

Testimony as Dialogue:
An analysis of South Africa's TRC testimonies

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Introduction

Would you want to talk to the person who murdered your colleague? What about your sibling or child? Would you explicitly seek out their side of the story? The survivors of human rights violations in post-apartheid South Africa illustrate their desire to hear the testimony of their transgressors in their own testimonies. What can we learn from this delicate relationship between a victim's testimony and their perpetrator's? I examine South Africa's Truth and Reconciliation Commission (TRC) and the testimonies used to reconcile the country's past. First, I will provide historical context for the TRC. Next, I will discuss prior research surrounding the relationship that sharing one's testimony has with healing the speaker, obtaining justice, and shaping history. Then, I will explore four survivor-testimonies from the TRC and examine their need to hear their perpetrators' testimonies. In the same way that the TRC was searching for the truth so that the country could move forward, the survivors desire to know the truth so they can have closure. I argue that the TRC testimonies reveal how survivors' healing and sense of justice are often contingent on hearing perpetrators' testimonies, demonstrating that testimony-centered justice should be understood as a dialogic process between the perpetrator and victim, rather than a victim-centered monologue.

Historical Context

The apartheid regime in South Africa enforced racial segregation and discrimination against nonwhites for more than 300 years.¹ The country abandoned the apartheid system in the 1990's after years of resistance and fighting in order to establish a democracy. When this shift occurred, the country was met with the challenge of accounting for the countless human rights violations—such as murder, torture, kidnapping, and assault—that occurred under the apartheid

¹ "Truth and Reconciliation Commission, South Africa (TRC) | Britannica," April 3, 2025, <https://www.britannica.com/topic/Truth-and-Reconciliation-Commission-South-Africa>.

system.² To take on this daunting task the new South African government established the Truth and Reconciliation Commission (TRC), which facilitated human rights violations hearings, allowing victims to share their testimonies with the country and document the atrocities that occurred. The TRC also facilitated amnesty hearings which allowed perpetrators to apply for amnesty for their politically motivated crimes.³ The TRC aimed to promote national unity and restore the balance of the community through these hearings.⁴ When testimonies were given, “the priority of ‘hearing’ and acknowledging personal and communal narratives was highlighted as having high significance.”⁵ This acknowledgement is especially necessary because victims were consistently silenced and marginalized during the apartheid. Allowing an opportunity for the survivors to tell their stories and make public their pain was crucial for the country to reconcile with its past. The TRC emphasized discovering and acknowledging the truth of the atrocities that occurred under apartheid in order to rebuild the country.

Personal Testimony

Scholars demonstrate the potential for personal testimony to heal the speaker, deliver justice, and affect history. In the article “Truth or Bust: Consensualising a Historic Narrative or Provoking through Theatre. The Place of the Personal Narrative in the Truth and Reconciliation Commission” Yvette Hutchison references Lucas Baba Sikwepere’s testimony. Sikwepere had lost his sight in a police raid and explained how telling his story at the TRC affected him:

I feel what – has brought my sight back, my eyesight back is to come back here and tell the story. But I feel what has been making me sick all the time is the fact that I couldn’t

² “Truth Commission - Special Report - Background,” accessed May 4, 2025, <https://sabcrc.saha.org.za/background.htm>.

³ “Truth Commission - Special Report - Background.”

⁴ CourtneyE. Cole, Problematising Therapeutic Assumptions About Narratives: A Case Study of Storytelling Events in a Post-Conflict Context., 25 *Health Communication* 660 (Taylor & Francis Ltd 2010). p. 651.

⁵ Yvette Hutchinson, “Truth or Bust: Consensualising a Historic Narrative or Provoking through Theatre. The Place of the Personal Narrative in the Truth and Reconciliation Commission,” *Contemporary Theatre Review* 15, no. 3 (August 1, 2005): 354–62, <https://doi.org/10.1080/10267160500217798>. p. 356.

tell my story. But now I – it feels like I got my sight back by coming here and telling my story.⁶

Sikwepere expresses that the act of telling his story was healing for him. Sharing his testimony made him feel like he regained his sight, demonstrating how testimony holds the ability to restore what has been lost.

Teresa Phelps expands on this aspect of testimony in her book “Shattered Voices: Language, Violence, and the Work of Truth Commissions.”⁷ Phelps defines justice as a victim-centered process in which the victims have something important returned to them.⁸ The process of regaining something can be enacted through the sharing of personal testimony. It is through storytelling that “victims can use language for themselves” and “shape the chaos of their experiences of violence into their own coherent stories.”⁹ This testimony-centered justice emphasizes the power storytelling possesses to grant survivors agency over their lives and the violence they have experienced. Victims are able to make sense of their pain by sharing their testimony. Because people cannot be brought back from the dead and the psychological and physical damage that violence causes cannot be easily reversed, story-telling creates a way for something to be returned to the victim. Healing begins with the freedom to make sense of their pain and the right to tell their own story. Public testimony also creates a way for the victim to impact history, which is especially important when addressing mass-atrocities that define a nation.

