continues and states that "the legacy of apartheid of which they speak is of undiscovered bodies, of bodies denied a proper burial [and] the seek the help of the [TRC] in rectifying this state of affairs." According to Sanders therefore, and he poses this as a question, "can we then not say: apartheid *is*, at least for those who remember the worst deeds committed under it, and who attach to them a particular affect, a proscription on mourning the other?" In response to this question, Sanders asserts, "viewed from a purely forensic point of view, it is far from clear that we possess evidence to impeach this testimony."[46]

Thus in contrast to the way in which apartheid is remembered through the TRC Report, and in aiming to "deepen what it means to remember apartheid", Sanders argues that what is evident when examining the numerous requests made to the TRC for "bodies and body parts, for information about the site of burial of a relative, or for exhumation and proper re-burial" was an invitation extended to both the TRC and its audience. The audience, "those present at the hearing, as well as those following them on television and radio, or reading the transcripts after the fact" according to Sanders, were invited to enter in "mourning-with, as condolence."[47] Somewhat similar to Butler's articulation of the obituary, insofar as it functions as a public acknowledgment of death(s) that are about lives that are to be acknowledged as publicly grievable, Sanders posits that,

[46] M. Sanders, *Ambiguities of Witnessing*, 34-35.
[47] M. Sanders, *Ambiguities of Witnessing*, 34.

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> [w]hen a witness [made such] a request of the commission, he or she ask[ed] it to join materially in the work of mourning. This enlistment instantaneously multiplie[d] through the dynamics of substitution and transference - to the extent that the commission represen[ted] the national public, an assortment of victims, bystanders, and beneficiaries - and indeed [stood] in as proxy for the perpetrator who refus[ed] to come forward and make good for the violations he or she has committed. Testifying on behalf of the deceased 'victim', the witness before the commission invit[ed] condolence.[48]

Sanders argument that "apartheid *is* a proscription on mourning the other" is prompted, as explained above, by the requests at TRC hearings for the return of the missing remains of loved ones. Reading the obituary written by Pikoli however, as is reading testimonies from the TRC as Sanders underscores, is historically contingent and Sanders claim is based specifically on one testimony in particular, that of Joyce Mthimkulu. He relies on the moment in Joyce Mthimkulu's testimony where she held up her son's, Siphiwo Mthimkulu, clump of hair with scalp attached. As will be recalled from Chapter One of this dissertation, Siphiwo Mthimkulu had been poisoned with Thallium and an effect of the poisoning was that his hair fell out. Joyce Mthimkulu kept some of that hair and at the TRC held it up so as to provide evidence, forensic evidence that her son had indeed been poisoned. Placing that moment at the centre of his reading of Joyce Mthimkulu's testimony, Sanders reads her testimony as indicative not only of the forensic procedure of witness testimonies, but also as a moment where the work of mourning is most ambivalently evident and where the proscription on mourning is seemingly undone through a "mourning-with, as condolence" that seemingly both affirms and undoes apartheid's proscription on mourning the other.[49]

Following Sanders, and recalling Butler's articulation of the work of an obituary, it is certainly tempting to read the precarious obituary written by Pikoli as

[48] M. Sanders, *Ambiguities of Witnessing*, 40.
[49] M. Sanders, *Ambiguities of Witnessing*, 41-49.

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enacting a work of mourning that invites condolence through an assertion that "apartheid *is* a proscription on mourning the other." Though this might be too hasty a foregone conclusion to a reading of the precarity of the obituary.

Through his reckoning with Kondile as missing, Pikoli laments in the obituary that which remains un-told of the work of the TRC by placing emphasis on two of what the TRC termed 'associated violations'. These fall within the categories of 'corpse', which the TRC defined as "violating a corpse after death" and 'framing', defined as the "labelling as an informer."[50] The TRC Report defined 'associated violations' as "not gross violations of human rights, but important for understanding the context of the violation[s]", or as Sanders puts it, they are "supplementary to the event."[51] The 'associated violation' of 'corpse' that is "supplementary to the event" is seemingly what would frame missing as event and figure Kondile as missing through his physical remains remaining missing. While Pikoli emphasises this particular 'associated violation' done unto the dead body of Sizwe Kondile, it is also the 'associated violation' of 'framing', where Kondile was accused of being an 'informer', that is underscored in the obituary. In the language of the TRC the 'associated violation' of the category 'corpse' in the 'story' of Kondile is overshadowed by the category of 'framing', both as categories "supplementary to the event". The categories 'corpse' and 'framing' however cannot be understood without the account of Coetzee as perpetrator. Sizwe Kondile produced as missing in this sense is figured as categorically missing.

So as to elaborate on this limit, it is necessary to return to the TRC through Pikoli's testimony there. For indeed, in writing and presenting the precarious obituary

[50] See TRC Report, Volume. 5, Chapter 1, Appendix 1, 'Coding Frame for Gross Violations of Human Rights', 22.
[51] M. Sanders, *Ambiguities of Witnessing*, 40. See also TRC Report, Vol. 5, Chapter 1, Appendix 1, 'Coding Frame for Gross Violations of Human Rights', 15.

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there is a sense in which Pikoli reprises his role as witness/victim at the TRC. In his memoir, and in a chapter titled, 'The Truth and Reconciliation Commission', there where much of the content of the obituary he writes is repeated, Pikoli states, "While I played an official role in the TRC, I also had a personal investment in the process. I had spent years in exile as a freedom fighter against the apartheid government and my best friend, Sizwe Kondile, had been kidnapped and killed by the regime. In April 1996, I personally appeared before the TRC sitting in East London."[52]

Pikoli had testified before the Human Rights Violations Committee (HRVC) of the TRC on the 17 April 1996 after Sizwe Kondile's mother, Mrs Charity Kondile, presented her testimony. There he was asked to state his relationship with Kondile, their political activities, and what had transpired on the fateful day that Kondile disappeared. TRC Commissioner Dumisa Ntzebeza then continued:

> Now you have heard testimony of confusion that took place in Lesotho at [that] time…to you as a friend and as a close friend, it must have been a painful nine years.
> MR BIKOLE [sic]: It was.[53]

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The "confusion" was related to Charity Kondile's testimony in which she described how she went in search for her son in Maseru, Lesotho, and was confronted by accusations from ANC members that her son was a "traitor". On the 26 June 1981, the day he was abducted and last seen in Maseru, Sizwe Kondile had borrowed the car of Chris Hani, a senior member of the ANC in exile in Lesotho, to get to a telephone booth to call his girlfriend. He was asked by Hani to fill the car with petrol but had not returned and was not seen since.[54] Kondile's family assumed that the South

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[52] V. Pikoli and M. Wiener, *My Second Initiation*, 113.
[53] TRC Human Rights Violation Hearing (HRVC), Case EC0021/96 - East London (17 April 1996). (Hereafter Kondile HRVC Hearing.)
http://www.justice.gov.za/trc/hrvtrans/hrvel1/kondile.htm
(Accessed 30 August 2018).
[54] Kondile HRVC Hearing.

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African security police were holding him in custody. The reason, it seems, is that on the 23 October 1980, a Sergeant Visser of the Eastern Cape security branch had questioned Kondile's father, Mr Dumile Kondile, as to the political activities of his son. In 1990 Dumile Kondile recalled that:

> [w]hen Sgt Visser asked me to hazard a guess why he [Sizwe Kondile] was in Lesotho I said probably he wanted to further his education…He had never given me any idea he was interested in politics. His main interest, other than books, was rugby. He was even captain of the University 1st XV. If he had interest in politics now and especially after the disturbances at Fort Hare and the fact that he was a senior student at the time, he must be a product of the times in which he lives…[55]

It is as a "product of the times in which [Kondile] live[d]" that his family received information, in response to their enquiries, from a Captain Hawkins of Security Police head office in Pretoria on the 30 September 1981 that he had been detained in terms of section 6 of the Terrorism Act, 1967 (Act 83 of 1967) and that, "this office is not aware of the present whereabouts of Mr Kondile. He was detained on 1981-06-26 and released on 1981-08-10 from his place of detention in Port Elizabeth."[56] After receiving this information, Charity Kondile went to Maseru to search for her son. There she was confronted by accusations that he had stolen the car of Chris Hani and that he was working for the security police. When Charity Kondile tried to tell them that he had been arrested, she was told that he should have been able to communicate with them, even in detention.[57] By April 1982 Kondile's parents were still trying to locate him and received a more detailed response from security police, dated 27 April 1982:

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[55] Statement of Dumile Kondile in 'Memorandum on the Disappearance of Gcinisizwe Kwezi Kondile', Box B5.7 (Evidence: File on Kondile) of Independent Board of Investigation into Informal Repression AG 2543 at Wits Historical Papers. (Hereafter IBIIR Collection.)
[56] Official communication between Herbert Fischat and Associates [lawyers acting on behalf of the Kondile family] and Pretoria Head Office of the Security Branch (1989 -09- 30) in 'Memorandum on the Disappearance of Gcinisizwe Kwezi Kondile' - IBIIR Collection, Box B5.7.
[57] Kondile HRVC Hearing.

