

Consequences of Gross Violations of Human Rights

▪ CONSEQUENCES OF GROSS HUMAN RIGHTS VIOLATIONS ON PEOPLE'S LIVES

- 1 The apartheid system was maintained through repressive means, depriving the majority of South Africans of the most basic human rights, including civil, political, social and economic rights. Its legacy is a society in which vast numbers of people suffer from pervasive poverty and lack of opportunities. Moreover, those who were directly engaged in the armed conflict (whether on the side of the state or of the liberation movements) suffered particular kinds of consequences.
- 2 The consequences of repression and resistance include the physical toll taken by torture and other forms of severe ill treatment. The psychological effects are multiple and are amplified by the other stresses of living in a deprived society. Hence, lingering physical, psychological, economic and social effects are felt in all corners of South African society. The implications of this extend beyond the individual - to the family, the community and the nation.
- 3 When considering the consequences of gross human rights violations on people's lives, it is hard to differentiate between the consequences of overt physical and psychological abuses and the overall effects of apartheid itself. This makes it difficult to make causal links or to assume that violations are the result of a particular experience of hardship. In many instances, however, violations undoubtedly played the most significant role as, for example, when a breadwinner was killed or when the violation caused physical disabilities, affecting individual and family incomes.
- 4 It must also be remembered that human rights violations affect many more people than simply their direct victims. Family members, communities and societies themselves were all adversely affected. Moreover, the South African conflict had effects far beyond those who were activists or agents of the state; many victims who approached the Commission were simply going about their daily business when they were caught in the crossfire. Human rights violations can also trigger a cascade of psychological, physical and interpersonal problems for victims that, in their turn, influence the functioning of the surrounding social system.
- 5 This chapter addresses some of the consequences of gross human rights violations that were reported to the Commission. It attempts to report on the patterns and trends in relation to psychological effects, physical consequences and how these have affected families and communities in South Africa. In order to obtain a full picture, it should be read in combination with the chapters on *Children and Youth* and *Women*.

▪ METHODOLOGY

- 6 Numerous sources were used in compiling this chapter, including national and international literature, testimony presented at various hearings of the Commission, statements, interviews with statement takers and briefers and input from Commissioners and staff.

Use of statistics

- 7 Statistics cited were generated from statements made to the Commission. Out of a total of some 21 300 statements, 2 000 were selected as a sample, proportionally weighted according to region. The sample was randomly selected and focused on the consequences of the violation(s), as perceived by deponents, as well as on expectations of the Commission.¹
- 8 It must be borne in mind that information generated from the sample reflects the consequences and expectations as expressed in the *entire* statement of the deponent and that the majority of statements do not reflect the experience of one individual only. Often deponents referred to a violation of a person or persons other than or in addition to themselves - for example, other family members, comrades and friends. A deponent might, for instance, refer to the death of her son, but highlight the consequences for her grandchild's education, her daughter's emotional state and her own financial situation. This reflects the communal consequences of gross human rights violations and the ripple effects they have on families and communities.

Questionnaire bias

- 9 Another factor that needs to be taken into account is that of statement taker and questionnaire bias. In the 'expectations' section of the questionnaire in particular, suggestions were included to guide the deponent. These suggestions included items such as peace parks, memorials, medals and other similar forms of reparation. However, although often guided by these requests, deponents also listed individual or family needs. An example of this is reflected in the statement by Mr Buzifa Mbambo who requested "housing, employment, clinics and treatment for my elbow."

▪ PSYCHOLOGICAL CONSEQUENCES OF GROSS VIOLATIONS OF HUMAN RIGHTS

- 10 South Africa's history of repression and exploitation severely affected the mental well-being of the majority of its citizens. South Africans have had to deal with a psychological stress which has arisen as a result of deprivation and dire socio-economic conditions, coupled with the cumulative trauma arising from violent state repression and intra-community conflicts.
- 11 Trauma has both a medical and psychological meaning. Medically it refers to bodily injury, wounds or shock. In psychological terms, it refers to "a painful emotional experience or shock, often producing lasting psychic effect."²
- 12 Exposure to extreme trauma can lead to a condition known as post-traumatic stress disorder. This may be caused by:
- a direct personal experience of an event involving actual or threatened death, serious injury or other threat to physical integrity;

- b witnessing an event that involves death, injury or threat to the physical integrity of another person;
- c learning about unexpected or violent death, serious harm or threat of death or injury experienced by a family member or close associate.³

- 13 Perpetrators of human rights violations used numerous tactics of repression, with both physical and psychological consequences. These found their expression in the killing, abduction, severe ill treatment and torture of activists, families and communities. Psychological damage caused by detention was not merely a by-product of torture by state agents. It was deliberate and aimed at discouraging further active opposition to apartheid. Jacklyn Cock says:

*Torture is not only considered as a means of obtaining information on clandestine networks at any price, but also a means of destroying every individual who is captured, as well as his or her sense of solidarity with an organisation or community.*⁴

- 14 Mr Mike Basopu, an activist during the 1980s, was arrested in 1986. At the Mdantsane hearing, he told the Commission that activists were aware of the possibility that they might be tortured:

As the freedom fighters, we were struggling; we knew the consequences. What I am trying to say is that, when we were fighting against the whites - when we were fighting against the Boers - we knew that we were going to be harassed.

- 15 This awareness did not, however, protect Mr Basopu from the physical strains he experienced when he was detained in Fort Glamorgan Prison. He recognised that the role of torture and ill treatment was to inflict permanent damage on activists and limit their future activities. "These prison warders were trying to treat us [so] badly that if we were released from prison we would not be able to continue with our struggle."

- 16 Psychological abuse in torture can be divided into four types:

- a communication techniques such as verbal abuse;
- b attempts to weaken mentally through, for example, solitary confinement or drugs;
- c psychological terror tactics, including threats against families or witnessing the torture of other detainees;
- d humiliation, such as being kept naked or undergoing vaginal examinations.⁵

- 17 The South African security forces and third force agents used a combination of these techniques.

- 18 The intention of torture was not to kill victims but to render them incapable of further activities on their release. Mr Mapela became aware of this during his detention and goaded the police to kill him. In 1964, after being arrested by

police who wanted information about a colleague, he was severely tortured and hung on the bars of the cell with handcuffs. He told the Commission about his continued resistance in prison:

There would be Boers coming in and out with a gun. They would put it against my neck. I would ask them to pull the trigger. They refused. Some of them would come and hold a knife against my neck. I would ask them to cut my head off. They would refuse.

- 19 In 1981, Brigadier Rodney Goba Keswa was arrested and detained by the Security Police in the Transkei and was subjected to mental torture. At the Lusikisiki hearing, he described his first view of his cell the morning after his first bitterly cold night in detention:

When dawn eventually broke, I had the first opportunity of looking around my cell. What I saw still haunts me to this day. The wall on the one side of my cell was smeared with faeces. The spot where the night soil bucket stood was a pool of urine ... The blankets were old, threadbare, smelly, dusty, coarse, with tell tale signs of perverse sexual acts. I tried walking towards the door, but I staggered about sick to the bottom of my gut ... I remembered stories about tactics of killing someone without laying a finger on them.

Psychological problems

- 20 Internationally, the best-documented psychological consequences of human rights violations relate to the effects of torture. Torture can lead to wide ranging psychological, behavioural and medical problems, including post-traumatic stress disorder whose symptoms include “re-experiencing of the traumatic event, persistent avoidance stimuli associated with the event and persistent symptoms of increased arousal not present before the traumatic event.”⁶
- 21 Post-traumatic stress disorder is not, however, the only consequence of torture and human rights violations. Other problems include depression, anxiety disorders and psychotic conditions. The effects are multidimensional and interconnected, leaving no part of the victim’s life untouched. Exposure to trauma can lead to sleep disorders, sexual dysfunction, chronic irritability, physical illness and a disruption of interpersonal relations and occupational, family and social functioning.
- 22 In many statements made to the Commission, deponents described symptoms of psychological disturbance. Although many deponents and victims referred to their symptoms, it was not possible to diagnose actual disorders or problems based on the statements and testimony at hearings. However, the following examples illustrate the kinds of psychological problems that resulted from gross human rights violations.
- 23 In 1987, after he refused to join the African National Congress (ANC) Youth League, Mr Bhaki George Morake’s house in Botshabelo township was burnt down. He described the effects of this on his wife at the Bloemfontein hearing:

From 1987, my first wife had lost her mind - until the 1994 elections when we separated ... She might have suffered some anxiety, because she didn’t really act like a normal person ... When our house was petrol bombed, the bomb fell on the bed on which she was sleeping. Then I noticed thereafter that she was quite depressed.

- 24 Mr Sizwe Kondile went into exile in response to constant harassment by the police. In 1981, he was arrested and killed in detention. At the East London hearing, his mother, Ms Charity Nongqalelo Kondile described the effects on the family:

Lindiwe and Sizwe have been very close, were very closely placed. Lindiwe never reconciled. She never accepted the fact that her brother [had] been killed. Until recently she suffered from depressive psychosis which the doctors at the hospital referred to as some depression that has been bottled up for a long time, and I feel that this [was] the result of all that she has been bottling up for all these years.

- 25 Ms Elizabeth Sizane Mduli was shot and paralysed while attending a school boycott gathering in Nelspruit in 1986. From being a fit athlete, she became physically disabled and has since suffered from psychological problems:

My mind, my mental state, is unstable. At times I just stop thinking ... I realise that it seems as if I am a bit insane.