When personal testimony is shared in a public forum, it has the ability to shape public memory and rewrite history. Hutchison explains that “Memory and history are important because

⁶ Hutchinson. p. 358.

⁷ Teresa Godwin Phelps, *Shattered Voices : Language, Violence, and the Work of Truth Commissions* (Philadelphia : University of Pennsylvania Press, 2004), <http://archive.org/details/shatteredvoicesl0000phel>.

⁸ Phelps. p. 9.

⁹ Phelps. p. 90.

they are the means by which we contextualise ourselves, both as individuals and nations, in relation to the past, and thereby define the future.”¹⁰ Therefore victims hold the power to impact history with their testimonies and consequently change the future. If a nation does not want to repeat the injustices of the past, it is crucial to include stories of injustice in its history.

While these scholars highlight the empowering effects of victim testimony, the TRC transcripts complicate this view. They reveal that survivors often seek closure through perpetrators' testimonies, which suggests that healing requires not just expression by the victim, but also a response from the perpetrator.

Hearing the Other Side

After the victims give their testimony, the TRC often asks the testifier what they request of the TRC. Some victims ask for medical assistance, employment, or financial compensation, but many victims are in search of something less tangible. They desire the truth. Some still feel the pain from not knowing the circumstances of their loved one's death and others want to understand why a person would commit such terrible acts. Victim's desire for the perpetrator's testimony complicates the beliefs about the effectiveness of victims' testimonies alone.

On June 22, 1996, Balakazi Mdingi testified at the TRC about her younger brother who was murdered by the police. When the TRC asks what she requests of the Commission she expresses that she must know “whose gun the bullet that killed Andile.”¹¹ Mdingi explains how there was little investigation around her brother's death, and it was not continued because they were unable to uncover any information. She asserts that “this was very painful to us, because we do not know the truth.”¹² In her testimony she explains how the senseless murder of her brother

¹⁰ Hutchinson, “Truth or Bust.” p. 354.

¹¹ “Justice.Gov.Za/Trc/Hrvtrans/Qtown/Matshoba.Htm,” accessed May 6, 2025, <https://www.justice.gov.za/trc/hrvtrans/qtown/matshoba.htm>.

¹² “Justice.Gov.Za/Trc/Hrvtrans/Qtown/Matshoba.Htm.”

drastically changed her life, but emphasizes how not knowing the truth perpetuates this pain. Her testimony suggests that knowing the truth would significantly minimize her suffering. By withholding their side of the story, perpetrators continue to hurt the survivors. Without the full truth, the healing benefits that sharing one's testimony can bring are diminished, and survivors are still unable to get closure.

At the same hearing, Machonane Batyi testified about the death of his brother, Vuyo, who was burned to death, and the lasting effects of the lies that stemmed from the tragedy. When the Commission asks what it can do for him, Batyi replies, "This story I'm saying, I am very grateful to be given this opportunity because comrades failed to bring light, true reflection to the people."

¹³ Batyi recognizes the opportunity he has to restore the public's perception of his brother and himself. He values the truth and knows that his testimony has the potential to change the narrative and affect history. However, Batyi is restricted by the information he knows. Batyi was arrested around the time of his brother's death because he was identified falsely as an informant. This label caused him to spend time in prison and face discrimination after he was released. Batyi had no way of defending himself because he had no explanation of why he was wrongfully accused. He tells the Commission that "I would just like an investigation into why this was done and I would also like to know where this story came from about informants."¹⁴ He goes as far to say that it is his wish that the Commission could find a specific person who spread lies about him and "ask him where he got all this information from."¹⁵ Batyi desires the testimony of the specific man who betrayed him to help him make sense of the circumstances that led to his arrest. Batyi's testimony holds weight outside the Commission, however, he was not able to

¹³ "Justice.Gov.Za/Trc/Hrvtrans/Qtown/BatyI.Htm," accessed May 6, 2025, <https://www.justice.gov.za/trc/hrvtrans/qtown/batyI.htm>.

¹⁴ "Justice.Gov.Za/Trc/Hrvtrans/Qtown/BatyI.Htm," accessed May 6, 2025, <https://www.justice.gov.za/trc/hrvtrans/qtown/batyI.htm>.

¹⁵ "Justice.Gov.Za/Trc/Hrvtrans/Qtown/BatyI.Htm," accessed May 6, 2025, <https://www.justice.gov.za/trc/hrvtrans/qtown/batyI.htm>.

repair his reputation because he could not explain why he was labeled as an informant. The only way for him to defend himself is by listening to the testimony of his accuser. Knowing the other side of the story would give Batyi a chance to fully restore his reputation.

Four months later, on October 2, 1996, Zuko Xabandlini told the council about the events that lead to his wrongful conviction for murder. Four witnesses falsified evidence against him, which led to Xabandlini spending months in jail, sentenced to death. He explains how these events have affected his ability to find employment and caused psychological harm. When the TRC asks him what kind of reparations should be put in place Xabandlini replies:

What I would like at the moment, you see my conscience still bothers me but I don't know whether you could help me as far as these four witnesses are concerned, to try and bring them to light so that they can come and testify. I think that will make a difference in my life because my conscience bothers me and I still have this pain.¹⁶

Xabandlini explains how he needs to know why people would lie about him to put him on death row, and he is still in pain because he does not understand the reasons behind their actions. He articulates the power that their testimony would have to “make a difference” in his life.