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> On the 26 June 1981 [Kondile] was arrested at the Van Rooyenshek border post, between the Republic of South Africa and the Kingdom of Lesotho. He was returning to Lesotho from South Africa in a yellow Datsun Stanza, 1980 model, with registration number A9987. He was taken to…Bloemfontein, where he was held until 1981-07-10 on which date he was removed for further investigation. The vehicle in which he had been travelling at the time of his arrest was left at Bloemfontein.
>
> He was released from custody in Port Elizabeth on 1981-08-10 and taken back to Bloemfontein by Captain Du Plessis, of the Security Branch at Port Elizabeth, where he was placed in possession of the motor vehicle and allowed to proceed to wherever he wanted to go. He has not been seen by any member of the Security Branch since his departure at Bloemfontein and his present whereabouts are unknown.[58]

The above was 'confirmed' on the 2 June 1982 by Louis le Grange, then Minister of Law and Order, in response to questions about "the mystery surrounding Gninisizwe Kondile" raised in parliament.[59] Thus at the TRC's HRVC hearing not only "was it a painful nine years" for Pikoli based on his not knowing the fate of his close friend, it was also "painful" because of the label attached to the name Sizwe Kondile by members of the ANC, that of "enemy agent". That is, until the "revelations" of Dirk Coetzee in 1989.

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As discussed in the previous chapter of this dissertation, Coetzee contested the version of the security police as to the fate of Sizwe Kondile. He told his 'story' on the existence of death squads and their activities, including the 'matter' of Kondile - though at that stage, Coetzee did not know the name Sizwe Kondile and referred to him as "n tweede Biko" (a second Biko) - to journalist Jacques Pauw in 1989 that was published in the Afrikaans newspaper *Vrye Weekblad* on the 17 November 1989.[60] One of the consequences of the exposé was that Coetzee went into exile fearing repercussions from the security establishment and found sanctuary with the ANC in

[58] Official communication between Mr. D. S. S. Kondile [Sizwe Kondile's father] and Pretoria Head Office of the Security Branch (1982-04-27) in 'Memorandum on the Disappearance of Gcinisizwe Kwezi Kondile' - IBIRR Collection, Box B5.7.
[59] See 'PE Man missing after his release from detention' in *Cape Times* (3 June 1982).
[60] See J Pauw, *In the Heart of the Whore*.

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exile.[61] A further consequence was that it led to intense public pressure and scrutiny both in South Africa and internationally, and former South African state president F. W. de Klerk appointed 'The Harms Commission of Inquiry into Certain Alleged Murders' (1990), to investigate Coetzee's "allegations".

In preparation for his testimony before the Harms Commission, Coetzee, with the aid of his brother, wrote his 'testimony' in the form of manuscript.[62] It is in the section titled 'Vlakplaas enters the hit squad arena' that Coetzee's recounting of the 'Murder of Sizwe Kondile' appears: "The title of this section could be 'murder of security police detainee' because it is only since I have been in exile that the ANC told me who this man was." Coetzee went on to describe how he came to see Sizwe Kondile in the "'white' single quarters" at Jeffery's Bay police station in September 1981 and described Kondile as a "somewhat slender black man of medium heigh [sic]. He had a full but not bushy beard." He explained that he was told that

> during [Kondile's] detention and interrogation [Kondile had] dived through a window with his hands cuffed behind his back and landed on his head on the cement outside [and] his behaviour became peculiar afterwards and they got in a friend who was a medical doctor to examine the prisoner. The doctor warned them that this was a potential second Biko case.

Coetzee described how plans were made "to get rid" of Kondile and how he collected knock-out drops from General Lothar Neetling[63] because "[t]he reason why the

[61] As noted in Chapter Three, on the 16 February 1991 a walk-man bomb intended for Coetzee killed ANC lawyer Bheki Mlangeni. Eugene De Kock claimed responsibility for the attempted murder of Coetzee and the murder of Mlangeni. See E. De Kock, *A Long Nights Damage: Working for the Apartheid State* as told to Jeremy Gordin (Contra Press, 1998), 203-210. For a provocative reading on this event, see A. Erasmus, 'Dispatch: Eduction, Sound, and the Senses' (Seminar paper presented at Centre for Humanities Research & Department of History, University of the Western Cape South African Contemporary History and Humanities Seminar, 15 May 2018).

[62] See Manuscript of Captain Dirk Coetzee 'Hitsquads: Testimony of a South African policemen: The Full Story', 173

[63] A further consequence of Coetzee's "revelations' was that Neethling filed a civil suit against the *Vrye Weekblad* and its English counterpart, the *Weekly Mail* for publishing Coetzee's "allegations" against him. For a summary of the case, see 'Who Lied? Discussion of the Findings of the Harms Commission of Inquiry prepared by the Independent Board' (published by The Independent Board of Inquiry into Informal Repression, 1991[?]), 31-34.

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victims were thus doped, in my opinion, is that nobody involved had the courage to shoot a helpless and full conscious man at point blank range." Coetzee described how "The body was put on a huge pyre of dense, heavy bushveld wood and tyres, and cremated. The hands, feet and face are destroyed quickly but it takes about seven to nine hours before nothing but ashes remain. All the while we were carrying on with talking and drinking around a braai." Coetzee then concluded by stating

> I also gathered from the discussion that night that the victim was arrested when he came into South Africa from Lesotho, that he had been officially detained, officially released and then unofficially kidnapped. In exile I established that the Datsun Stanza that the victim had used, belonged to Chris Hani, commander of the military wing of the ANC. I suspect that when I saw this prisoner at Jeffrey's Bay, he was already illegally held. Prisoners are not kept in single quarters and their vehicles are not kept in police garages. Eventually we all returned to our bases.[64]

Coetzee verbally testified to the above at the London sitting of The Harms Commission in June 1990. It is necessary to recall that his "allegations", including those regarding Sizwe Kondile, were deemed "unverifiable" and the chairman, Justice L. T. C Harms, concluded that, "It is certain that Coetzee's version is false."[65] Coetzee claimed that Kondile was killed by the security police because they did not want another "Biko case" while the security police claimed that Kondile was released after he agreed to become an 'informer' and they had no further information regarding Sizwe Kondile being missing.

Evidence submitted to Harms by the security police included testimony and documents indicating the "release date" of Sizwe Kondile from police custody as well as those that seemed to indicate that he had agreed to become an 'informer'. It is worth noting that one of the investigating officers at the Harms Commission was none

[64] Dirk Coetzee 'Hitsquads' Manuscript, 81-84.
[65] Commission of Inquiry Into Certain Alleged Murders - Report, The Honourable Mr Justice L.T.C Harms, Presented to the State President 'during September 1990', 120. (Hereafter, Harms Commission Report)

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other than Hermanus Barend Du Plessis, the officer named by Pretoria head office of the security police as having taken Kondile from the Eastern Cape to Bloemfontein where he was "released" together with the car which he had been in possession of when arrested. Du Plessis provided an affidavit to the commission with supporting security police documents together with his testimony that alleged that Kondile had given sensitive information to the security police, "particularly about Hani and the ANC in general" and had agreed to become an 'informer'.[66] Coetzee's version however, suggests nothing of Kondile as an 'informer' but points to the motive for Sizwe Kondile being abducted, killed and his remains burnt.