- 26 Many victims reported problems of memory loss and emotional numbness.

- 27 Mr Morgan Sabatha Phehlani was a councillor whose home and business were burnt down by youth in the course of a community conflict in 1991. Mr Phehlani's son was eleven years old when he witnessed the stabbing and burning of his mother. Since this incident, he has suffered psychologically:

You know, he goes and forgets. He forgets, now and then he forgets. You must always remind him. That's the trouble we're having with him.

- 28 Ms Nobuthi Winnie Ncaca's sixteen-year-old son, Mawethu, was shot and killed by the police in Cradock in 1986. Since his death, Ms Ncaca has been suffering from psychological problems. At the Cradock hearing, she told the Commission:

My memory was affected, if you tell me something I just forget. I always forget.

- 29 Mr Johannes Petrus Roos spoke of the death of his wife and son in a landmine explosion in 1986. He and his other two children witnessed the explosion. He described the effects on his daughter at the Nelspruit hearing:

It was not easy, an easy time for my five-year old daughter who had turned six, who had to go to school the following year without her mom. It was not easy to explain all this to her. That child never cried. That child doesn't cry today either.

- 30 Mr Mthembeni Sipho Magwaza was attending a peace rally when members of the Inkatha Freedom Party (IFP) abducted him and five of his friends. One of his friends and five other people were shot and killed. His shop was later looted and destroyed. He described his psychological state:

I am a living zombie; psychologically and emotionally, I am dead.

31 Jose Saporta and Bessel van der Kolk have identified two common consequences of traumatic events.

- a The first is incomprehension, where the sense of the experience overwhelms the victim's psychological capacity to cope. Traumatic experiences cannot be assimilated because they threaten basic assumptions about one's place in the world. After the abuse, the victim's view of the world and self can never be the same again.
- b The second feature is what is called disrupted attachment. This is often exacerbated by an inability to turn to others for help or comfort in the aftermath of trauma. It thus represents the loss of an important resource that helps people to cope. Traumatic rupture is an integral part of the torture experience. Victims are kept in isolation and their captors threaten them with the capture and death of family and friends. If they are then forced into exile, they feel further alienated and estranged. Traumatized individuals often show enduring difficulties in forming relationships. They tend to alternate between withdrawing socially and attaching themselves impulsively to others.⁷

32 The torture of Mr Abel Tsakani Maboya's wife resulted in her psychological breakdown and subsequent social withdrawal. Mr Maboya's cousin was a member of Umkhonto weSizwe (MK), based in Tanzania, and was sent on missions to South Africa. Both Mr Maboya and his wife were arrested with a view to extracting information about the cousin's activities. Ms Mboya was tortured and suffered psychological damage as a result. At the Venda hearing in October 1996 Mr Maboya told the Commission that their marriage had not survived these experiences:

She is a sensitive person actually. I think there are some other people, people that would believe that now we are not free. Those nightmares are still there. She can't face crowds like this. I tried by all means for her to make a statement so that people will - she was beautiful to me, I don't know what happened to her.

33 Feelings of helplessness also undermine people's sense of themselves as competent and in control of their fate.⁸ This makes them incapable of picking up the pieces of their previous lives.

34 Mr David Mabeka was a youth activist who was arrested and tortured in Barkly West in 1986. He described the consequences of his experience at the Kimberley hearing:

In 1993, I went back to school to do my standard nine. It was not easy ... I would forget things most of the time... The life that I'm leading now is a bit difficult. I cannot cope because of this Double Eyes and Rosa and their friend [those who arrested and tortured him]. I don't know why should I live with this pain, knowing that I was defenceless.

35 Mr Lebetsa Solomon Ramohase was shot in the 1960 massacre at Sharpsville. He told the Commission at the Sebokeng hearing that he sustained permanent injuries to his leg and had subsequently struggled to find employment:

My life changed. I led a miserable life. You know my feelings changed altogether. But I didn't know what kind of help I [could] give myself and I was satisfied. I said I have to be satisfied because it is something that happened to me. I am helpless; I can't do anything for myself.

36 Political activists were less prone to post-traumatic stress disorder, owing to their commitment to a cause and their psychological preparedness for torture. Mr Mike Basupo (see above) was arrested for his activities in 1986. He referred to the strength that may be drawn from such commitment:

*The circumstances I was under and many people were subjected to was very painful. However, we must remember that, even if you were released from detention under such circumstances, you would not give up. You would continue with the struggle for liberation.*⁹

37 International studies have shown that non-activists, even if subjected to lower levels of torture, display significantly more severe symptoms of post-traumatic stress disorder. The less the psychological preparation for the trauma of torture, the greater the distress during torture and the more severe the subsequent psychological problems.¹⁰ The Commission's statistics provide evidence of this phenomenon.

38 Psychological re-experiencing of the event can have debilitating consequences for survivors trying to rebuild their lives.

39 Mr Mike Wilsner is a friend of Father Michael Lapsley, a member of the ANC who was injured in a parcel bomb explosion in Harare on 28 April 1990. He told the Commission about Father Lapsley's condition after the bombing.

He would wake up at night, screaming, re-living the bomb. I wanted to touch him but everywhere you looked - everywhere over his body was red and swollen and painful. There was nowhere to touch him. We were grateful that he was alive, but we were very aware that his life would be changed irrevocably from that moment on.

40 At the Johannesburg hearing Ms Hawa Timol spoke of her pain after the death of her son, Ahmed Timol, at the hands of the security forces:

I told them [the police] that if my body had a zip they could open the zip to see how I was aching inside.

41 Another son, Mr Mohammed Timol, described her enduring pain:

I think it's an indication, from what you see here, she has lived through this every day of her life for the last twenty-five years.

42 Ms Doreen Rousseau was shot and injured during an attack on the Highgate Hotel in 1993. At the second East London hearing, she described the lingering effects of trauma:

I still have terrible nightmares. I wake up in the night and I see this man standing in my doorway with a gun.

43 Recurring thoughts of traumas that have been experienced continued to invade the lives of many South Africans. Mr Madala Andres Ndlazi's sixteen-year-old son was shot by the police on 16 June 1986. At the Nelspruit hearing, he told the Commission that memories of his son's death haunted him to that day:

I found my child brought to the home. I found him in the dining room. He was lying dead there in the dining room. When I looked at him, it was very painful for me to see how injured he was - and I controlled myself together with my wife as Christians. We knew very well that we will have to die one day but we know there are many ways to pass away from this earth. But the way in which my son, Sidney Ndlazi, was injured, it makes me very painful. I cannot forget this. It is almost ten years now.

- 44 Many members of the state forces, both conscripts and career officials, also described their experiences of post-traumatic stress disorder. Some perpetrators may also be considered victims of gross human rights violations and there is a need to address their struggle to live with the consequences of their experiences and actions. Others found themselves caught up in and traumatised by situations over which they had no control. Mr Sean Callaghan told the Commission at the health sector hearing:

[I was] confronted with a patient who had no arms or legs, was blind and was deaf. [He] had been in a mortar pit launching 80mm mortars when one of them exploded in the pipe. That was the first patient I ever saw in the operational area.

Right there and then I realised that, as an eighteen year old, I am not going to be able to handle this after six months of training. I had applied for medical school ... and I went for an interview with Wits medical school during [my] leave, and said to them, "I don't want to be a doctor anymore, not after what I've seen" ...

I was hyper-vigilant. I was having screaming nightmares every night for at least six months. I was very anti-establishment, anti-social. I was cold. Whenever I heard a loud noise, I would dive to the ground. When I heard helicopters, I would look for somewhere to hide.

- 45 The tendency for the original trauma to reactivate after many years is a troubling and challenging aspect of post-traumatic stress disorder and reveals its persistence. The long-term relationship between physical disease and post-traumatic stress disorder in torture survivors is complex and presents a challenge for researchers in the field.
- 46 High rates of co-morbid (simultaneous) symptoms have also been found, including major depression, dysthymic disorder (a less severe form of major depressive disorder), antisocial personality disorder and substance abuse.¹¹ Surprisingly, few deponents referred to alcohol or substance abuse as an outcome. This could be due to the high levels of acceptability of the use and abuse of alcohol in South African society or a lack of probing by the Commission's statement takers.

Treatment in the South African context

- 47 In South Africa, the area of mental health has been historically neglected. There are few trained psychologists and clinical social workers, and few attempts have been made to provide culturally appropriate mental health care to all South Africans. At the time of reporting, mental health care still consisted largely of institutionalisation.¹²

48 Moreover, dire social circumstances have made it difficult for individuals to deal with past psychological traumas. At times, current problems are merely symptoms of long-term traumatising, compounded by impoverished living conditions. In South Africa, successful therapeutic interventions are difficult, because of the inability to protect the individual from further trauma.¹³

49 Mr Lennox Mbuyiseli Sigwela was paralysed during a police shooting and attack by *Witdoeke* vigilantes in Crossroads in 1986. Once the family breadwinner, he became dependent on family members. His situation provides an example of the interconnectedness of psychological, physical and economic consequences of human rights violations. At the KTC hearing, he told the Commission:

We are struggling, we are struggling. The children at my home are suffering for new school uniforms, for clothes. That is why I will never - although I have accepted this - I will never, I will never forget what happened because, when I look at the way we struggle at home, sometimes I feel like committing suicide.

