Visual technologies and the shaping of public memory of disappeared persons in Cape Town (1960-1990)

Ziyaad Rahman

3167666

Supervisor:

Professor Patricia Hayes (University of the Western Cape)

Co-Supervisor:

Professor Nicky Rousseau (University of the Western Cape)

A full-thesis submitted in fulfilment of the requirements for the degree of Magister Artium in the Department of History, Faculty of Arts, University of the Western Cape.

November 2021

Plagiarism declaration

I, Muhammad Ziyaad Rahman, hereby verify that the thesis presented is done by my own hand. I am aware of what plagiarism is and to avoid it I have used quotations and references to give recognition to the author whose words and ideas it is I use to substantiate my arguments.

Muhammad Ziyaad Rahman

November 2021

Abstract

The starting point of this thesis is the work of the Truth and Reconciliation Commission (TRC) and the Missing Person's Task Team (MPTT), two instruments of the post-apartheid government, both of which have directly attended to the disappeared dead. The disappeared dead are defined in this thesis as persons abducted and subject to enforced disappearances, as well as those killed in other political circumstances whose bodies were buried by the apartheid state, in some cases as unnamed paupers, thus denying families the opportunity to bury and mourn according to familial or cultural norms. Today the MPTT still seeks to locate the gravesites of the disappeared dead, to exhume, identify and to return the mortal remains to their families. These processes of exhumation, return and reburial are also political and highly mediatised moments, which follow what has come to be known as the nation's funeral script. While the work of returning the body is important, a criticism has been that the political nature of these processes may work to mask the person who was and is missed. Thus instead of rehumanising, such processes risk dehumanising, turning the disappeared dead into political icons.

In this thesis, issues of re/humanisation and dehumanisation are rethought through the medium of photographs – portraits, family snap shots, forensic photos as well as those taken at exhumations and reburials. Forensic photographs taken by police or later by teams such as the MPTT are widely regarded as having an ability to communicate on behalf of the dead and are used counter-forensically by human rights institutions for the purposes of justice and reparation. However, as counter-forensic evidence stitches together what happened to the individual missing person, this continues to locate the person in a bureaucratic definition of personhood: victim of a crime, or missing, or national hero. Although I am in agreement with this critique, I seek to push the limits of that argument through a re-reading of the photographs for their 'person-as-such' in a way that restores them to their personal, familial and social networks.

Table of Contents

Acknowledgements

This thesis would not have been possible without the input, supervision and support of several people both in academia and outside of it.

My first and greatest thank you goes to Nicky Rousseau and Patricia Hayes, who guided me through tough times and helped me clear the fog of uncertainty. The supervision you provided is what helped turned my arguments into thesis. I will forever be grateful for the way you pushed and influenced me to be a better scholar.

I would also like to thank my family for their support and understanding during the period I focused on finishing my studies. This time was incredibly hard, and your patience with me I can never repay.

I then wish to thank Riedwaan Moosage and Bianca Van Laun for your assistance, advice and guidance through the entirety of my university career thus far. The two of you not only tutored me through my undergraduate years and instilled valuable lessons I hold dear today, but also acted as mentors through my post-grad years, encouraging me in times when I felt the pressure of my studies weighing down on me.

I am greatly appreciative of the History Department and Centre of Humanities Research of the University of the Western Cape for their intellectual and financial support. The community of people I met through you has shaped my perspective of both academia and life itself. I am also grateful to the Forensic History Project and the Chair in Visual History and

Theory for introducing and helping me further understand the arguments that I come to rely heavily on in my thesis.

I am overwhelmingly grateful to everyone who has helped me reach this point in my studies. I place, that at times, felt impossible. Thank you!

"When someone goes missing, what's happened doesn't seem possible: people don't just disappear. Sometimes all that is left to insist that the person was indeed once there is a photograph."[1]

- Jenny Edkins

[1] Jenny Edkins, *Missing: Persons and Politics* (Ithaca and London: Cornell University Press, 2011), 1.