While categorically stating that "It is not for the Commission to establish or to speculate upon what became of Kondile, but only to determine whether the Security Police killed him as alleged by Coetzee", Harms explicitly "speculate[d]" that "Kondile's actions would have qualified him as a traitor in the eyes of the ANC. He had disappeared with Hani's car, had identified ANC members and after a period of complete absence suddenly reappeared."[67] This was qualified by Harms stating earlier in the Report that, "[Kondile] fall[s] into a category of persons who had to be eliminated in accordance with ANC policy. As [a] traitor [he] would have been a marked [man], and the policy was that traitors and informers had to be killed. So-called official ANC publications from time to time actually claimed responsibility for the death of several alleged informers and traitors."[68] Contradictorily, in the 'Conclusion' of the Report, Harms wrote, "that although allegations and accusations are rife as to who did what and why, there is a basic lack of evidential material that

[66] Harms Commission Report, 118. See also 'Getuieverklaring van Hermanus Barend Du Plessis', B152 in Box 4(4) (Exhibits) - IBIIR Collection.
[67] Harms Commission Report, 120.
[68] Harms Commission Report, 111-112.

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might put some flesh on the bones."[69] This distasteful metaphor of "flesh on the bones" is certainly reflective of the question of precariousness in so far as whose life counts as grievable and the dignity to be bestowed on both the life and death on such a person. For Harms, Sizwe Kondile's life and death was not warranted as grievable and therefore did not warrant accountability.

Harms, as per his mandate, was not able to establish that a crime had been committed insofar that Kondile had been killed by the security police and thus not able to "identify criminals in order to bring them to justice."[70] Those criminals would have included Coetzee who had implicated himself. Yet through Harms refuting Coetzee's version, Harms also exonerated Coetzee. Those implicated by Coetzee were exonerated by Harms in that: "apart from the argument that the police possibly conspired to give false testimony, neither under cross-examination nor in argument were falsehoods or improbabilities pointed out in the evidence."[71] While Kondile would have been exonerated as a "traitor" insofar as the motive for killing him as testified to by Coetzee had nothing to do with Kondile being assigned the category of "traitor", through Harms exonerating of Coetzee, Sizwe Kondile was re-accused of being a "traitor" who fell "into a category of persons who had to be eliminated in accordance with ANC policy."[72]

Thus at the Harms Commission, Sizwe Kondile as missing and the eventfulness of him produced as missing, was relegated to a speculative context ("so-called official ANC publications") and assertion ('official' police documentation) that in so doing assigned particular categories -'informer' and "traitor" - by both the security police and the ANC in figuring Kondile. That speculative context and

[69] Harms Commission Report, 196.
[70] Harms Commission Report, 1,5,19.
[71] Harms Commission Report, 91.
[72] Harms Commission Report, 111-112.

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assertion was constituted by a regime of truth at work through the interplay of accusations and exonerations that the figure of Dirk Coetzee gave expression to. A (re)iteration of this interplay is evident before the HRVC and Amnesty hearings of the TRC.

According to the testimony of both Charity Kondile and Pikoli before the HRVC, they first became aware of the fate of Sizwe Kondile through reading an article in the *New Nation* in February 1990 as well as Coetzee's testimony before the Harms Commission where the Kondile family had a legal team present. It appears as if it was TRC Commissioner Ntzebeza's leading of the testimony in such a way so as to continuously refer to Coetzee's "revelations" as being the factor to exonerate Kondile from the accusations that he was a "traitor" and in so doing figuring Coetzee as witness, perpetrator and exonerator. Indeed, recalling Sanders, this is the moment where the TRC, as proxy for the perpetrator, is approached and probed in so far as "mourning would make good for the violations of the apartheid era [and] where apartheid would be undone through condolence."[73]

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TRC Commissioner Ntzebeza began by asking Charity Kondile to "tell us in [her] own words how it is to be the mother of a child whom [she has] never buried", followed by such interspersed questions and statements:

> Now all of a sudden, after almost a decade after your son had disappeared, after allot of accusations and counter accusations, confusion sown by the police, it appeared that what you had said to his comrades in Lesotho has been confirmed, by independent sources, namely that he had been kidnapped by the police. Did you have an opportunity to speak to anyone who was high ranking in the ANC after these revelations [of Dirk Coetzee], which seemed to exonerate your son?
> …
> Now Mrs Kondile, you have told us a horrifying story, all at once a story of the tragic murder of your son at the hands of the security police, but I think where it is most depressing and sad, through no fault of anybody, but perhaps

[73] M. Sanders, *Ambiguities of Witnessing*, 49.

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> through the fault of those same security persons, a story of how the abduction and kidnapping of your child was not believed by his own comrades.
> …
> But is it not consolation that at least from the revelations of Dirk Coetzee… that your son and his commitment has been vindicated? That on an objective of all known facts, it can now be established that he never turned traitor? [74]

The question of "consolation that at least from the revelations of Dirk Coetzee" that Kondile was not a "traitor", it seems, is both adequate and inadequate for Charity Kondile. It is adequate only insofar as that from the "revelations" of Coetzee, Charity Kondile came to know that her son was dead, had been 'abducted' by the security police, was poisoned, shot and killed and his remains burnt. However it is more a question of public acknowledgment from the ANC that Kondile was never a "traitor", which Charity Kondile seeks.[75] In her testimony she recalled how she had telephoned Chris Hani a few months before his assassination and he had acknowledged that Kondile was not a "traitor".[76]

If there is to be "consolation" about the exonerating of her son, it seems, that "consolation" comes not from the "revelations" of Coetzee, but from Chris Hani who accepted those "revelations" and that he "accepted the truth".[77] Indeed, Hani had submitted an affidavit to the Harms Commission that was also submitted as evidence to the TRC in which he stated "I am advised that when a Leut-Colonel [Hermanus] Du Plessis gave evidence at Harms Commission he suggested that Sizwe may be in Lesotho or in the hands of the ANC. Such suggestion has no truth in it and I deny

[74] Kondile HRVC Hearing.
[75] In the ANC submission to the TRC a list of ANC members listed as missing was included and the name Sizwe Kondile does not appear on that list. See 'African National Congress: Statement to the Truth and Reconciliation Commission (August 1996)' http://www.justice.gov.za/trc/hrvtrans/submit/anctruth.htm#ancdied (Accessed 30 August 2018).
[76] Kondile HRVC Hearing.
[77] Kondile HRVC Hearing.

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most emphatically that Sizwe is with the ANC…"[78] Thus as part of the formulaic questioning of HRVC hearings, that of what the witness/victim would like to ask of the Commission, Charity Kondile asked "the commission to see what it can do to pacify the Kondile family" by providing "information of Sizwe's character" so as to restore the "damage to the Kondile family's dignity… especially his siblings, his father, his closest friend [Vusi Pikoli], Bantu [his son] and myself."[79]

The emphasis placed by Commissioner Ntzebeza on the "revelations" of Coetzee as exonerating Kondile was also posed to Pikoli:

> MR NTSEBEZA: And would I be right in saying, in some ways, though it is sad, that the [sic] only for you to discover this actual truth as to what happened to him is to know that he died and he died in such a gruesome way? You are none the less relieved that he is not in fact what people suspected he was? Is that right?
>
> MR BIKOLE [sic]: Yes that is correct… It came as a big relief… that at least there is a person who seems to know exactly what has happened to Sizwe and this being in the person of Dirk Coetzee.[80]

This response was not without qualification. Also amongst the formulaic questioning at HRVC hearings was whether or not the witness testifying on behalf of the deceased victim, here the missing deceased victim, would oppose amnesty applications should they be forthcoming from perpetrators. Pikoli stated he would not oppose amnesty applications insofar as "[they] come forward to make full disclosure and their act or mission having been associated with its political objective, then those people shall be granted amnesty."[81]

Coetzee applied for and was granted amnesty for 23 separate incidents, including that of the "Murder of Gonisiswe [sic] Kondile: (a) the abduction and

[78] 'Affidavit of Martin Thembisile Hani (popularly known as Chris Hani) signed on the 21 June 1990' in B181-B184, Box 4(4) - IBIIR Collection.
[79] Kondile HRVC Hearing.
[80] Kondile HRVC Hearing.
[81] Kondile HRVC Hearing.