50 It is therefore difficult to distinguish between the response to the psychological effects of the violation and other stressful events in the life of the victim. Studies do, however, provide evidence that, in some individuals, exposure to violence has psychological effects independent of other associated factors causing stress.

51 It is also suspected that diagnoses of mental illness were also used to silence activists or opponents by condemning them to institutions where they were under the control of the state. Doctors and mental health professionals are alleged to have advised torturers on how to identify potential victims, break down their resistance and exploit their vulnerabilities.

52 The above factors led to resistance to seeking formal psychological treatment. Statement takers found that the suggestion of a referral for psychological treatment was often met with a rebuttal such as, "I am not mad". Mr Robert David Norman Stanford, a victim of the attack on the King William's Town Golf Club on 28 November 1992, agreed that there is a reluctance to recognise that one is psychologically damaged. He described the difficulties he had experienced in connection with his psychological problems at the East London hearing:

No one is prepared to accept that you're not quite normal. And you tend to fight against it and you tend to try and uplift yourself; you tend to try and show that you've returned to a state of normality whereas, in fact, you haven't done so.

53 Others who sought treatment found difficulty in obtaining it¹⁴. Mr Sean Callaghan (see above) told the Commission:

Around that time, I remember phoning my mother and telling her that I wasn't sure if we were actually going to survive the night because we had got to the point of being completely suicidal. We had come to the end of our tether. We had been involved in that kind of thing - seeing patients, seeing people killed for twelve months already - and all I wanted to do was go and heal people and not kill them ...

We went to see the local psychiatrist who was resident in Oshakati and the major in charge of South African Medical Services up there, and we were basically told to grow up and carry on; there was nothing wrong with us ... There was no

debriefing. There was no “what happened to you?” There was no “this is what you can expect when you go home. This is how you should try and integrate yourself back into society.”

I do remember a letter, I think, being sent to our parents with ten points on it, saying something like: “You had better lock your alcohol and your young girls away because these young boys are coming back home”. But that was the extent of the support we got ...

I saw a psychiatrist ... He declared me fit for battle and sent me home [saying] that there was nothing wrong with me. The point is that I wasn’t fit to be a father and I wasn’t fit to be a husband, but I was certainly fit to pull the trigger of a gun.

Essentially, I think I am pretty healed. I think I have come to the point of being whole. I have my emotions back. I am a father. I am a husband and I can do those things pretty well. But no thanks to the SANDF or SADF for helping me.

54 In order to heal, trauma victims must ultimately put words to their experience and thereby integrate the traumatic experience in order to find new meanings for themselves and their place in the world. An essential feature of recovery from trauma is re-establishing and normalising relationships of attachment with others.

55 Yet, while many victims of violations spoke of psychological problems that resulted from trauma, many others spoke of the strength and resilience they drew from friends and comrades in times of hardship. Courage, love and support networks kept many families and communities functioning and intact.

▪ PHYSICAL CONSEQUENCES OF GROSS VIOLATIONS OF HUMAN RIGHTS

56 Physical injuries and disabilities caused by torture or severe ill treatment exact an immense toll on the individual, community and society. Physical scars and disabilities have been described by one survivor as: “a tattoo, a permanent physical reminder of what was done to us, a symbol that in many cases brings shame.”¹⁵

57 Most physical injuries caused by torture result from blows to the body. An increased risk of infectious diseases, malignancies, cerebrovascular accidents and heart disease has also been reported in survivors of torture or prolonged arbitrary detention.¹⁶

58 Ms Evelyn Masego Thunyiswa was arrested on her way to attend the funeral of Steve Biko in 1977. At the Mmabatho hearing she told the Commission that she had been beaten and shocked on her genitals:

After torturing me like that, they trucked us off the road. When I tried to urinate, I was urinating blood. Because I left on my own - it was not through the permission of my parents - I was scared to even tell my mom where I had been to because of the whole situation. I stayed like that for a month or two. I remember I went to the doctor in the beginning of November and then I said to my mother I have tonsils, because I realised this sickness of mine was getting worse and worse.

59 Despite receiving treatment, Evelyn reported recurring symptoms.

In 1992, the pains came back. The pain that I felt when I was tortured came back in 1992. That was the same pain that I felt when I was tortured. As I [told] you, when it attacks me I stay three or four days not going outside and I cannot even urinate. I have never given birth since that time and I am a married wife.

- 60 Physical injuries and disabilities were also sustained in shooting incidents, physical attacks and beatings, as well as in failed assassination attempts by hit squads. Father Michael Lapsley (see above) described the extent of his physical injuries:

It blew off my hands. I lost an eye, my eardrums were shattered ... I'd faced the possibility of my own death and I had never - I'd never - sorry, but I'd never faced the possibility of major permanent disability.

- 61 He articulated the devastation that he felt:

I thought maybe it would have been better to have died when I realised I had no hands. I'd never met another human being with no hands. I didn't know whether life would be life in any meaningful sense. They didn't know whether I would ever see properly again. I lost one eye - [I] couldn't see properly out of the other. I couldn't hear properly because the eardrums were shattered. I was burnt extensively.

- 62 Mr Neville James Clarence was blinded in the Church Street bombing at the Air Force Headquarters in Pretoria on 20 May 1983. He described his physical rehabilitation at the Pretoria hearing:

I was able to slot in with ... a course presented by the National Council for the Blind, a rehabilitation course which I duly did attend a few months later. And I was taught to read and write Braille, to touch type on a typewriter. I was also taught various skills of daily living: how to pour a glass of water without spilling; how to dress myself; how to ... recognise various things around the house simply through touch. I also received training in the use of a long cane - a white stick in other words - and how to walk around town and how to orientate and find myself in case I get a bit lost walking in town.

- 63 Physical disabilities fundamentally alter the victim's life. Ms Elizabeth Sizane Mduli was an eighteen-year-old student during the 1986 school boycotts in Nelspruit. During a protest gathering, she was shot by the police. At the Nelspruit hearing, she told the Commission:

What worries me, and what actually made me feel very painful, it is because I am not a member of any organisation and I am not actually a person who is affiliated to any movement. But today I am crippled because it is just [that] I was found at school. That was my sin.

- 64 She described her deteriorating health since the incident.

I have a problem with my chest. At the back, I am always tired. I have a problem with my bladder. I am sickly at all times. I have a pain that keeps haunting me every day. There are times when I urinate blood. I was fit, I have to tell you; I was an athlete at school.

65 Physical disabilities may exacerbate psychological problems, as the victim suffers not only from pain and other afflictions, but may also suffer a loss of independence and dignity. On 4 June 1987, Mr Namadzavho Phanuel Davhula was shot in a case of mistaken identity. The wound to his shoulder resulted in a permanent physical disability. He described his anguish at the Venda hearing:

I hope that everyone who is here is able to realise that the government really did malicious damage to me because I can't even wash myself. People have to bath me. But in the past, I used to bath myself. This is painful.

66 At the first East London hearing, Mr Karl Webber told the Commission:

I lost my left arm. It was amputated at the elbow, below the elbow. I've got 80 per cent use of my right arm plus three fingers are not in operation.

It took me plus/minus a year to teach myself how to get dressed, to feed myself. There are things I can't do. I can't get to the right hand side of my face because of the fixtures in my elbow. I need assistance when I need to be shaved. I need assistance when I need to be bathed. And there are many other things that I need to be helped with which I can't do. I've tried to sort of cope on my own, but it's a bit difficult. So, there is someone that assists me, helping me with things.

I can't accept charity for the rest of my life. I can't accept to be looked after for the rest of my life. I want to be independent, and I want to lead a normal life again.

67 Random shootings by the police into demonstrating or fleeing crowds resulted in many physical injuries. A number of victims who came to the Commission were blinded in such shootings. When Ms Sibonisile Maloma was a fifteen-year-old student in Nelspruit, she was shot by the police while returning home from a school boycott:

We took different directions to go home. And when we approached the corner I saw a Hippo¹⁷ and a gun was pointed at me, they shot me with this pellet gun, and I was unconscious.

68 Ms Maloma was blinded as a result of this attack and had to halt her education. According to her father:

Today my daughter doesn't see. She has lost everything, her future as well.

69 Such incidents were echoed in many statements made to the Commission. Ms Amina Elizabeth van Dyk told the Commission at the Pollsmoor hearing that she had been shot with birdshot by the police in 1985:

I lost my one eye and it bothers me because I get these sharp pains in my eye. I get migraines and then sometimes I want nothing to do with my children because of the pain. This has caused me to lose my job, my house and my medical aid benefits and I have got absolutely no income.

70 There is also evidence that people exposed to trauma, even indirectly, are more likely to develop stress-related illnesses such as heart disease and high blood pressure. Ms Daseko's son Sam was a student activist who died in detention in 1990. She described the effects of his death on her own health at the Bloemfontein hearing:

There is a lot of difference because, at times, I would feel my heart shaking and sometimes - so many things have changed in my life. I get terrible headaches at times.

- 71 In 1989, Mr Modise Elias Moiloa's brother was killed in an attack by members of an organisation called *Dikwankwetla*. He told the Commission at the Bloemfontein hearing that his parents manifested physical symptoms of the stress:

My mother and father, after the death of my elder brother, both of them suffered from high blood. They are still very sick.