Introduction

For more than three decades, investigations into persons disappeared in contexts of political violence have included locating and returning the mortal remains to families for reburials. Dead bodies and human remains have a salience that demands our attention. They remind us of our own mortality as well as evoking the person to whom that body belonged. This silent demand of the dead implores us to give a proper end to the dead through burial. If this journey from death to burial is interrupted, then something of the human journey into the afterlife is lost. To be informed, even shown the gravesite of a disappeared person, is thus not enough to address that interruption nor to address the uncertainty of the fate and whereabouts of the physical remains. Additionally, many families consider being buried without appropriate cultural rituals under accepted conditions set by family and friends as dehumanising. In order to address these issues, exhumations and reburials of the politically missing and disappeared increasingly seem to be the new norm.

Exhumations are carried out by specialist forensic teams, such as the Argentine Forensic Anthropology Team (EAAF) in Argentina and, in South Africa, the Missing Person's Task Team (MPTT). These teams often consist of investigators, forensic anthropologists and forensic archaeologists. On the other end, reburials are often organised by family, or, as in South Africa, in association with local political groups and government. In both instances, visual technologies, such as photographs, play an important role in the work of exhumations and reburials, recording and documenting each step of the process, both for evidentiary purposes and for the historical record. In many countries, such exhumations have also become public and sometimes political affairs, and often families, fellow comrades or other members of the public are witness to, and even sometimes assist in the work of exhumation.

Such was the case with the exhumation of Norman Pietersen, also known as MK operative Billie Holiday, which I personally attended.

In March 2016, as part of a program known as the Forensic History Project in the Department of History at UWC, I was invited to attend the exhumation of Pietersen who had been buried 30 years prior in Paarl. Pietersen was an uMkhonto we Sizwe (MK) operative who had been killed in a house in New Crossroads by an apartheid police riot unit on the 11 March 1987.[2] Police claimed that while arresting Pietersen and "searching the content of a bag of arms" in his room, Pietersen managed to pull away from them and dived under his bed to grab a hidden AK47. In order to stop him from firing, two riot police attempted to pull him out from under his bed. However, they claimed that in the ensuing struggle, their colleague, one Sergeant Geiger, was forced to shoot and kill Pietersen in self-defence. Including the three riot police members, there were officers who were fully armed outside the house where they had arrested Pietersen.[3] The impossible odds Pietersen faced thus led Madeleine Fullard, who today is the head of the MPTT, to believe that Pietersen would have understood his situation and not acted as reported by the police. Following his death, Pietersen's remains were signed over to his step-sister Cathleen Williams and given a burial under police guard in Paarl.[4] However, the family had been unable to place a marker on this grave. Thirty years later, the section of the cemetery where Pietersen had been buried had become neglected. His former comrades approached the MPTT with the request to exhume and rebury him with a more appropriate ceremony honouring his life as a soldier of MK and also to gather any potential evidence that the police account of events had been fabricated.

[2] TRC Report, Vol.2, 252.
[3] Madeleine Fullard, "The state and political struggle: strategies of repression and resistance in the greater Cape Town area from 1985 to 1989" (M.A., University of the Western Cape, 2000), 131.
[4] Cathleen Williams, "TRC Testimony", October 15, 1996, https://www.justice.gov.za/trc/hrvtrans/wineland/ct00440.htm (accessed 1 November 2021).

Whilst attending the exhumation, Pietersen's gravesite powerfully raised two issues for me. The first was that his gravesite was visually in stark contrast to my expected perception of what a gravesite should look like. Rather than a place to visit the dead and mourn them, the section of the cemetery where Pietersen was buried looked more like a dumpsite with litter and garbage sprawled all around. To me, it appeared to be a discarded field, ignored by everyone, including the community surrounding the gravesite.