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murder of Gonisiswe [sic] Kondile during or about November 1981 at Komatipoort and (b) the administration of poison to or assault of Gonisiswe [sic] Kondile during or about November 1981."[82] Nicolaas Janse van Rensburg, Hermanus Barend du Plessis, Johannes Gottfried Raath and Gerrit Nicholas Erasmus also applied for and were granted amnesty for the Kondile 'incident'.[83] While the Kondile family opposed the amnesty application of Coetzee, he appeared as a witness for the family in their opposition to the amnesty applications of Du Plessis, Van Rensburg, Raath and Erasmus with the aim of seeking "the truth" of what had happened to Kondile.

If at the HRVC hearing Sizwe Kondile was exonerated from the accusation that he was a "traitor" through the "revelations" of Coetzee, at the Amnesty Hearings of the four applicants for his murder, Kondile was once again accused of being an 'informer', a "double agent", for the security police and that that was the reason for him being killed. Indeed, in as much as Harms could state that Kondile "fell into a category of persons who had to be eliminated in accordance with ANC policy", at the Amnesty hearing so too was Kondile assigned that very same category according to which he had to be eliminated by the security police, the category of "traitor".

During the Amnesty hearings, the accusation, as alleged by Du Plessis, that Kondile "eventually" agreed to become an 'informer' was repeated. However Du Plessis amended his version, so as to meet the requirements of amnesty (that of a clear political objective for the 'killing'), to claim that the motive for killing Kondile was that a note was found in the cell where he was being held which indicated that

[82] See Truth and Reconciliation Commission: Amnesty Committee Decision AC/2001/279. http://www.justice.gov.za/Trc/decisions/2001/ac21279.htm (Accessed 30 August 2018).

[83] Truth and Reconciliation Commission: Amnesty Committee Decision AC/99/0037. Nicholaas Janse van Rensburg (AM 3919/96), Hermanus Barend Du Plessis (AM 4384/96), Johannes Gottfried Raath (AM 4397/96) and Gerrit Nicholas Erasmus (AM 4134/96). http://www.justice.gov.za/Trc/decisions/1999/99_van%20rensburg.html (Accessed 30 August 2018).

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Kondile was in fact still loyal to the ANC. Du Plessis claimed that sensitive information regarding activities of the security police within Lesotho had been given to Kondile and that this information would find its way to the ANC by Kondile. After consulting with Van Rensburg and Erasmus, it was agreed that Kondile would have to be killed. Coetzee was called in to assist with the killing and the destruction of the body together with Raath.[84] The Amnesty Committee accepted this version of the motive for the killing and not Coetzee's version that Sizwe Kondile had been killed because the security police feared another "Biko case".[85] In the TRC Report, both versions are presented.[86]

I am sympathetic to Sanders's argument as explained above. However, I share with Maurits van Bever Donker, Ross Truscutt, Gary Minkley and Premesh Lalu a "nagging sense that Sanders's formulation may confuse an effect, a proscription on mourning, for a cause, apartheid; that is, it sets to work on the very terrain that…apartheid sought to produce in the first place."[87] To traverse in the wake of apartheid then, according to van Berver Donker, Truscott, Minkely and Lalu, is to "attend to the repetitions that impede but also make possible another social beyond the horizon of apartheid, beyond apartheid's ordering of extrinsic difference."[88] The discourse used to inscribe Sizwe Kondile as missing is itself a remainder of the system that the TRC sought to transcend. It is a reiteration of a particular apartheid

[84] See Amnesty Hearing transcript for Du Plessis (9-11 February 1998) http://www.justice.gov.za/Trc/amntrans/capetown/capetown_1kond1.htm http://www.justice.gov.za/Trc/amntrans/capetown/capetown_1kond2.htm http://www.justice.gov.za/Trc/amntrans/capetown/capetown_1kond3.htm (Accessed 30 August 2018).
[85] See Amnesty Committee Decision AC/99/0037 http://www.justice.gov.za/Trc/decisions/1999/99_van%20rensburg.html (Accessed 30 August 2018).
[86] See TRC Report Volume 2, 234-236 and Volume 3, 72-73.
[87] See M. van Bever Donker, R. Truscott, G. Minkley and P. Lalu, 'Traversing the Social' in M. van Bever Donker, R. Truscott, G. Minkley and P. Lalu (Eds.), *Remains of the Social: Desiring the Postapartheid* (Johannesburg: Wits University Press, 2017), 32, Footnote 14.
[88] M. van Bever Donker, R. Truscott, G. Minkley and P. Lalu, 'Traversing the Social', 6.

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discourse. Though does this reiteration offer sufficient difference? One must not only remember apartheid, but also remember the apparatus through which it is remembered, in this case, the TRC, and so to mark its genealogy.

History and mourning remains in the wake of apartheid

While it is indeed far from clear, as Sanders puts it, that "we possess evidence to impeach [witness] testimony", Vusi Pikoli asks in the obituary, and perhaps rhetorically so, "Am I still angry and in agony after so many years? Am I not supposed to forgive and forget and preach reconciliation? After all, the man [Dirk Coetzee] was granted amnesty by the TRC."[89] Pikoli's provocation of what it might mean to remember, and not forget, resonates with that which the TRC Report took pains to underscore: "That the last moment in a victim's life should be recorded for posterity through the voices and versions of those who killed them is of itself an act of violence [and this] needs to be acknowledged and remembered."[90] What does it mean to both acknowledge and remember this violence? This is a question that haunts the precarity of the obituary Pikoli writes. Toward the end of the obituary, he states that, "[t]he South African story has still to be told. The TRC did half the job, with half-truths and half reconciliation, quarter reparations but full amnesty."[91]

Jacob Dlamini, who writes about collaboration and betrayal in a 'story' about the anti-apartheid struggle cites Pikoli's grievance. He suggests that Pikoli's criticism of the TRC is "at best unfair." Dlamini argues that, "It was Pikoli's job (as well as that of the government of which he was a part) to prosecute those whose amnesty applications were rejected – and the [NPA] chose not to take that road." Dlamini argues that, "the commission [TRC] did make possible the confessions of killers such

[89] V. Pikoli, 'Dear Dirk, I will not miss you'.
[90] See TRC Report, Volume 2, 222.
[91] V. Pikoli, 'Dear Dirk, I will not miss you'

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as Eugene de Kock [and Dirk Coetzee], the exposure of how apartheid's repressive machinery worked, and the uncovering of paper trails showing who gave the orders and, in some instances, who pulled the trigger."[92] Somewhat coincidently, it was during the TRC process that veteran journalist Max du Preez stated "like him or hate him, Dirk Coetzee was the man who started the truth process when he exposed police death squads in 1989. One wonders if we would have had a truth commission now if it had not been for the ball he started rolling."[93] Whether or not this statement of Du Preez holds any ground is not at issue here because Coetzee's revelations cannot account for the 'truth' of what happened to Sizwe Kondile. This much is clear from the obituary Pikoli writes.

Sizwe Kondile produced as categorically missing, as I have described above, is figured through a (re)iteration of a regime of truth complicit in and implicated by a history that marks him as such. This is a history that seeks to present an alternative by both aggregating and disaggregating forms of evidence and context, though without acknowledging the aporia and its potential therein. The aporia and its potential, at least in so far as understanding the work of mourning is concerned, can be discerned by recalling a question that continues to haunt the work of the TRC and haunts Sanders articulation of naming apartheid as a proscription on mourning and its undoing through "mourning-with as condolence." That question, succintly articulated by Premesh Lalu, is "how could a form of evidence once used to cover up acts of

[92] J. Dlamini, *Askari: A Story of Collaboration and Betrayal in the Anti-Apartheid Struggle* (Johannesburg: Jacana Media (Pty) Ltd., 2014), 15 -16.
[93] See 'Special Report' that reported on the TRC process and hearings: *Truth Commission: Special Report*, Episode 26, Section 7.
http://sabctrc.saha.org.za/tvseries/episode26.htm
(Accessed 30 August 2018).