- 72 Thus, physical injuries have multiple effects, not only on the individual but also on the family and community as a whole. Physical injuries and disabilities cause or exacerbate psychological, economic and social problems, substantially altering the lives of victims and those around them.

▪ FAMILIES

Disruptions to Family Life

- 73 In 1984, Mr Anton Lubowski became a publicly declared member of the South West African People's Organisation (SWAPO). This marked the beginning of a road that led to tragedy, pain and suffering, not only for him but also for his wife, his children and his loved ones. At the Heideveld hearing, his mother, Ms Molly Lubowski, said he became a social outcast and was treated as if he had some kind of contagious disease. Mr Anton Lubowski was assassinated on the 12 September 1989.
- 74 As a core structure in society, the family should be protected and supported by the state. Apartheid generated a crisis in South African family life. Group areas legislation and forced removals have both been linked to disruptions in healthy family functioning, and the migrant labour system also deprived people of family life. Children were denied fatherly guidance and support during their formative years and the fact that women were obliged to take on domestic work meant that children were denied the care of their mothers. In trying to deal with these problems, extended family networks came into play.
- 75 The pressure on families was relentless. They experienced poverty and the degradation of living conditions in the townships, rural areas and informal settlements. Malnutrition was rife. Migrant labour policies meant that many fathers were away from their children for long periods and, perhaps more seriously in a patriarchal society, separated mothers from their children for long stretches. Even those parents who were able to live with their children worked long hours, sometimes leaving before the children went to school and coming home after they were in bed. In many cases, a traumatised child was simply an extra burden on the family; yet another problem for his or her already overburdened parents.¹⁸
- 76 In South Africa, the roots of violence were partly political, but were also exacerbated by demographic and socio-economic circumstances. Socio-political factors, such as the structural, economic, cultural and racial inequalities imposed by the former state, led to and exacerbated violence: According to McKendrick and Hoffman (1990) ¹⁹:

The objective conditions of inequality make it clear that South Africa is a highly stratified society, characterised by intense structural and institutional injustice and violence.

- 77 Constant exposure to violence may lead to desensitisation, a situation where a person may deny his or her feelings. Responding to conflict with violence became a typical, rather than an isolated, phenomenon. Violence in South African society is also reflected in domestic violence such as wife and child abuse.
- 78 The particularly grim situation in KwaZulu-Natal was described by Ms Nosimelo Zama at the Durban hearings on children and youth.

The stress on family life created by the constant pressure of the violence in this province cannot be underestimated. Children of depressed mothers would end up running away from home, because at home they are being neglected because their mothers are too depressed and sad to take care of them. Parents were separated in the violence; others were taken by the police and, up until today, they have never come back home. Children are now living with grandparents or sisters, and these people who are caregivers are facing problems because they can't provide all the needs for these children.

- 79 The social pressures caused by apartheid and the repression associated with it have resulted in changes to the family structure in South Africa. Some families have been unable to withstand the pressure, whilst others have harnessed support and nurture from extended family networks to ensure their survival.

Invasion of homes

- 80 The invasion of homes by the police and security forces in house-to-house searches affected families badly. Homes were neither private nor secure and parents were unable to protect their children.
- 81 The police displayed flagrant disrespect for homes and families in their quest to suppress opposition. Ms Edith Mjobo, whose children were activists in 1985, described the regular invasion of her home at the Gugulethu hearing:

In 1985, the police were after my twins, Zandisele and Zanisele. They were looking all over for them. They would come to my home looking for them and they would be all around the house searching for them, and they would keep the doors with their guns, and my twins would go out of the backdoor and run.

- 82 The police had a sense of their own omnipotence and sometimes even seemed to view other people's homes as their own territory. Ms Mjobo told the Commission:

Sometimes they used to come in the morning and they stayed in the house for the whole day ... and my husband couldn't even go to work because of this.

- 83 Even families where activists had gone into exile were not free from harassment by the security forces. Mr Leon Meyer was an MK activist who was killed in Lesotho in a South African Defence Force (SADF) cross-border raid in 1985. At the Mdantsane hearing, his brother, Mr Christian Meyer, told the Commission about the harassment his family endured before Leon's death:

He was definitely regarded as an enemy to the apartheid regime. My late parents' house was frequently visited and on some occasions searched by the East London Security Branch policemen.

84 After Leon's exile, "the harassment of my parents, who were both suffering from cancer at the time took on a new dimension". In 1985, Christian's mother passed away. Five months later, his brother and sister-in-law were assassinated during the raid in Lesotho.

85 Vigilante attacks also affected entire families. Many of these attacks were conducted in and on people's homes. Mr Modisi Elias Moyhilwa (see above) testified:

On that very same night, they attacked my aunt's home and my brother was there. When they were asked what the problem was, they said they were looking for comrades. My aunt never wanted to open the door; she refused. Thereafter they kicked the door. They bored holes into the door. It was no longer a door... when my brother came out, they chopped his head with a panga²⁰.

Arrest of family members

86 Detentions and restrictions had devastating effects on families, communities and society at large. The effects of detention are extremely dehumanising as the detainee becomes powerless and his or her life is no longer predictable. Detention separates the individual from family, friends, comrades and colleagues. A general sense of impotence and low self-esteem may result. Added to these stresses are fears and worries about the welfare and safety of family and friends. Mr Tshabalala's cousin, Edward Viyu Charles, was a United Democratic Front (UDF) activist in Welkom. He was constantly harassed and, in 1987, was killed by the police. At the Bloemfontein hearing, Mr Tshabalala described how the entire family was threatened:

They were people who kept on harassing him. Those were the law people. They were using death threats and they threatened that they would wipe the whole family out.

87 In this repressive context, people lost their individuality in the eyes of the security forces, who saw them simply as symbols of resistance or political affiliation. Family members were regularly detained in order to extract information about the whereabouts of wanted persons, as an enticement for wanted persons to come forward or confess or to provide an example to other possible dissenters. Three of Ms Edith Mjobo's (see above) sons were activists in the Cape in 1985:

As they were looking for my son, they used to arrest my husband. And they used to cover his face with black plastic bags, asking him where my twin [son] was. They were torturing him all the time and they were torturing his genitals. And he became sick because of this. He couldn't continue working. So, he was not working at this time. One day when I looked at him, his ears were bleeding and he suffered a lot until he died.

- 88 Mr Trayishile Samuel Zwelibanzi was arrested by the Ciskei police in 1984, in connection with the murder of a police officer. After two years of torture, they arrested his mother, at which stage he finally confessed to the killing. At the Mdantsane hearing, Mr Zwelibanzi described his experience:

They said that they are going to destroy my family members because they ... said they are not going to allow terrorists in this area. They went to fetch my mother. Baleni took me from the prison cell to show me my mother. My mother was in that cell. She was naked. There was blood all over that prison cell. I then admitted to the killing.

- 89 Mr Zwelibanzi's sister, Ms Nosisi Florence Giya, spoke of the ripple effects of his arrest on the family:

What my brother has already said is that we suffered a lot. My mother was arrested. My mother was staying with my daughter and my brother's girlfriend. The girlfriend was pregnant at the time. A child came to the house saying that the police have arrested my mother. This child [had also been] assaulted by the police. The child was injured. Again the police came and they took my son, Amos Giya. They assaulted him. As a result of this, he ... is mentally disturbed.

- 90 The search for children who had been arrested also placed a heavy burden on mothers and other family members, who often went from one police station to another at great emotional cost.

*The effect on the mothers was devastating. The feeling of impotence was regarded as a failure on their part to protect their child and most certainly affected inter-generational relationships of dependence, trust and security.*²¹

- 91 Upon their release, many already stressed individuals were freed into a stressed society. Others faced the additional burden of restrictions - including house arrest, being prohibited from participating in the activities of organisations and being prevented from attending meetings. Restrictions made recovery from detention more difficult, as the individual had to deal with the after-effects of detention, as well as the effects of the restrictions. Social networks suffered and the isolation of the restricted person continued outside the cell. Many victims came from families that were already under financial pressure and whose economic welfare had been affected by the detention of one of its members. Moreover, the costs of transport to and from the police station in order to report in accordance with the restriction order added to other demands on the family budget. Restriction orders also made it difficult to obtain employment or to continue with schooling or studies.

Separation of families

- 92 Arrests, detentions, abductions, restrictions and exile of family members affected the cohesion of families, with negative effects on family relationships. Ms Nozizwe Madlala-Routledge's political activism began in the 1970s when she became an organiser and chairperson of the Natal Organisation of Women. At the Durban hearing, she told the Commission that: "like many women who joined the struggle against apartheid, I was harassed by the police and detained a number of times." She described the disruptions this caused to her family and the impact on her children:

My first child is now fourteen; [he] grew up before his time. At two years of age, he saw his father detained, tried and sentenced to a prison term of ten years. Although he has grown up to [be] a gentle young man, at that tender age he had learnt to hate. When I took him to visit his father at Johannesburg maximum security prison, he shocked me one day

when he said, "Mama I hate the police". He said, "I hate them because they locked up my father". He was five years old when I was detained myself and taken away from him. My mother tells me that during that time he used to complain of pain, physical pain, for which there was no physical explanation.