The second striking aspect was that there was a variety of people with different reasons for being present at the gravesite.[5] These included members of the MPTT such as Claudia Bisso, the forensic anthropologist responsible for conducting the exhumation, and Madeleine Fullard, the head of the MPTT. Then there were his comrades and friends, such as his MK Commander Patrick Ricketts who had sought the MPTT's assistance and who wished to produce a valuable heroic historical account of him. Additionally, there was the gravedigger, a man who appeared to derive a sense of self-worth through being the person who had buried Pietersen in 1987.[6] There were also pupils from Norman Pietersen's high school, seeking to learn about the local 'freedom fighter'. It may be that to them he was one of them: he was born in their home town and went to their school. For the high school students, he may have created an experience that they could gravitate towards, one they could instil as a piece of their own world understanding and identity. Then there were onlookers, whose attention was drawn by the activities and who were affected by the exhumation, such as a local woman who, perhaps inebriated, repeatedly shouted in horror that those digging up the dead were harming 'God's' work –'God's' sanctity.

[5] Gadeeja Abbas, 'Remains of MK soldier found- PICS and VIDEO', iol, 3 March 2016. <http://www.iol.co.za/news/south-africa/western-cape/remains-of-mk-soldier-found---pics-and-video-1992653> (accessed October 12, 2016).
[6] This is my own interpretation of the gravedigger, the school children and the local woman when I was there.

These numerous characters, with their different perceptions and reasons for being present, awoke my curiosity about the affective dimensions of the exhumation and how fallen 'freedom fighters', who for some were 'terrorists', are remembered. I was drawn to the ways in which this trafficking involves different evidentiary, experiential and memorial approaches and practices. For example, while forensic personnel may follow particular scientific routines, families may require other religious, cultural or political rituals. Or, as with the case of Norman Pietersen, passers-by or onlookers may be outraged by the notion of digging up or disturbing the dead. Similarly, notions of evidence are highly contested: while forensic experts seek stable and incontrovertible evidence, the kind of certainty that families and friends require is different, and both of these kinds of evidence may be deployed in subsequent political claims or in memory work.[7]

Although I did not attend the subsequent ceremonial practices or reburial of Pietersen, these raised and deepened my observations and questions. Following Pietersen's exhumation, his body was further examined by forensics specialists to confirm identity and cause of death, before being returned to his family[8] and comrades for reburial. On 29 June 2016, a cavalcade of assorted vehicles adorned with ANC posters accompanied a vehicle bearing the coffin with Pietersen's skeletal remains as it traversed Nyanga in Cape Town to the house in New Crossroads where Pietersen was killed.

[7] For further discussion see, Barbie Zelizer, *Remembering to Forget: Holocaust memory though the camera's eye* (London: University of Chicago Press, 1998); Paul Sant Cassia, "Guarding Each Other's Dead, Mourning One's Own: The Problem of Missing Persons and Missing Parts in Cyprus," *South European Society & Politics* 11, No. 1(March 2006): 111-128; Ciraj Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," in *The Politics of Heritage in Africa: Economies, Histories, and Infrastructures,* ed. Derek R. Peterson, Kodzo Gavua, and Ciraj Rassool (New York: Cambridge University Press, 2015), 133-156.

[8] When I refer to family, I am extending this meaning to include those who valued Pietersen highly akin to family, such as friends and comrades who had a desire to exhume and rebury him.

Figure 1 Military envoy carrying Pietersen's coffin into the house where he was killed in a gesture showing them collecting his spirit. (Photographer: Unknown, Forensic History Project Archive)

When they arrived at the house, former MK members in combat gear performed a ceremony in which Ricketts addressed the crowd and officially demobilised Pietersen from his military duty, asking him to stand down.[9] Although this event seemed to focus on Pietersen's fulfilled journey to the afterlife, with respect given to his life as a soldier, Nomzamo Mtuse, a member of the Forensic History Project present at this event, noted that it took place in the lead up to the 2016 local government elections. The ANC songs and regalia, including "a huge picture of President Zuma" caused her to ask whether she "was on [sic] an ANC rally or Norman [Pietersen's] memorial event".[10] From the photographic record, it would appear that his reburial the following day in 'Heroes Acre' in his hometown Paarl was a similarly political

[9] I obtained this information through personal communication with Nicky Rousseau.
[10] Nomzamo Mtuse, "Which bodies count? The challenges of memorialisation in South Africa" (Honours Research Essay, University of the Western Cape, 2016).

event.[11] Such political funerals are not abnormal in South Africa, and have become fundamental to work done in the field of dehumanisation and re/humanisation.[12]

[11] Heroes Acre is a part of the Paarl cemetery where liberation struggle figures from both the Pan African Congress (PAC) and African Nation Congress (ANC) have been buried.