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violence be depended on to offer us an escape from the violence of the apartheid past?"[94]

Adam Sitze's rendering of apartheid's 'Tumult Commissions' and certain continuities of its epistemic field through the TRC reflects the complicity of history and its discourses in both being able to name yet deny the eventfulness of instantiations of apartheid violence. Sitze invokes Lalu's argument about the 'event' of the death(s) of King Hintsa in 1835, the subsequent colonial commission of inquiry (1836) and the claims of Nicholas Gcaleka at the same time in which the TRC was beginning its work as that which poses apartheid as a question in so far as what it means for a history 'after' apartheid, or rather, of what it means for a history in the 'wake' of apartheid that must also account for apartheid as a question. Lalu's argument, for Sitze, questions not only "the troubling continuities between the disciplinary apparatus of colonial history and that of postapartheid history" but also treats that troubling continuity "as a symptom capable of throwing into relief the regime of truth that governed the TRC's inquiry into the conflicts of the past."[95] The implication of this symptomatic rendering of the complicity of history and its discourses, for Sitze, is that a question is raised when examining the TRC and colonial and apartheid's 'Tumult Commissions' that suggests "the TRC is an heir to and perhaps even unwittingly deploys the same disciplinary apparatus that governed and enabled the writing of colonial [and apartheid] history."[96] Sitze's overall aim is to offer a critique of transitional justice scholarship in so far as it is not able to account for the TRC's genealogy within indemnity jurisprudence and the apparatus of the commission of inquiry itself, which so marks transitional justice's claims of the

[94] P. Lalu, *The Deaths of Hintsa: Postapartheid South Africa and the Shape of Recurring Pasts* (Cape Town: HSRC Press, 2009), 7.
[95] A. Sitze, *The Impossible Machine*, 16. See also P. Lalu, *The Deaths of Hintsa*, 4-7.
[96] A. Sitze, *The Impossible Machine*, 16.

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ingenuity of the TRC. As crucial as this critique of Sitze's is, it is his argument about an impasse that the TRC ran up against through the grammar of the calibration of the historiographical mode of accuse, exonerate and mourn that is of significance here.

In Sitze's rendering of apartheid's 'Tumult Commissions', and its colonial precedents, the historiographical mode of accuse, exonerate and mourn was/is a "decisive paradigm for the interpretation of victims of colonial [and apartheid] violence." In so doing, it was "judicious without also being judicial, it accused without prosecuting, exonerated without pardoning, and mourned without fury or rage."[97] Harms' rendering of his findings in relation to Sizwe Kondile certainly expressed such a narrative strategy, though did not express any form of mourning, neither any fury nor rage. The findings of the TRC in relation to Kondile as I have outlined above through the Amnesty decision and the TRC Report's rendering of both versions of the event of his disappearance, re-iterates, albeit within a particular frame that begs a question of mourning in its fury and rage, such a narrative strategy. The implication of this is that it comes up against an impasse in so far as a question of history and mourning remains in the wake of apartheid is concerned.

Recourse to evidence at the TRC's HRVC hearing where Pikoli testified was enveloped in the language of the category of 'framing' (a language of accuse and exonerate) that itself was supplementary to the language of the category of 'corpse' (a language of accuse, exonerate and mourn). This recourse however was dependent on the "revelations" of Coetzee as both historical and forensic evidence but coupled with and in the language of accuse and exonerate in which Coetzee himself is figured by way of his "allegations" being dismissed at the Harms Commission where he was accused of fabricating his "revelations". In the process, Sizwe Kondile was figured as

[97] A. Sitze, *The Impossible Machine*, 149.

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an ‘informer’ by the production of ‘police evidence’ and responsibility and accountability for him produced as missing shifted from the security police to the ANC. In this sense the Harms Commission operated within a regime of truth that was articulated as the impossibility of the apartheid state’s sanctioning of hit-squads.[98]

The TRC might then be understood as having provided a certain ‘truth’ to a ‘knowing’ as it relates to the covert operations of the security arm of the apartheid state and its less than savoury methods of intelligence gathering and engagement of the ‘total onslaught’ of the anti-apartheid movements. More specifically, the TRC might be understood as having provided a ‘truth’ to the ‘knowing’ of the disappearance and killing o Sizwe Kondile. While Coetzee’s evidence was used through the Harms Commission to mask the violence of enforced disappearances at the hands of functionaries of the apartheid state, at the TRC, it was that very evidence relied upon to mark out and name a violence of apartheid. In other words, it was the evidence of Coetzee, that through the Harms Commission was used to cover up the violence of the enforced disappearances, killing and disposal of the remains of Kondile (and Siphiwo Mthimkulu and Tobekile ‘Topsy’ Madaka), which had been re-offered through the TRC as a seeming escape from the violence of apartheid. In so doing however, and as expressed through my reading of the precarious obituary written by Pikoli, a question of mourning remains.

In *The Work of Mourning*, a text comprising a collection of essays written by Jacques Derrida on the mourning of friends, the editors Pascale-Anne Brault and Michael Naas suggest that “to reckon: that is to say, to recount, or narrate, to consider, judge, or evaluate, even to estimate, enumerate, and calculate. Such a reckoning is

[98] Indeed, as reported in a newspaper article in 2010 where Harms reflected on the Commission, it was reported that “He [Harms] had a powerful acceptance that many white South Africans had [according to Harms] ‘a preconceived idea that the police could do no wrong, that the army could do no wrong, and there is, of course, the principle in law that presumes that people do not do horrible things.” See J. Smith, ‘Judge who came in harm’s way’ in *Saturday Star* (16 October 2010).

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perhaps to be expected when it comes to politics, where accounts must be given, judgments rendered and calculations made." But, they continue, "when it comes to mourning, to texts of mourning, texts written after the deaths of close friends and dear colleagues, to ask for a reckoning, to ask someone not only to recount but to take account, even to calculate, may seem indecent or at the very least, lacking in taste."[99] It cannot be debatable that Pikoli has a grievance with Coetzee through his grievability of the precarity of the life and death of Kondile as missing. Sizwe Kondile was accused of being an informer and his physical remains remain missing. This grievance as a reckoning, that which is expressed through the precarious obituary, is inextricably connected.

While the obituary written by Pikoli seemingly is registering that "apartheid *is* a proscription on mourning", in Pikoli's articulation of what Sanders calls "the worst deeds committed under [apartheid]", emphasis is not only on the burning of the body and the missing remains of Kondile as I have shown above. It seems as if through the obituary and through the TRC's HRVC hearing where Pikoli and Charity Kondile testified, there lurks a question of something worse than the worst of not being able to bury a loved one. Neither Charity Kondile nor Pikoli in their public testimony before the HRVC explicitly asked the commission to locate the remains of Sizwe Kondile so that his remains could be re-buried and proper funeral rites accorded.

Where Charity Kondile invokes her son's missing dead body - "as one of those who did not return" - it is in relation to both how she came to know of the fate of her son, through the "revelations" of Coetzee and her disgust at the manner in which his dead body was treated.[100] Similarly Pikoli stated, "what induces a sense of shock and revulsion, is the method and manner of how people were killed" though

[99] P. Brault and M. Naas (eds), 'Editors Introduction' in J. Derrida, *The Work of Mourning*, edited by P. Brault and M. Naas (Chicago: University of Chicago Press, 2001), 2-3.
[100] Kondile HRVC Hearing.

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prefaced with "in the course of our liberation discussions we always believed that death is not really an issue because death is an integral part of a liberation struggle."[101] However, it must be recalled that in the precarious obituary Pikoli laments, "Sizwe's wandering spirit still needs to be laid to rest. We need to lay [him] to rest in the African way."[102] In his memoir *My Second Initiation*, which is in many ways framed by his relationship with Sizwe Kondile, Pikoli explains what he means by "in the African way". Pikoli states there that, "According to my beliefs and customs, it is important to be able to go to the exact spot where he died and bring his spirit back, even if all we find is a minute finger bone…I will only rest the day we can retrieve Sizwe's remains, even if it is just a fragment of a bone."[103] In the same memoir, journalist Mandy Weiner recounts her June 2013 interview with Charity Kondile: "while Sizwe's mother wants some kind of formal acknowledgement from the ANC government and a tombstone or monument, she is not concerned about reclaiming any of his remains. As far as she is concerned, there is nothing left to find. She repeatedly remarks about how she wanted his clothes, above all."[104] Might we say that not only *is* apartheid a proscription on mourning because there are no remains to be buried, but that through apartheid being a proscription on mourning, there is also a question of a worse, something worse than not being allowed to mourn.