- 93 Separations in families often altered family relations, especially if the detained person was a parent. Sometimes other family members took over the role of head of the family or breadwinner and did not wish to relinquish this status when the detainee was released. Very young children sometimes regarded released family members as strangers. Adaptation could be difficult if the released person was suffering from post-traumatic stress disorder.²²

Sowing distrust in the community

- 94 A part of the state strategy in suppressing communities was to undermine the unity of resistance through a system of informers (both real and alleged). This was highly effective in creating a climate of suspicion and breaking down trust both within and between families and communities. Ms Edith Mjobo (see above) told the Commission that:

They [the police] used to come to try and bribe the person, the people in the township, because they told the people in the township that my son was a 'terrorist' and if someone could come and tell the police where he was, they would get money.

- 95 The consequences of being exposed as an informer were social isolation and, sometimes, physical danger. Communities were constantly on guard against informers in their midst. Moreover, being falsely accused could have extremely distressing consequences for the affected person and his or her family. Mr Simon Lufuno Mariba was arrested and tortured on suspicion of participating in a witch burning in Venda. After being severely beaten, he finally convinced the police of his innocence and was released. His early release sparked suspicion in the community. He told the Commission at the Venda hearing:

The parents of the people who were involved, since I didn't know their names, thought maybe I was there when such activities [took place] and regarded me as a spy - and I was labelled as a spy. And I was unaccepted; people never wanted to accept me ... I couldn't even concentrate on my studies since everybody was hating me and that really affected me so much that I never passed my matric.

Inter-family conflicts

- 96 Conflicts that arose because of the apartheid system led to tension within some families, sometimes spilling over into violence. At the Pietermaritzburg hearing (19 November 1996), Father Timothy Smith told the Commission that Mr David Ntombela, a feared *induna* (headman) in the Pietermaritzburg area, is alleged to have killed his own brother in full view of members of the community.
- 97 Ms Ndamase described how she left home to go to Durban in search of a job and joined the forces against apartheid. When she returned home in 1991 with the intention of launching a branch of the South African Communist Party (SACP) in her village, she was arrested. She described the consequences at the Lusikisiki hearing:

My children are uneducated; I abused them by joining the struggle. But today I don't see anything happening to me. There was conflict in my family because of all of this. The government is doing nothing for me.

98 Politics entered the Phillips family home because of divisions between the ANC and IFP. Mr Moses Ntsokolo Phillips, an ANC member, was hit in the face with the butt of a gun by his cousin, an IFP member. He was then taken to the home of his uncle who was also an IFP member and further assaulted.

99 Other family conflicts were intergenerational. Parents did not support their children's activism because they feared for their lives. Often, too, they were concerned about disruptions to their children's education. Misunderstandings and conflicting interests strained intergenerational relationships. Mr David Ryder Mabeka was a youth activist in Barkly West in 1986. At the Kimberley hearing, he spoke about the tensions between some of the politically active students and their parents:

I realised that many parents at that time thought that I ... didn't want to go to school. And they thought that I would take their children out of school. There were lots and lots of allegations from the parents. I think it's because they didn't understand quite well the political situation at that time.

100 Intergenerational conflicts also occurred in white families involved in defending the apartheid *status quo*. Mr John Deegan, a South African Police (SAP) Security Branch conscript and later a member of Koevoet, described his attempts to communicate his traumatic experiences to his more conservative father:

*Although I tried to tell him that there were incidents that I was involved in that caused me great guilt and remorse, he would not believe that his son could have been involved in anything so dishonourable.*²³

101 Emerging young leaders challenged traditional patriarchal hierarchies and elders increasingly lost control over the activities of younger people. Mr Morgan Sabatha Phehlani was a councillor whose home and business were burnt down by youth in intra-community conflict in 1991. In his view:

That's the trouble that we are having in the smaller towns, you know, that you find these youngsters - they call themselves ... young leaders; they are leading a section. But looking at them, you find they are so terrible; they are hooligans; they are undisciplined.

102 The emotional and financial pressure experienced by families sometimes led to strained relations with young activists in the home. Detention and political activism gave some young detainees a sense of independence and autonomy, and they found themselves unable to revert to their earlier roles in the family. Others felt that their families would not understand what they were doing or why, and wanted to protect them from the knowledge of their activism. The reality that parents often did not know what their children were doing was reflected time and again during hearings and in statements. At the Bloemfontein hearing, Ms Pumla Marina Mashoang, whose son was killed by the security forces for his role in the South African National Students Congress (SANSCO) in 1988, said she was not clear about her son's role:

I believe he was holding a prominent position because he had a van that he had been given, so I think he was organising for the Free State.

- 103 At the same hearing, Ms Daseko, whose son was killed in detention, also said she was not acquainted with her child's activities outside of the home:

Sam used to tell me that he was going to meetings, but I couldn't understand ... which meetings was he going to. I think [he] was fond of the ANC.

- 104 Ms Evelyn Masego Thunyiswa was detained and severely tortured. At the Mmabatho hearing, she told the Commission that, despite her suffering, she was unable to tell her parents of her predicament:

Our parents used to hate politics during that time. My mother was actually not in favour of politics. If you said anything about politics, she would tell you that you are against the law.

- 105 Owing to her inability to communicate with or draw support from her parents, the only person Evelyn confided in was her husband:

This has been my secret for quite a long time and I am glad that the Truth Commission is here and I am now talking this out. It is only my husband who knows this whole story.

- 106 When asked at the Nelspruit hearing whether his son was a member of an organisation, Mr Madala Ndlazi (see above) replied:

There is nothing that I can say because really they don't tell you. They just disappear from home. You don't know what they are doing on the other side.

- 107 Thus, in many families, even where activism did not generate outright conflict, a shroud of secrecy often affected intergenerational relationships. In some families, political activism was seen as operating in a sphere outside of family life. This was sometimes linked with parents' feelings of helplessness about the public realm of politics. This lack of communication was aggravated by disruptions to family life, caused by the absence of parents who worked as migrant labourers, domestic workers, or because group areas legislation and other apartheid laws prevented them from living with their families.

Family killings

- 108 In some families more than one family member died, with tremendous implications for the survivors. The Manyika family was awakened on the night of the 17 June 1992 by a vigilante attack in Sebokeng. Although the children managed to escape, both parents were killed:

We have lost our parents. As I'm talking, we are only the kids at home. My sisters and my brothers, especially the two boys, had to quit school because there was no breadwinner at home. We had to go and look for some jobs.

109 Their survival became a terrible struggle:

The ones who were still going to school were four. One of them was Mavis but she has completed standard ten. The other one is Anna, she's in standard ten and Elizabeth, she's in standard four and Godfrey, he's in standard three. And Godfrey hardly ever passes at school. Especially after this event he's not performing well at school.

110 Also in Sebokeng, Mr Ernst Sotsu spoke of a triple family killing. After surviving years in the underground, Sotsu finally settled in the Vaal area and joined the Vaal Civic Association which was vehemently opposed to black councillors. When the IFP emerged on the political scene, the conflict escalated. He and his wife were both intimidated by the police and the IFP:

On the 3 July 1991, whilst attending an African National Congress meeting in Durban, my family was attacked. My wife Constance, my daughter Margaret and grandson Sabatha were shot dead with AK47's at close range ... Two of my grandchildren, Vuyani and Vusi narrowly escaped death but were seriously injured with bullet wounds.

111 This attack affected the entire family, resulting in the deaths of family members across three generations.

The burden of death

112 The death of family members has many negative consequences. The effects of the loss are exacerbated by the responsibility of having to inform other family members of the loss as well as by the financial burden of funeral expenses. At the Heideveld hearing, Mr Kama described the anguish of his family after the police killed his brother-in-law:

Who would contribute to his funeral, where would his funeral be held and how would we take the body home? ... And even then, we were still left with the burden of informing the mother plus the burden of knowing what to do with the body.

113 The low value many police officers placed on black people's lives was evident in the death of Ms Nobeki Mbalula, who was shot and killed in a random police shooting in Cradock. When the family confronted the police and told them that they had shot a woman who was breast feeding a baby, the police response was, "the corpse can breast feed the baby."

114 After killing Nobeki, the police continued to harass the family.

On the Monday, they came to the house. They kicked down the door; they ate food; they took food from the fridge and ate.

115 The death led to additional burdens on the extended family.

I had this baby to look after. Because I had no help, I had to take these children to my sister-in-law's ex-husband.

- 116 The distress caused by the death of a family member was, in some cases, exacerbated by a sense of betrayal by trusted forces, such as the liberation movements. At the hearing on prisons, Mr Joseph Seremane gave testimony about the execution of his brother, Chief Timothy, in the ANC camp known as Quatro.

I come here on behalf of my family. I come here to express my feeling of betrayal by compatriots and comrades. I come here to express our disappointment and the way we feel cheated of a dear little brother, a promising young man, a brilliant young man.

- 117 For other families, the pain of the loss of a loved one was perpetuated because the opportunity for appropriate rituals for grieving was denied. Mr Tshabalala (see above) described the indignity suffered after his cousin's death. "Amongst all other things when he was being buried, he was buried by the police. I believe they just buried him like a dog or a puppy."

- 118 In other cases, uncertainty about the fact of death itself - as where victims simply disappeared - led to long-term psychological and practical problems. Ms Susan van der Merwe's husband disappeared on 1 November 1978. It was established much later that he had been murdered by a group of MK soldiers, to whom he had offered a lift.