Xabandlini’s testimony is unable to grant him complete agency over his story because there is still so much he does not know or understand. His testimony complicates Phelp’s understanding of how storytelling empowers the victim to achieve justice. This empowerment can only exist if the survivor knows the truth surrounding the injustice, which in many cases is known only by the perpetrator. In this case, for Xabandlini to regain agency over his life, he requires the testimony of the perpetrators. Without their side of the story, his conscience will continue to bother him. He needs the witness’ stories to free his conscience.

¹⁶ “CASE NO: CT/00697,” accessed May 6, 2025, <https://www.justice.gov.za/trc/hrvtrans/upington/ct00697.htm>.

On June 23, 1996, Les Barnes testified about the injuries he suffered from an explosion, the impact the event had on his family, and the death of his colleague. When the Commission asks if he wants them to investigate anything he replies:

I'd sort of want to know if the people that planted the bomb, will they be coming forward? Will they be testifying? And what is really going to happen to get their side of the story and is anything being done about it?¹⁷

Barnes' request explicitly states that he is concerned with knowing "their side of the story." He acknowledges that he will always be connected to the perpetrators through their shared experience. Unlike the previous testimonies, Barnes does not give a reason for why the other testimony is important to him. He mentions nothing about the pain of not knowing or the necessity to protect the truth or a tired conscience. He does not desire the punishment of the perpetrators, but only that they share their testimony. He places value in their side of the story and identifies it as something he needs.

Testimony as Dialogue

The TRC set out to establish the truth of what happened during apartheid in order to unite the country and build a new South Africa. Similarly, survivors require the truth in order to recreate themselves in the face of unfathomable pain. Mdingi's and Xabandlini's testimonies both demonstrate how anguish is perpetuated by the inability to uncover the agent of the pain. The violence and loss they experienced served to distort their understanding of the world. It is only when this truth is returned to them by the perpetrators that the survivors can begin to heal and regain agency over their lives. Batyi's testimony demonstrates how the perpetrator's testimony would enable the survivor to combat the lies that emerge from injustice. He still suffers from the

¹⁷ "Justice.Gov.Za/Trc/Hrvtrans/Qtown/Barnes.Htm," accessed May 8, 2025, <https://www.justice.gov.za/trc/hrvtrans/qtown/barnes.htm>.

rumours that circulate about him, and he has no way of rebutting them. If he had an explanation from the perpetrator, he could use it to defend his dignity. These three survivors seek out the perpetrators to make sense of their pain and to communicate their situation to others. Barnes' testimony illustrates the innate need for the victim to hear the transgressor's side of the story. He does not explain a reason for desiring the testimony and no explanation is expected. It is understood by the Commission why he would want the truth from his transgressor. All of these survivors experienced the unimaginable. All they ask for is the truth. Shouldn't our justice seeking institutions prioritize the truth if it is the only common thread between these varied injustices?

The TRC recognized the value in both sides of the story, as it collected perpetrators' testimony in amnesty hearings and victims' in the human rights violation hearings. However, the TRC neglected to put these testimonies in conversation with each other. The Commission did not recognize that one of the most important aspects of these testimonies is their tendency to require a response. It is in this response that meaning can be found, allowing both parties to make sense of their stories. This conversation allows for the victim's questions to be answered; the testimonies come together to reveal the truth. Once the victim has all the information, their story is no longer contingent on the unknown of the perpetrators' testimony. When the victim is equipped with the truth, they can make sense of their pain on their own, achieve a sense of justice, and shape history.

Conclusion

Antjie Krog, a South African writer, illustrates in her novel, *Country of My Skull*, the connection between truth and justice. She explains that if the TRC sees "truth as the widest possible contemplation of people's perceptions, stories, myths and experiences, it will have

chosen to restore memory and foster a new humanity, and perhaps this is justice in its deepest sense.”¹⁸ The only way to achieve this kind of justice is by seeking out each side of the story and uncovering the truth through these testimonies. Scholars have identified a connection between victim’s sharing their testimony and a sense of healing, justice, and the ability to affect history. However, the effectiveness of personal testimony is diminished by the absence of the full truth. Survivors identify the truth as something they need in their requests to have the perpetrators brought forward and hear their testimonies. Therefore, the only way to reach this truth and have a sense of agency returned to the victims is by bringing victims’ and perpetrators’ testimonies together. In this dialogue, the truth can be found, memory is restored, and the victim is able to find closure, imploring us to reconsider how we view testimony’s role in achieving justice.

¹⁸ Antjie Krog, *Country of My Skull : Guilt, Sorrow, and the Limits of Forgiveness in the New South Africa* (New York : Three River Press, 2000), http://archive.org/details/countryofmyskull0000krog_i0t2. http://archive.org/details/countryofmyskull0000krog_i0t2 Krog. p. 31.

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