What can be worse? In the last essay in *The Work of Mourning*, titled 'Lyotard and Us', Derrida mulls over how to interpret and think through a phrase written by Lyotard in his 'Translators Notes' - "there shall be no mourning". Derrida writes,

> 'there shall be no mourning'… this phrase gets carried away all by itself. It holds itself back or withdraws; one can neither understand it nor be deaf to it; neither decipher it nor understand nothing of it; neither keep it nor lose it,

[101] Kondile HRVC Hearing.
[102] V. Pikoli, 'Dear Dirk, I will not miss you'.
[103] The memoir was published a few months after Coetzee's death and includes much of the text of the obituary. See V. Pikoli and M. Wiener, *My Second Initiation*, 121, 122.
[104] V. Pikoli and M. Wiener, *My Second Initiation*, 178.

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> neither in oneself nor outside oneself. It is this phrase itself, the phrasing of this unclassifiable phrase, drifting far from the categories analyzed even by its author, that one feels driven to go through mourning (*faire son deuil*), precisely at the point where this phrasing says to us: over me, there shall be no mourning. Over me, the phrase says, or at least the phrasing of the phrase says, you will not go into mourning. You will especially not organise mourning, and even less what is called the work of mourning. And of course the 'no mourning', left to itself, can mean the perpetual impossibility of mourning, an inconsolability or irreparability that no work of mourning shall ever come to mend. [105]

Derrida points to the difficulty at registering to whom the phrase is addressed and the difficulty at discerning a fixed context to the phrase. In reflecting on Lyotard's earlier work, particular *The Differend*, in an attempt, even if impossible as Derrida laments, to contextualize and make sense of the phrase "there shall be no mourning", Derrida points to an "empty place left to mourning" that raises a question of 'the worse'. Derrida suggests that he discerns a question, a question of the worse, of a "worse than death" and posits that all work of mourning tends towards this "worse than death" where the work of mourning "seeks neither to save from death nor to deny it, but to save from a 'worse than death'"[106] It is his reflections on Lyotard's naming of two types of ordered deaths, the "worse than death" as expressed by Adorno ("since Auschwitz, fearing death means fearing something worse than death") and what Lyotard calls "the magical death" or the "beautiful death" that Derrida thinks through the phrase "there shall be no mourning" and a question of the worse.

Where Lyotard in *The Differend* states that "'Auschwitz' is the forbiddance of the beautiful death", Derrida hypothesizes that in both cases, that of the "beautiful death" (where death has meaning) and that which is "worse than death", 'Auschwitz', "there is no - there shall be no - mourning" but for "diametrically opposed

[105] J. Derrida, 'Lyotard and Us', 220-221.
[106] J. Derrida, 'Lyotard and Us', 230. See also M. Naas, 'History's Remains: Of Memory, Mourning and the Event' in *Research in Phenomenology*, Vol. 33 (2003), 75-96.

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reasons."[107] According to Derrida, "'Auschwitz' [as] the forbiddance of the beautiful death" is such because "it is an exception…because the victim is not the addressee of the order." Derrida emphasises that while both the beautiful death and 'Auschwitz' are deaths that follow an order, "'Die' – [in the former] 'Die, I decree it' [and in the latter] 'That s/he die, I decree it' [or] 'That I die, s/he decrees it' - between these two deaths, these two 'Die's', the heterogeneity is absolute, so that 'Auschwitz' cannot, except through an abuse of rhetoric, be turned into a 'beautiful death'." [108] What is striking for Derrida is that "mourning never comes up" insofar as it relates to Lyotard's meditation on 'Auschwitz' and the two deaths: "Mourning' never appears, and the word 'mourning' has no grounds for appearing. As if the phrase 'there shall be no mourning' had already been heard, and taken into account, in its most extreme consequences."[109] Mourning, "[i]f there is to be no grounds for having to go through mourning" is because

> In the 'beautiful death'…death has meaning: it brings to fulfillment a life full of meaning; this death gets over itself, overtakes or sublates itself, in this meaning. In the case of 'Auschwitz', on the contrary, 'worse than death', it is the extinction of the very name that forbids mourning, given that this murder of the name constitutes the very meaning of the order 'die', or 'that he die,' or even 'that I die'. In both of these orders, the 'there shall be no mourning' is implicitly so radical that the word 'mourning' does not even need to be uttered. Which would seem to suggest that whenever the word is uttered we are perhaps - we are no doubt - dealing with another case, where mourning is at least possible enough to be averted by the 'there shall be no mourning.'[110]

What if, reading the obituary written by Pikoli, we are to read a similar question of the worse insofar as it relates to Sizwe Kondile figured as categorically missing? It is a question of how does one mourn Kondile produced as missing, whose remains are missing and who because of him being missing, was accused of being an 'informer'.

[107] J. Derrida, 'Lyotard and Us', 235.
[108] J. Derrida, 'Lyotard and Us', 236.
[109] J. Derrida, 'Lyotard and Us', 236.
[110] J. Derrida, 'Lyotard and Us', 237.

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Recall Pikoli's response to Commissioner Ntzebeza before the HRVC: "in the course of our liberation discussions we always believed that death is not really an issue because death is an integral part of a liberation struggle." Might this be thought of as invoking a notion of "the beautiful death" where death has meaning? Pikoli's impossible attempt at mourning Sizwe Kondile through the obituary by describing his death, while simultaneously expressing a prescription on the grievability of Coetzee's life, might point to the denial of "the beautiful death" through Kondile accused of as a "traitor", and this despite Coetzee's "revelations" that is thought to have exonerated Kondile.

In the obituary Pikoli provides evidence for his seeming prescription on the grievability of Coetzee's life in death that so questions the work of condolence in undoing apartheid. Coetzee is responsible and always to be held accountable not only for the 'killing' of Sizwe Kondile, but for his participation in the burning of Sizwe Kondile's dead body while "having a braai [barbeque] and drinking liqour" and for "scattering the ashes in the Nkomati River". The exoneration of Kondile as "traitor" through the "revelation by Coetzee in 1989" is insufficient for absolving Coetzee. Coetzee as perpetrator had "come forward [to] make good for the violations he [had] committed" in 1989, at the Harms Commission in 1990 and at the TRC amnesty committee in 1996 but for Pikoli, that "making good" is questionable and is neither adequate nor sufficient in so far as Coetzee failed to make full disclosure that might have acknowledged condolence for the 'killing' of Sizwe Kondile. The amnesty granted to Coetzee by the TRC is put into question because for Pikoli, Coetzee only told "truths we knew"; there was no full disclosure. What Pikoli would have liked to ask Coetzee is a forensic, factual 'truth'; the specific location of where Sizwe Kondile's dead body was burnt to ashes. Might the obituary be an invitation for a

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"mourning-with, as condolence", an invitation that the TRC was unable to fully extend? And in so doing, is this impossibility reflective in the obituary as a certain worse?

It is not a simple matter for there is a sense in which the obituary also gestures towards "an empty place left to mourning." This "empty place left to mourning" in the obituary might be articulated by considering Sizwe Kondile as a double victim, or even as the "doubly missing"[111], insofar as not only was he killed and his remains are missing but also in that he is caught between incomplete accusations and insufficient exonerations of him being categorized as a "traitor" thus a denial of a "beautiful death". Kondile is the double victim of a double wrong, "a damage accompanied by the loss of means to prove the damage", the very understanding of a differend.[112] In other words, reckoning with Sizwe Kondile for Pikoli through the obituary might then be an attempt to acknowledge a wrong, to translate a wrong into damages, but at the same time underscore the very impossibility thereof through an empty place left to mourning where no mourning is a place keeper for that which is worse.

Derrida juxtaposes two series of statements that Lyotard wrote in *The Differend* regarding "a certain duel, even divorce" between 'Israel' and 'Auschwitz' and underscores the absence of the word 'mourning' therein, an "empty place left to mourning." He reads through Lyotard's meditations and suggests that,

> in establishing damages that can be repaired, in thinking that it can translate the wrong into damages and the differend into litigation, which is and remains impossible, it is as if Israel had wished to go through mourning. The state of Israel would have sought to signify the mourning of Auschwitz, precisely there where mourning has no meaning.[113]

[111] See J. Edkins, *Missing: Persons and Politics* (Ithaca: Cornell University Press, 2011), 6.
[112] See J. F. Lyotard, *The Differend: Phrases in Dispute*, trans. by G. Van Den Abbeele (Manchester: Manchester University Press, 1988), 5.
[113] J. Derrida, 'Lyotard and Us', 237.