[12] Ciraj Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," in *The Politics of Heritage in Africa: Economies, Histories, and Infrastructures,* ed. Derek R. Peterson, Kodzo Gavua, and Ciraj Rassool (New York: Cambridge University Press, 2015). Nicky Rousseau, Riedwaan Moosage and Ciraj Rassool, "Missing and Missed: Rehumanisation, the Nation and Missing-ness," *Kronos* 44, no. 1 (2018). I use re/humanisation, rather than 'rehumanisation', following Rousseau, Moosage and Rassool who argue that those who are dehumanised may not have been considered human enough to those who dehumanised them thus requiring humanisation but to themselves, to family and community they were always human. Nicky Rousseau, Riedwaan Moosage and Ciraj Rassool, "Missing and Missed: Rehumanisation, the Nation and Missing-ness," *Kronos* 44, no. 1 (2018): 25.

Figure 2 Outside of Pietersen's house, numerous people wear ANC regalia and wave the ANC flag. (Photographer: Unknown, Forensic History Project Archive)

Mtuse's take on Pietersen's reburial strikes at the heart of my own battle with the manner in which the dead are reintroduced and reincorporated back into society. Here, it would seem, they were not lost and mourned as living persons for their own individual personhood; rather, they appear to be missed for their function in society as political soldiers. I argue that by over-emphasising the political lives of the dead and remembering them uniquely for their function in society we continue to objectify and dehumanise them again, as we ignore why they are missed in the first place – namely, the incalculable thing that we think of as their humanity, being a 'person-as-such'.[13] Instead, they, including Pietersen, are used as objects, a political resource to garner more political support. This produces a history strongly based around politics and guerrilla sacrifice, rather than to mourn and to note the effects of his passing on the still living.

Along with historian Bianca van Laun,[14] I view this as objectification to an extent or as an extension of the bureaucratic categories they were placed into under apartheid law. This is dehumanising because, whilst they may now be defined as heroes, rather than terrorists, we continue to utilize the dead in a way that produces them as political objects above anything else. Therefore, the question of how to address this secondary dehumanisation is important and can possibly begin to be addressed by incorporating multiple perceptions of the dead so as to produce them as people with multiple layers of existence. Here, I draw on the work of Jenny Edkins where to re/humanise is to work towards uncovering their personhood, the incalculable traits that make the dead human to us.

[13] Jenny Edkins, *Missing: Persons and Politics* (Ithaca and London: Cornell University Press, 2011).
[14] Bianca Van Laun, "Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs," *Kronos* 44, no. 1 (2018): 123–44.

The Visual Politics of Exhumation and Reburial Photography

To delve deeper into this issue of political objectification, I have chosen to focus on the visuality of the disappeared dead and politically missing, including the processes of exhumation and reburial, specifically as produced through photographs. My work sits in relation to that of Katherine Verdery, who speaks of dead bodies having political lives through their symbolic efficacy. A dead body, Verdery argues, "is meaningful not in itself but through culturally established relations to death and through the way a specific dead person's importance is (variously) construed".[15] And because of this, bodies, especially those established as political leaders have worked to influence the political order through their construed meaning. Similarly, the political lives of dead bodies have also been addressed by Van Laun, Riedwaan Moosage,[16] Nicky Rousseau,[17] Ciraj Rassool, and my fellow Forensic History Project members, like Rosália Mendes[18], Nomzamo Mtuse and Vuyokazi Luthuli.[19] Yet, whilst Francisco Ferrandiz and Alejandro Baer have commented on the extensive use of media, suggesting that the 'use of visual media to capture social action in the surroundings of the exhumations serves as both a recording and as a triggering device for …emerging social memory'[20] in South Africa, with the exception of Bianca van Laun, there has been little attention paid to visual media on exhumations and reburials, specifically in relation to dehumanisation. Whilst, Edkins and others have greatly explored the terrain of portrait photographs and the missing, barely any of this work has been extended to exhumations and