The uncertainty and the utter feeling of helplessness that was caused by the disappearance of my husband was probably worse than receiving news of his death, one time. If I could put it this way, it would have been better for me just to hear that he had an accident with a gun or he had a car accident. It would have been better for me to digest the news. But the fact that there was no body even to bury led to the fact that there was no official evidence of his death.

This led to me not being able to conduct financial transactions such as buying a house. The Transvaal Education Department, which I was working for, and the financial institutions did not regard me as a breadwinner as such. My whole life was then an uncertainty ...

My story ... is but a story of a woman who could not bury her husband because there was no corpse.

- 119 Many who were able to bury their family members had the funeral terms dictated by those who had killed them. Ms Tony Lillian Mazwai's son died in 1988 while he was in exile. She described the atmosphere at his funeral.

I was informed that my son was a well-trained guerrilla and that the people who attend the funeral have to be limited to 200 in number ... They insisted there should be no speeches, no freedom songs, nothing. It was like a war. It seemed as if it was a battle. There's a big gate next to Josa. There was a convoy, police, soldiers, hippos, everybody.

- 120 The lack of respect for traditional rituals around death caused many people a great deal of pain. Not only were funerals disrupted, graves were also not respected. At the Nelspruit hearing, Mr Mtsorombane Carlson Ngwenyama described events that took place in 1964 when his community was being forcibly removed:

In 1964, the message came to us that the graves were to be exhumed. The owners of these graves were not even informed ... As I am a parent today, I am having twelve children but they don't know the grave of my mother ... As blacks this is a problem to us because it is our tradition that they must know; they must worship their elders.

- 121 Thus, there was a lack of respect not only for the living but also for the dead, with repercussions for generations to come.

Economic consequences

- 122 Loss of social or occupational status and abilities because of prolonged imprisonment, physical disability or psychological problems may result in difficulties in finding employment and thus contribute to social and economic hardships.
- 123 Father Michael Lapsley (see above) discussed the difficulties he experienced trying to resume his work after his return from hospital:

I returned to Zimbabwe to joblessness in that the Bishop who was supposed to employ me had said, 'well you're disabled now, what can you do?'

- 124 Mr Lebitsa Solomon Ramokhoase was shot in the 1960 massacre at Sharpsville. The injuries he sustained resulted in chronic pains which impinged on his ability to retain employment.

When I was now working, I wouldn't stay a long period in the employment. I would tell them my problem and they would say, if we knew before we would never employ you. And I realised that I have to pack my clothes now; there is nothing I live on. I have to go out and go and seek for another employment. But every time I got a new employment I wouldn't tell them that I was shot but as soon as they discover that I had been shot, they let me go. And every time I would lose my job. Now this leg was really destroying my future. My children were starving.

- 125 Psychological problems, including post-traumatic stress disorder and depression, may cause significant social upheaval and undermine chances of finding employment. Memory and concentration difficulties may reduce the capacity for learning and impair work performance. Avoidance of feared situations may cause work, social and family dysfunction. Another factor affecting earning ability is the tendency to develop physical symptoms and a preoccupation with bodily complaints.
- 126 Disability and illness affect the ability to work. People lose time and become ineffective at work, at school and in the household. Thus, illness causes undeniable loss to individuals, families, communities and the entire society.²⁴ Figures from the Commission's database revealed immense economic loss due to the perpetration of gross human rights violations. Twenty-nine per cent of deponents who made statements to the Commission reported a loss of income as a direct result of their violation. Fifty-four per cent of those who coped through the assistance of family members and friends also reported a loss of income because of the violation. These factors placed an additional burden on the extended family.
- 127 Economic hardships can cause disruptions in relationships. Fifty-one per cent of those who reported problems in their relationships also identified loss of income because of their violations. Moreover, financial losses are not confined to

one generation, a fact reflected in 51 per cent of statements which demonstrated a disruption to education and a loss of income.

- 128 Ms Mpehelo's husband was shot by unknown assailants during political conflict in the Eastern Cape. At the first East London hearing, she described the consequences for her family:

After my husband's death, many things befell me, one after the other. I never enjoyed life anymore. As I'm sitting here, I'm asking the Commission, my children want to learn. I have an elder son, he was at technikon in Port Elizabeth, and he was forced to stop studying. You know even now the lawyers are running after me to get money that was left behind.

- 129 Ms Koloti's son died in exile in Tanzania in 1990. At the East London hearing, she described the consequences for her family:

We, as the parents of those who did not come back due to different reasons, are affected because the children who came back are supporting their families. If my child was here in 1986, he promised to do certain things for me and our home. But unfortunately now he passed away and I don't know who is going to fulfil his promises to me.

- 130 Mr Willem Petrus de Klerk, whose wife Annetjie de Klerk was a victim of the MK 'Volkscas siege' in Pretoria on 25 January 1980, described the emotional and financial impact of his wife's death on the family at the Pretoria hearing:

My children were denied the love of a mother and I, of course, had to raise them. Financially I suffered as my wife's salary was no longer there, which [meant] that, after completing my police duties at night, I would have to take other tasks in order to look after my children. In the meantime, my three children were left alone at home without a mother and father and, as a result of that, even today, even though I am a pensioner now, I am still forced to do other work in order to supplement my income.

- 131 Other largely unmeasured costs included the value of time contributed by family members to caring for sick relatives. Many had to leave the labour market to care for family members. Others had to enter the labour market to pay for health costs. These added to the stresses on the family. Of those who reported that they were attempting to cope financially by doing odd jobs such as hawking or with the assistance of a pension or disability grant, 47 per cent also reported symptoms of anxiety, depression and difficulty in coping.

Family violence

- 132 Domestic violence is associated with social strain and disintegration and often with a weakening or disruption of traditional norms governing interpersonal behaviour in families. Studies demonstrate that war experiences or prolonged detention may result in problems in marital relationships. This may be due to the direct effects of trauma-coping behaviour, the inability of trauma survivors to function in expected family and social roles, and/or conflicts associated with changes in gender and family roles resulting from prolonged detention or migration. Family disintegration, such as the death of a parent or parent-in-law, also means the removal of those who would traditionally have mediated such conflict.²⁵

- 133 The effects of exposure to trauma have been linked to domestic violence in the home. At the Venda hearing, Mr Abel Tsakani Maboya alluded to domestic violence by an activist. His cousin, who was in the underground movement in Tanzania and had endured numerous detentions, committed suicide after a dispute with his wife.

He used to quarrel with his wife every time, that is the information that I got ... I don't know what made him to fight with his wife, maybe it comes from what he experienced from jail or some other things.

- 134 Mr John Deegan described the problems he experienced in taking up his role in the family after returning from service on the Namibian border in the early 1980s:

I had a lot of anger and I couldn't relate to people in the RSA at home any more ... I just burst out into rages with my family and with my fiancée ... [I] started to do weird stuff like that.²⁶

▪ THE CONSEQUENCES OF GROSS VIOLATIONS OF HUMAN RIGHTS ON COMMUNITIES

- 135 Apartheid's racial and ethnic-based social engineering resulted in both the construction and destruction of communities. Legislation such as the Group Areas Act, the Land Act and influx control laws were all attempts to define and regulate communities. Apartheid created communities that were racially, linguistically and ethnically determined. Resources for the development of these state-defined communities were differentially allocated resulting in the deprivation, particularly, of African communities. These racial categories were adopted by communities themselves, resulting in generally understood divisions between white, African, Indian and coloured groups.
- 136 Clearly, differences of various kinds existed within these groups. However, in the period under the focus of the Commission, some of these internal differences were masked. The white community generally shared a common sense of defending and maintaining the *status quo* while the black community united in a common resistance to their oppression. The state therefore viewed communities as homogeneous and polarised entities.
- 137 From the mid-1980s, intra- and inter-community violence began to emerge and differences between communities along class, ethnic, linguistic and political lines led increasingly to violence. The security forces manipulated these differences through the recruitment and collaboration of vigilantes, which generally represented the more conservative elements in black communities.

Black communities

- 138 In 1960, the year that marks the starting point of the Commission's mandate, the state embarked on the rigid enforcement of apartheid legislation, in particular the Group Areas Act. It was an era characterised by mass forced removals and the consequent dislocation of communities. Resistance to forced removals generated fierce conflicts which resulted in grave human rights abuses as the state violently enforced its policies.
- 139 The townships and residential areas constructed in this period were grossly under-serviced. Many were without basic services such as water, electricity, adequate housing, roads, schools and clinics. Lack of services and appalling living conditions generated tensions that laid the ground for much of the conflict that was generated in South Africa's

contemporary history. From rural farming areas to homeland settlements to urban townships, living conditions and economic deprivation provided fertile ground for conflict. The battle for national liberation and civil and political rights cannot, therefore, be separated from countless localised battles rooted in socio-economic deprivation.

- 140 Many communities mobilised around issues relating to poor living conditions such as inadequate housing, water, infrastructure and the lack of services. The death of three Robertson residents in 1990 bears testimony to the kinds of violations experienced as a result of such protest by communities. At the funeral of these young men, a pamphlet was produced and circulated. It read:

*Their death is due to police action before, during and subsequent to community protests against those unacceptable living conditions in the community despite several efforts and memorandums from the community to the local Municipal authorities to improve these conditions.*²⁷

- 141 At the Mmabatho hearing, Ms Florence Madodi Nkosi told the Commission why her activism was rooted in community issues:

We wished that Huhudi could undergo changes, because at that time we were using bucket systems for the toilets and people were forced to go to Pudumo and didn't also want to go to Pudumo.