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For mourning, in the case of Israel and Auschwitz that Lyotard reflects on, according to Derrida,

> implied either a litigation concerning damages, or else some kind of wrong, that is, some differend. Without litigation or differend, there can be no mourning. In a way, then, what is worse than death, as well as non-mourning, is that there *not even be a differend*. [114]

We might read a certain resonance in the South African 'story' that Pikoli laments as being un-told when he writes in the obituary that, "The South African story still has to be told." That apartheid *is* a proscription on mourning, as argued by Sanders, suggests that those who could not be mourned might have the possibility of being mourned through the return of remains ('symbolic' reparation), but only through translating a wrong of apartheid, and here the specificity of Sizwe Kondile produced as missing and maintained in that state, into a form of litigation. Though taking into consideration Derrida's reflection of the phrase "there shall be no mourning" and that what might be the worse than death and 'no mourning' "is that there not even be a differend", the question turns not into who can be mourned, but rather, that which cannot be mourned.

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Derrida writes that 'no mourning' "can also oppose testimony, attestation, protestation, or contestation, to the very idea of a testament, to the hypothesis of a mourning that also has, unfortunately, as we know, a negative side, at once laborious, guilt ridden and narcissistic, reactive and turned to melancholy. And when it borders on celebration, or *wake*, one risks the worst."[115] There appears then to be a limit in Sanders argument, dramatized through the obituary, in that if apartheid is the proscription of mourning certain lives, the postapartheid is a symmetrical image of that, an inversion, even perhaps a mirror image: then Sizwe Kondile, now Coetzee.

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[114] J. Derrida, 'Lyotard and Us', 237.
[115] J. Derrida, 'Lyotard and Us', 221.

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Reading Butler alongside Sanders means working through the foreclosed loss: mourning the exemplary apartheid figure, Coetzee, lest we melancholically identify with him.

Through Pikoli's address in the obituary he writes, there is a sense of an impeding "national melancholia", that which Butler articulates as, "a disavowed mourning."[116] If melancholia can be understood as a confronting of loss through an adamant refusal of closure, and mourning understood as the pain of relinquishing a loss, then mourning and melancholia are inseperable conditions and symptomatic re-iterations through the very precarity of the obituary written by Pikoli and its frames.[117] For the question evoked by the precarity of the obituary seemingly suggests a diagnosis through, and importantly, a *naming* of *who* and "*what* counts as a livable life and a grievable death."[118] A question of mourning that which remains of a lost history while at the same time reflecting on a history of loss is provoked in the obituary in that the consecration of Kondile in the wake of apartheid, is through a particular naming and remembering of apartheid as that condition which so marks Sizwe Kondile as missing - as categorically missing.

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"We" might have to re-ask what Pikoli is registering in the obituary he writes and what the function of the obituary is that is not limited to it being an instrument that, recalling Butler, enacts nation-building. For perhaps it is not so much a question of 'nation-building' as much as it is asking how the 'nation' comes to be constituted, which is not the same question, as counterintuitive as it might sound. In other words, what if "we", before considering the "obituary as an act of nation-building", consider the obituary written by Pikoli as that which prompts a re-asking of how, in South

[116] J. Butler, *Precarious Life*, xiv.
[117] See D. L. Eng and D. Kazanjian, 'Introduction: Mourning Remains' in D. L. Eng and D. Kazanjian (eds.), *Loss* (Berkely: University of California Press, 2003), 3-5.
[118] J. Butler, *Precarious Life*, xiv-xv.

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Africa, the 'nation' is thought of as having come into being. To do so, requires "us" to remember and question what is thought to be the inaugural moment in which something like 'the South Africa nation' imagines itself as being in opposition to. In other words, if it is the moment of the TRC as event that might be considered as the moment in which something like the 'South African nation' is thought to have been constituted, its constitution is remembered as being 'other' than that from which it was considered to be 'transitioning' from - apartheid – in its wake.

Sanders argues that, "to remember apartheid is to remember that what made for its conditions of possibility can be repeated in the very acts of remembrance that, by linking epistemic and mournful practice, undertake to give an account of, and make reparation for, apartheid."[119] It is therefore necessary to hold onto the point, as Butler does, that "precariousness has to be grasped not simply as a feature of *this* or *that* life, but as a generalised condition whose very generality can be denied only by denying precariousness itself."[120] In other words, the ethics of precarity that Butler's work seeks to underscore is that of a relational ontology and is such that "we" need to understand precarious life as a process that is conditioned. But its conditioning is not "as the internal feature of a monadic individual or any other anthropocentric conceit." If understanding Butler then, and in seeking to name the precarity at work in the obituary written by Pikoli, what needs to be underscored is that "our obligations emerge from the insight that there can be no sustained life without those sustaining conditions, and that those conditions are both our political responsibility and the matter of our most vexed ethical decisions."[121] The most vexed ethical decisions that Butler underscores is also one that calls into being a question of justice through remembering, that which Pikoli certainly provokes and evokes.

[119] M. Sanders, *Ambiguities of Witnessing*, 58.
[120] J. Butler, *Frames of War*, 22.
[121] J. Butler, *Frames of War*, 23.

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The precarious obituary written by Pikoli is one that seeks to express a question of justice through a work of mourning, a framing of justice through the precariousness of the obituary itself that calls for a remembering. This framing however is such that it is marked by the very violence of the framing of the frame - "Sins of the past". Seeking to name the precarity of the obituary, I suggest, is conditioned by a history expressed as a remembering of incomplete accusations and insufficient exonerations that renders such a history as one of loss through that which remains: Sizwe Kondile as missing and as categorically missing.

An obituary, taken as an expression of a reckoning, invites the danger of a responsibility that "we" risk in so far as "we cannot mourn for those another has mourned - or at least not in the same way." In other words, the act of writing an obituary necessarily implies that "we" become responsible for the inadequacy of our attempt at mourning, as Brault and Naas suggest further: "They could not have touched us in the same way, and so we betray them in reading - though this betrayal will have been made possible, if not inevitable… by the very publicity, the very readability, of mourning's inscription."[122] There is a necessity in reckoning with the dead, and I might add the missing dead. This is so even as 'we' acknowledge that necessity as a "taking stock, of calculating and negotiating between them, of giving them their due in a language that is repeatable, even predictable, and that perhaps cannot help but commit…a kind of 'posthumous infidelity'."[123] Thus in my reading of Pikoli's and Charity Kondile's testimony at the TRC and the precarious obituary that Pikoli writes, it is perhaps that condolence can only ever be extended through that which marks the betrayal of mourning's inscription, and that has as a condition the risk of only ever being inconsolable - "there shall be no mourning".

[122] P. Brault and M. Naas (eds), 'Editors Introduction', 8.
[123] P. Brault and M. Naas (eds), 'Editors Introduction', 3.

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A question of missing-ness that this chapter has given rise to is such that it must account for apartheid, in apartheid's wake. This is no easy task as this chapter clearly shows. Attempting to account for Sizwe Kondile as missing, as categorically missing, that which I argue is at stake in the precarious obituary written by Vusi Pikoli, is at best uncertain and at worst, must by necessity fail. This is so because of the very elusiveness of what it might mean to mourn, even there where mourning is impossible and where a question of the worse than not being able to mourn, there where there can be no mourning, is a risk that history must abide by. Whether a question of missing-ness can then be fully articulated is at best uncertain.

What is certain though, at least through my reading of the obituary, is that Pikoli, in some ways, shares an intimate relationship with Dirk Coetzee. It is intimate insofar as Sizwe Kondile was Pikoli's best friend and Pikoli cannot remember, cannot reckon - account, recount, narrate - Sizwe Kondile, who is dead, missing and missed by Pikoli, without reckoning with the life of Dirk Coetzee. Pikoli writes, "Dear Dirk, I will not miss you" and "I will not miss him", but concludes the obituary by affirming, "One day, all will be well, Tshonyane [Sizwe Kondile]."[124]

[124] V. Pikoli, 'Dear Dirk, I will not miss you'.

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Conclusion

Abiding by a question of missing-ness

The argument of this dissertation calls for an abiding by missing-ness as it relates to the apartheid-era disappearances of Siphiwo Mthimkulu, 'Topsy' Madaka and Sizwe Kondile and the vicarious ways in which they have been produced and (re)figured into a postapartheid present as missing. This dissertation has raised more questions than I have been able to respond to in the preceeding pages. Let me however attempt to map out some of the more salient points I have attempted to make through recalling another journey, not dissimilar to the one I had undertaken to Post Chalmers at the end of August in 2015.