[15] Katherine Verdery, *The Political Lives of Dead Bodies* (New York: Columbia University Press, 1999), 28.
[16] Riedwaan Moosage, "Missing-ness, History and Apartheid-era Disappearances: The figuring of Siphiwo Mthimkulu, Tobekile 'Topsy' Madaka and Sizwe Kondile as missing dead persons" (Ph. D., University of the Western Cape & Vrije Universiteit Amsterdam, 2018).
[17] Nicky Rousseau, "The Farm, the River and the Picnic Spot: Topographies of Terror," *African Studies* 68, no. 3 (2009): 351 – 369.
[18] Rosália Mendes, "The Everyday Life and the Missing: Silences, Heroic Narratives and Exhumations" (M.A, University of the Western Cape, 2020).
[19] Vuyokazi Luthuli, "Re-humanisation, history and a forensic aesthetic: Understanding a politics of the dead in the figuring of Ntombikayise Priscilla Kubheka" (M.A., University of the Western Cape, 2020).
[20] Francisco Ferrandiz & Alejandro Baer, "Digital Memory: The Visual Recording of Mass Grave Exhumations in Contemporary Spain," FQS 9, no. 3 (September 2008).

reburials. Besides the work done by Ferrandiz and Baer, Van Laun[21] and Victoria Sanford,[22] I have also noticed how portraits and photographs of victims of political violence are simultaneously being used to influence social memory and undo the powerful hold perpetrators of political violence continue to have on social memory.

Pietersen's exhumation was not just a visually stunning experience for me, it was also an event that was extensively photographed by multiple bodies of people for multiple reasons. Most notable to me at the exhumation of Pietersen were the journalists, such as the trainee Stephan, the investigative journalist Gadeeja Abbas, and the videographer Matthew van Schalkwyk who were there with the intent of reporting the day's news. I noted here that to them Pietersen's re-emergence into the public, at least as defined at the moment, constituted an important enough historical event to report on. Then there were photographers from the MPTT, who photographed the team's activities and processes, the field's conditions and findings for forensic purposes and documentation. There were, also, those documenting the event that attached significant personal meaning to it, who were not there as family or a profession. One such person was Kerchavel Francke. Francke was a former part-time photographer, now a habitual photographer, who was simply interested in documenting what he considered important events in the place he grew up in - Paarl. Perhaps, as he told me, he will one day produce a photographic journal of all that entered into his personal history and photographic interests.

Watching the exhumation and watching those taking photos or videos engaged my imagination and compelled me to think about the place of the visual in efforts to re/humanise

[21] Bianca Van Laun, "Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs," *Kronos* 44, no.1 (2018): 123–44.
[22] Victoria Sanford, "Photography and the Battle for Guatemala's Memory," *Journal on Social History and Literature in Latin America* 6, No. 2 (Winter 2009): 317 -331.

the politically dead. The following chapters focus therefore on the way these processes – exhumation, handover and reburial - are translated through the visual medium to different bodies of people. I ask the questions: How are these frictions represented and/ or produced in the visual records of exhumations and the ceremonial moments that follow, including photographs taken at reburials? I think about what kinds of narratives they enable or disable of the dead. To me this is central in understanding the power and the potential of visual technologies, a rapidly developing field, in both the forensic and memorial work associated with exhumations and reburials. In particular, these questions are pertinent, I believe, when exploring and rethinking questions of dehumanisation and re/humanisation of the dead when they reappear in public spaces.