- 142 Community mobilisation influenced the state's view of entire communities as homogeneous entities. This often resulted in the arrest, detention, torture or killing of individuals who were seen as symbols of the resistance. Thus, according to the construction of communities as 'us' and 'them', and articulated in the South African context in racial terms, the white state constructed black South Africans as the enemy. Mr Anderson Lizo, a youth from Upington, was a victim of this indiscriminate persecution. In 1985, while waiting for friends after a rugby game at school, he was picked up by the Commanding Officer of Upington, known as the *Rooi Majoer* (Red Major). It was assumed that he had information on the organisers of resistance in the local township, Paballelo. Although only fifteen years of age at the time, he was repeatedly thrown off a high bridge into a river in an attempt to elicit information.

- 143 Such attacks by the police and security forces undermined the dignity and sense of security of communities. Testimonies of random shootings and arrests dominated hearings. Victims of these violations included women, children, elderly people and residents of communities going about their daily business. Pastor Dyantyi told the Commission at the Oudtshoorn post-hearing workshop that:

You would see a Jeep from the police launching teargas all over the township. As you can imagine, the township is so clustered - this teargas would be blown all over the township.

- 144 Police and defence force violence wreaked havoc in communities and destroyed the natural flow of life, evidenced by the fact that young people commonly died before their parents or grandparents. The killing of Ms Anna Maria Sam's grandchild was one such case. At the Upington hearing, Ms Sam told the Commission that Ms Beulin Isaacs was fifteen years old and about to give birth to her first child when she was shot dead. She had been buying milk for her grandmother. Thus, in some communities, daily activities such as buying bread or visiting friends meant risking one's life. The situation was exacerbated when police turned community rituals of grieving (after incidents caused by police

violence) into further traumatic incidents. Police harassment at funerals and denying families the right to see the bodies of their loved ones were common. Ms Xoliswa Stella Lumkwana said at the Upington hearing that, after the police shot her brother:

they decide when to bury him and where and as to how must he be buried and yet they are the ones who were wrongdoers.

- 145 Funerals became both a symbol of the effects of the repression and an opportunity for mobilisation. Consequently, the state sent police to monitor and disrupt many funerals, perpetuating the cycle of violence. More killings occurred at funerals, and then there were more funerals. This was a particularly brutal manifestation of the South African conflict, especially in the light of the importance of funeral rituals in the black community.
- 146 The sense of powerlessness experienced by communities was increased by the culture of impunity within which the police and security forces operated. Ms Anna Sam described how the Commanding Officer of Upington, *Rooi Majoor*, “could go into your house and shoot somebody but nobody could stop him”²⁸. This perception of omnipotence was used by the state to undermine communities and discourage resistance and counter-mobilisation. Indiscriminate victimisation was intended to serve as a warning of the dangers of dissent.
- 147 Persistent poverty, economic hardship and unemployment, together with various forms of torture, made it possible for the state to manipulate communities through the recruitment of informers and collaborators. This manipulation exploited existing inter-community rivalry - including rural/urban divides and conservatives who feared progressives - and was usually articulated through intergenerational conflicts which pitted ‘fathers’ against the ‘comrades’. The exploitation of these divisions lay at the heart of the destabilisation strategy adopted by the state in the late 1980s.

Inter and intra-community violence

- 148 By the 1980s, international pressures and local resistance forced the state to adopt alternatives to brute force. However, the introduction of reforms was accompanied by a destabilisation strategy that relied on collusion between elements within black communities which were beneficiaries of the *status quo* and elements within the state. According to Jacklyn Cock:

*The reliance on vigilantes as a disorganising force represents a shift away from a reliance on the SADF and SAP to suppress black resistance. It is crucial to appreciate that this shift is part of a military strategy.*²⁹

- 149 From the late 1980s, vigilantism and inter-community violence became a feature in many communities.
- 150 Destabilisation was adopted as a tactic on both sides of the conflict. In communities around the country, people mobilised around the slogan ‘Forward to People’s Power’. Forms of opposition included the removal of illegitimate authorities and included strategies for destabilising the government at all levels. The call to make the townships ungovernable was heeded by activists who attempted to mobilise communities and replace what were described as ‘illegitimate’ structures with block committees, street committees, self defence units and people’s courts.

151 Community councillors became the fated symbols of the spiralling social problems within communities. Overcrowding, inadequate housing, limited sewerage and water facilities coupled with unemployment, poor education facilities and a host of other problems were aggravated by the provocative rise in service charges and rentals. Mr Mkiwane, a former councillor in Sebokeng, aptly described the mood of the day when he said, "their cup of dissatisfaction was full to the brim."

152 Councillors were perceived as collaborating with the state and came to be seen as symbols of oppression and exploitation. This was one of the premises upon which so-called 'black on black' violence was founded. Community councillors came to be seen as the 'faces' of the system, thereby reducing the visibility of the state in the conflict.

153 At the Sebokeng post-hearing workshop, Mr Mkiwane described conditions in Sebokeng in 1984:

All hell broke out. Property was destroyed, houses were burned and belongings were either destroyed by fire or carried away by the very same people who elected us. Some of our colleagues who were found at home were brutally killed.

154 For councillors, the consequence was banishment from their communities. Those who left their posts found it difficult to find subsequent employment and many were unable to return to their previous homes for fear for their lives. Mr Maseko, a former councillor from Wesselton, was forced out of his community. At the Sebokeng post-hearing workshop, he said:

As a result, I still do fear for my life and I feel that I no longer have the dignity that I had at that time ... I still have this problem of not trusting my community.

155 There were also consequences for councillors' wives and children. At the Worcester hearing, Mr Malinge Zweni, the son of a councillor who was killed in Ashton in 1986, described the community hostility his family faced.

We were called impimpis [spies]; we were called informers by the community. Children would throw stones and children would persecute us in the street.

156 He contemplated leaving Ashton because, "I had no friends and they were thinking that I was an informer as well." Other children of councillors were afraid to go to school. Mr Mkiwane appealed for assistance from the Commission, saying, "we feel that something has to be done to bring us back into the community."

157 The Vaal area was particularly badly affected by the destabilisation tactics of the late 1980s and early 1990s. The government sponsored dissident groups in places like Sebokeng, Boipatong and Sharpville. At the Sebokeng post-hearing workshop, Father Photolo commented:

In the broad community, these operations, characterised by mass and indiscriminate killings, became part of everyday life in the community in the Vaal and perpetrators were never brought to court.

158 Once again, the abnormal became normal as violence, fear and insecurity engulfed communities in South Africa. In the Vaal, from March 1992 to February 1993, about 1 650 murders took place; 2 900 violent confrontations involving

weapons other than firearms and 6 700 cases of assault were reported. According to Ms Joyce Seroke, violence was experienced in the form of random IFP/ANC violence in the community, drive-by shootings, third force attacks and train massacres.

- 159 Many youth were recruited into vigilante groups, which enjoyed the protection and support of the police. This led to further polarisation of communities. Reverend Khumalo of Ermelo told the Commission how the church attempted to intervene:

There [was] a group of young men who were called the Black Cats. There was a time when it was said they were being protected by the police and they were living at the police station. We went there as a group of pastors and we talked to the policemen of the danger of separating these young men from their community.

- 160 In KwaZulu-Natal, inter- and intra-community violence degenerated into near civil war and communities were torn apart. The conflict was characterised by assassinations, attacks on entire families and the burning down of family homes. Thousands of people were forced to flee their homes and took refuge in forests, squatter settlements or with relatives.

- 161 The aftermath of the 'Seven Days War' conflict, when IFP *impis* attacked the non-IFP areas of Elandskop in Pietermaritzburg, was described by Father Smith at the Pietermaritzburg hearing:

Even today, you can see the aftermath of the violence that took place in 1990. The houses, the shops were burnt down. The schools were also burnt down. You will see the place where a number of people were staying, and they are no longer there at this present moment.

- 162 According to Mr Mbanjwa, a resident of Elandskop at the time: "that is the thing that killed the community, that people were forced to join Inkatha".
- 163 The consequence has been the shattering and dislocation of communities. Many people are still unable to return home due to the destruction of their houses and fear of continued violence. Suspicion, mistrust, anger and revenge lingered after the overt conflict subsided.
- 164 The manifestations of intra-community violence through attacks on and in homes resulted in many people being left homeless. Lifetime investments in homes and material goods were lost in the conflict. Of those who reported violations because of intra-community violence, 43 per cent reported that they were homeless as a result. Of these, 36 per cent spoke of disruptions to their own or their children's education. A further 42 per cent of those who were displaced reported that their forced relocation was a result of intra-community violence, and 59 per cent of those displaced reported psychological problems of anxiety, depression and difficulties in coping. Thus, homelessness and displacement have multiple consequences. Homelessness in KwaZulu-Natal affected three times as many people as in any other region and has particular implications for communities in KwaZulu-Natal.