On the 29 June 2016, I once again found myself a passenger in a car (a *bakkie* to be fair) on my way to another site of killing and disposal of human remains. That morning I had flown from Cape Town to Johannesburg. Not having a driving licence, at the airport I was met by a friend, Dane Davids, who had agreed to drive me to Komatipoort, a small town in the Northern Province of Mpumalanga. Dane and I had been in the same first year History class at the University of the Western Cape in 2004.

It is about a four –hour drive to Komatipoort from Johannesburg's Oliver Tambo International Airport and during the drive I had much to mull over and question. A week before I had been informed by Madeleine Fullard, the head of the Missing Persons' Task Team (MPTT), that a 'spiritual repatriation' and 'symbolic reburial', organized by the MPTT, the TRC Unit in the National Prosecution Authority, the ANC government and Freedom Park, was going to take place for Selby Vuyani Mavuso, Johannes Sweet Sambo and Sizwe Kondile.

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Like Kondile, Mavuso (1981) and Sambo (1991) had been enforcedly abducted, killed and their remains obliterated. Mavuso had been drugged and shot after which his body was burnt and his remains thrown into the Komati River. Sambo was killed during interrogation and in covering up his murder, security police took his body to a site in Komaatipoort and repeatedly blew up his body with explosives until nothing remained. The MPTT determined that it was not possible to recover any of their physical remains.

During the four-hour drive, and interspersed between catching up, Dane asked me to explain my PhD research. A question all PhD candidates dread while writing, and even after writing an entire dissertation; I nonetheless tried.

I began by recounting the question (as expressed by Premesh Lalu) that has in so many ways come to guide my work: how could a form of evidence once used to cover up the violence of apartheid be re-offered as a form of redemption from the violence of apartheid, from apartheid as violence. I recalled to Dane a question posed by Michael Morris in the 'Prologue' to *Every Step of the Way: The journey to freedom in South Africa*, "what do we do with these facts in 2004, and in the years to come?" that now includes the forensic 'facts' of exhumation and identification. My responses, I explained, would be formulated and articulated through the ways in which I planned to argue Siphiwo Mthimkulu as forensically missing (Chapter One), how 'Topsy' Madaka is missed as missing (Chapter Two), how Mthimkulu, Madaka and Sizwe Kondile were and are disciplined as missing (Chapter Three) and how Kondile as missing is figured as categorically missing (Chapter Four). In so doing, I narrated the 'stories' of what is known, and how it is known, about the apartheid-era disappearances of Mthimkulu, Madaka and Kondile, that which I have elaborated in some detail in the preceding chapters of this dissertation.

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I explained to Dane that in relation to Sizwe Kondile, our trip would be most important. For in rehearsing those arguments, I said, what would be foregrounded throughout is a question of missing-ness. At the time, I had drafts of those chapters, in various stages of 'completion' and I was convinced I would be able to argue my way through the chapters as I 'completed' them. Dane seemed intrigued, though somewhat confused by my lack of detailed explanation. More specifically, he wanted to know what I meant by missing-ness. I did not know how to respond.

We arrived in Komatipoort and met with the MPTT. I had a brief informal meeting with Madeleine Fullard and she explained the proceedings that would be taking place. The next morning we attended and witnessed the 'spiritual repatriation' of Mavuso and Sambo. It was late afternoon when both Dane and I were sitting at the back of an army truck on the way to the site on the border with Mozambique where it is believed Sizwe Kondile was killed and his body burnt, with whatever was left of his body thrown into the Komati River. It was a convoy of three army trucks that had left the Macadamia military base in Komatipoort and we were in the back of one of those. The road, rather the gravel path, was long and bumpy, over an hour long, and we both ended up covered in dust. We arrived at the site as dusk was rapidly falling. Our time of arrival was not lost to Madeleine Fullard. As she narrated the 'story' of Sizwe Kondile, she informed all of us gathered there that Sizwe Kondile had arrived at the site at around the same time in 1981.

Early the next morning, Dane and I, in our hired *bakkie*, joined a large convoy from Komatipoort to Freedom Park in Pretoria. I was not very talkative during that part of the journey. While I enjoyed being a part of what is colloquially termed 'the blue light brigade', I was, and continue to be haunted by what I had witnessed in Komatipoort, specifically that of the previous evening as Sizwe Kondile's spirit was

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retrieved so as to be 'symbolically reburied' at Freedom Park. The songs sung that night, the words spoken, continue to echo.

At Freedom Park, I witnessed the 'symbolic burials' of the men whose remains can never be recovered and I wondered about rehumanisation and personhood to the missing. Before I had to leave to catch my flight back to Cape Town, I searched the Wall of Names at Freedom Park for the names of Siphiwo Mthimkulu, 'Topsy' Madaka and Sizwe Kondile. I spent almost an hour searching. Eventually, I located their names engraved into the Wall. It seemed to me, then, that I had found 'my guys'. However, as this dissertation has shown, they are missing.

As we drove from Pretoria to Oliver Tambo International Airport, Dane again asked me what I meant by missing-ness. I tried to explain, though I suspect, failed.

My deployment of missing-ness as a question in this dissertation has been put to work in underscoring notions of history and its relation to a category of missing persons in South Africa as they emerge and are figured through various discursive strategies constituted by and through apartheid's violence and iterations thereof. A question of missing-ness, I have showed, can be understood as the figuring of persons such as Siphiwo Mthimkulu, 'Topsy' Madaka and Sizwe Kondile, through various discourses and discursive strategies, practices and processes, complicit in and implicated by history and its discourses. A question of missing-ness and the ways in which it has been deployed in the preceeding chapters has in part indexed the obliteration of physical bodies and the dislocation of personhood through physical acts of apartheid's violence and iterations of its discourses as well as attempts at recovering physical remains and a restoring, through relocating, of personhood. A question of missing-ness has also been deployed, and importantly so, to index various discourses and discursive strategies, practices and processes, complicit in and

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implicated by history and its discourses. A question of missing-ness understood in this way, I argue, clearly requires that what is named as apartheid is not only registered in its effects, implicitly confusing an effect for a cause, but also through what escapes the discourses of its, apartheid's, naming. It is precisely as a category that sits uneasily in these discourses that a question of missing-ness acquires the full force of its implications for any attempt, even in its (im)possibility, at coming to terms with apartheid. Indeed, abiding by a question of missing-ness is to acknowledge, though without foregoing, a working through of the conditions of (im)possibility that so marks any history of the missing. The productivity of deploying missing-ness and an abidance to it in the ways I have argued rests precisely on not explicitly naming it, but rather by holding onto its elusiveness by marking the contours of discourses on which it simultaneously touches upon and is constitutive of.

Indeed, to abide by missing-ness is to be abided by the missing through the question of missing-ness provoked. Missing–ness, as I have evoked the term, works to foreground a process of becoming that is its potentiality. This is to point to the lack and excess, the potentiality, which haunts histories seeking to account for apartheid in its wake. As an abstract noun, the suffix '–ness' in missing *-ness* serves to signal such lack and excess, an instability, as a condition and symptom of being, missing. Articulating it thus is to affirm missing-ness as a question.

In the time since my journey to Komatipoort and Freedom Park, I have concluded that what I do know is that this dissertation has been an attempt at completing a story. Yet this story, I have shown, is amputated by an absence not merely of death, but one that provokes a question of missing-ness. It so doing, I have pointed to a *something* that remains missing. Perhaps that *something* has to do with the profound statement made by Walter Benjamin in his 'Theses on the Philosophy of

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History', "only that historian will have the gift of fanning the spark of hope in the past who is firmly convinced that *even the dead* will not be safe from the enemy if he wins." The very next line after reads, "And this enemy has not ceased to be victorious." The questions evoked for the historian who is convinced that even the missing will not be safe from the enemy if he wins, relates to how what is and is not known about the missing is known. The implication of asking this question is also to pose a question of history in the wake of apartheid? For indeed, to abide by a question of missing-ness as it relates to the missing is to foreground, acknowledge and re(affirm) the patience to stay, to endure, to work with, even as it appears unbearable, unending and even unendurable. In relation to all that you, my readers, have read, thought and hopefully worked through, an appropriate response is to affirm missing-ness as a question that I argue, be put to work and must be abided by.

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