▪ RURAL COMMUNITIES

- 165 Much of the media and literature on human rights violations and its consequences published to date have focused on the urban areas. The Commission's human rights violation hearings and post-hearing workshops allowed for a unique insight into opposition, violations and consequences experienced in rural communities. In many ways, these have mirrored events at the national level.
- 166 Rural communities have been characterised by stark racial polarisation and unequal power relations. They have been described as the most conservative and the most neglected in South Africa.
- 167 Rural areas were subject to the rigid enforcement of apartheid legislation. For example, in Oudtshoorn, from 1961 until the early 1970s, the Group Areas Act resulted in the removal of thousands of coloured and African people from the town. In 1966, a new township called Bongoletu was proclaimed. This allowed for the destruction of Klippies Eiland and the removal of Africans to the new area. As Oudtshoorn fell within the 'coloured labour preference' policy area, African people were allowed only limited access to Oudtshoorn. Apartheid was enforced through measures such as forcing the residents of Bridgeton, a neighbouring coloured township, to obtain permits to visit relatives and friends in Bongoletu.
- 168 In rural communities, racism and conservatism entrenched vastly unequal social and economic relations. These were entrenched through the awesome power wielded by the small white communities, who were able to control and regulate black lives from the cradle to the grave. People who grew up on farms were often regarded as the farmers' possessions. Many breadwinners lost their jobs because they became involved in politics and were seen as troublemakers. For farm workers, the loss of a job often threatened homelessness for the entire family. Thus, political activity generated divisions within families, as some attempted to maintain their fragile existence through acquiescence in the oppressive situation and others continued to resist, regardless of the consequences. At the Worcester hearing, Father Michael Weeder said that, when he first arrived in the Boland, he observed this fear of challenging the system.

What I mistook for apathy and submissiveness was just another means of coping, of surviving ... people leading quiet lives of desperation.

- 169 He said that resistance against the white community could have repercussions not only for the individual, but also for other family members who risked losing their jobs or ending up in jail.
- 170 Resistance did, however, occur. In Oudtshoorn, for example, there was a growth in community organisations between 1973 and 1983. Those in leadership positions were under constant police surveillance, and suffered arrest and harassment. In 1985, open conflict broke out and, on 2 May, SADF troops moved into Bongoletu township. The conflict escalated and anyone associated with the state became a community target.
- 171 In 1990, the residents of Ashton embarked on a series of non-violent actions that set in motion an irreversible process of change. According to Father Michael Weeder.

Many months later they emerged bloodied and brutalised but immensely proud ... they knew for themselves that the days of baasskap [white supremacy] were over and they had helped bury it.

- 172 Resistance generated pride in oppressed communities which, through their opposition to the system fought, not only for justice, but also to reclaim their dignity.

Resistance to homeland incorporation

- 173 Rural community opposition was often characterised by complex constellations of state repression, ethnic tensions and resistance to incorporation into ethnically defined homelands. In a submission to the Amnesty Committee at Phokeng, Mr Brian Currin spoke of the resistance of the Baphokeng tribe to incorporation into Bophuthatswana:

Resistance, both organised and spontaneous to the formation and continued existence of the homelands, has long been a feature of South African politics. In Bophuthatswana itself, political struggles were waged by rural communities and political organisations against the issues of forced incorporation.

- 174 This conflict was linked with tribal conflicts as non-Tswanas were evicted and persecuted in Bophuthatswana soon after independence.
- 175 In rural areas, the nature of reprisals against those who were seen as collaborators differed from that in urban areas, owing to the frequent dominance of traditional leaders. The state and homeland leaders attempted to co-opt supportive leaders and, where this failed, the legitimate chiefs were replaced. This was the case in Baphokeng, where Chief Molokele refused to acknowledge Lucas Mangope's leadership and suffered harassment and detention as a result. Following Chief Molokele's exile to Botswana, President Mangope appointed his brother, George Molokele, to the position. The tribe fiercely opposed this. The community continued to mobilise against its incorporation into Bophuthatswana and the illegitimacy of Molokele's appointment.
- 176 Thus, the system of apartheid and the accompanying construction of ethnically defined homelands resulted not only in resistance, but also in the polarisation of communities. In this instance, those who opposed Mangope's rule were subsequently forced to mobilise against a member of their own community who attempted to capitalise on the repression.
- 177 The theme of collaboration also emerges in the rural context. This was illustrated by the state's use of *kitskonstabels*³⁰ who, after only six weeks of training, were deployed in communities. They proved to be ill disciplined and a law unto themselves.
- 178 Vigilantism was also a feature in rural communities. In Zolani in Ashton, the *Amasolomzi* patrolled the streets as the henchmen of local councillors. Their unregulated activities resulted in many human rights violations. Mr Nthando Mrubata, who testified at the Worcester hearing, was a victim of the *Amasolomzi*: "It was due to the police and the vigilantes that I am now a cripple."
- 179 Intra-community violence extended beyond the activities of the state and vigilante groups to inter-party conflict. Mr Jim Bonakele Yanta, an ANC Youth League member in Upington, spoke of the Upington hearing of conflict between ANC and National Party supporters. This conflict led to displacement as "some of the ANC members who lived in the

location had to actually move out of the location, out of the Red Block and they had to come to live in E'Thembeni because they were constantly being threatened." He alleged police complicity with the NP supporters.

- 180 The consequences of these conflicts are extremely complex, with spiralling and contradictory implications. It is clear that gross human rights violations have ripple effects that extend beyond the individual into the heart of communities.

▪ WHITE COMMUNITIES

- 181 Apartheid policies resulted in the division of South African communities along racial lines. At a post hearing workshop of the Commission, Mr Tjol Lategan said:

Politics beset every fibre of our community, in our schools, in our churches, in our agricultural unions, in our cultural organisations, every bit of the community got politicised and polarised.

- 182 Through apartheid, the white community retained political and economic power. The unequal distribution of resources meant that white communities benefited through well-serviced suburbs, accessible education, access to government and other employment opportunities and countless other advantages. Whilst only a minority of white people engaged in the direct perpetration of violence, many gross human rights violations were committed in order to retain these benefits.
- 183 The mobilisation of members of the white community to uphold the system began when they were still children. The state-owned media presented a distorted view of South Africa. Militarisation of young white males began at school through the system of cadets, which was a training ground for their subsequent conscription. This militarisation has had many negative consequences - not least with regard to the level of violence prevalent in contemporary society.
- 184 Many perpetrators worked in a context in which the end was seen to justify the means. Attacks on white targets by the liberation movements further strengthened this resolve. Many white communities felt a sense of fear and insecurity, which was legitimised through landmine attacks in the rural areas and other incidents such as the Church Street and Magoo's Bar bombings.
- 185 Many who are now seen as perpetrators viewed themselves as defenders of their nation and were, at the time, showered with praises and rewards for achieving their goals. Their actions appeared justified in what they viewed as a war context.
- 186 Former leaders subsequently distanced themselves from those who were doing the work of the state. As Eugene de Kock said in mitigation of sentence, "One would now believe that I was the only individual who fought the ANC." Once loyal subjects of the former government expressed the view that their leaders had abandoned them. This has exacerbated fear of the Commission. At a workshop in Ermelo, Dominee Gerhard Barnard described the sentiments in some white communities:

The people don't see it as a reconciliation commission but as a punitive commission; somebody has to be punished and this is where our Afrikaners had to take their punishment ... I realised that the fear which arose is not the fear of confessing, but the fear of what is going to happen to the evidence? In what ways will people be punished in the future?

187 This reflects the fact that different communities have different perceptions of the Commission. Many victims, mainly from black communities, have criticised the Commission for being too soft and accommodating of perpetrators through the provision of amnesty. Perpetrators, on the other hand, appear to view the Commission with fear because of its perceived retributive powers.

188 The majority of individual white South Africans did not actively engage in the perpetration of gross human rights violations. At the same time, they did not overtly resist the dehumanising system within which these violations took place. Some white South Africans have recognised their bystander complicity. This has generated a sense of guilt, shame or denial. At a post-hearing workshop, Ms Lesley Morgan, a white South African housewife, described these feelings:

There is a sense of complicity, a terrible feeling of failure ... the choices I made in the past to avoid what I perceived in my fear and cowardice as having consequences too dangerous to deal with have resulted in consequences worse than I ever feared.

189 Fears of an imminent civil war resulted in many white South Africans leaving the country. Emigration, although a voluntary activity, had widespread consequences for families and communities. In some ways, these mirror the experience of exile in that they result in the scattering and dislocation of families. Emigration also had economic consequences for the country, as it was those with skills who were most likely to emigrate.

190 The absence of white South Africans at the Commission hearings has been disappointing. If true reconciliation is to take place, white communities will have to take responsibility and acknowledge their role as beneficiaries of apartheid. The consequences of this lack of participation are likely to perpetuate the polarisation of South African communities and further obstruct processes of reconciliation.

▪ CONCLUSION

191 This chapter has tried to assess the effects of thirty-four years of oppression and resistance. It has addressed some of the psychological and physical consequences of gross violations of human rights as reported to the Commission. The Commission heard testimony from a broad range of people, many of whom testified about violations experienced by others. Mothers, sisters, fathers, brothers, relatives and friends came forward to speak of their pain and anguish. Their testimonies spoke of the ripple effects on families and communities of the system of apartheid and the oppressive manner in which it was implemented.

192 People came to the Commission to tell their stories in an attempt to facilitate, not only their own individual healing processes, but also a healing process for the entire nation. Many of those who chose not to come to the Commission heard versions of their own stories in the experiences of others. In this way, the Commission was able to reach a broader community.