In so doing, I seek a solution to the dehumanisation caused by unjust burials owing to interference of burial rights by the apartheid state and dehumanisation through bureaucratic objectification when the dead are re-buried according to a politicized funeral script. Both of these, I argue following Sylvia Karl, dehumanise by making the dead person invisible in some manner to family, community and the public, by essentially removing their individuality.[23] I turn to photography and argue that its inability to hold onto a singular meaning is exactly why it can help mitigate these forms of de/humanisation. In doing so, I ask what methods of reading photography may work to further dehumanise the missing dead by continuing to objectify them, and what ways may work to re/humanise them by highlighting their personhood alongside their politics.

[23] Sylvia Karl, "Missing in Mexico: Denied victims, Neglected Stories," *Culture & History* 3, 2 (2014).

Chapter Outline

Chapter One, TRC Missing Persons and the Disappeared Dead of the Western Cape, provides a historical context and background to those disappeared dead and politically missing from Cape Town and the Western Cape, whose plight was reported to the Truth and Reconciliation Commission (TRC). I define the disappeared dead as persons abducted and subject to enforced disappearance by the state, as well as those killed in political circumstances whose bodies were buried by the state as unnamed paupers. The latter group I define as disappeared dead because families were often not given proper opportunity to bury and mourn them according to cultural norms and rituals. I briefly discuss the history of the TRC and its efforts to promote reconciliation, truth recovery and reparation for the disappeared dead and their families. Hereafter, I discuss the Missing Persons Task Team (MPTT) established in terms of the recommendation made by the TRC to continue to investigate those missing persons cases which it had been unable to resolve. Those from the Western Cape include MK operative, Looksmart Ngudle, a 90 day detainee who died in custody, members of the PAC's armed wing Poqo who were hanged at the gallows at Pretoria Central Prison as well as several extra-judicial killings – of mostly ANC combatants - in the 1980s by police. A key concern of this chapter relates to the arguments I have made above regarding the importance of re/humanising the politically dead. As part of that discussion, the chapter considers what has been referred to the South African funeral script as an important part of the political ceremony intended to provide the disappeared dead with a dignified funeral. Drawing on Jay D. Aronson and Fullard, this chapter closes by challenging the overreaching political narrative of the South African funeral script. This challenge to the funeral script establishes the direction that the thesis takes: namely, questioning bureaucratic categorisation of the politically dead and pursuing the person beyond the politics that highlights their importance to the general public.

In Chapter 2, Forensics, Counter-Forensics and Photography, I examine how counter-forensic photographs participate in the production of evidence for acts of human rights abuse in pursuit of justice for victims of disappearance. The main scholarship relied on here to explain counter-forensic photography is that of Allan Sekula and Thomas Keenan. The work of Patricia Hayes on the South African photographic collective Afrapix stimulated me to think of a counter-forensic photographic tradition in South Africa. The collective took photographs of human rights violations and injustices occurring under the apartheid state. Their work mirrored counter-forensic photographs, in that what was captured was used as a weapon against the state and helped to build anti-apartheid sentiment around the world and make visible its victims. I then discuss Riedwaan Moosage's work on how a medical photograph of Siphiwo Mthimkulu and a photograph of his mother, holding up a clump of his fallen out hair and scalp make counter-forensic claims on Mthimkulu's behalf.

In this chapter, how the dead and disappeared are produced counter-forensically is discussed both for its value for human rights work and then its limitations in re/humanising the disappeared dead and politically missing. I argue that counter-forensics risks reproducing the disappeared in ways that may further dehumanise them by continuing their existence as state or bureaucratic objects. My argument is an extension of Moosage's and Bianca Van Laun's work, who acknowledge that counter-forensic photographs help produce a legal person but are limited in producing personhood, or what Jenny Edkins calls the 'person-as-such.' This encompasses the incalculable traits that define a person, including their personal ideas, beliefs and politics, their personal, social and political relationships, their taste in food, humour, and other such traits that are ultimately irretrievable upon death.

Chapter 3, Photography and Re/humanising the Disappeared Dead, explores ways of reading types of photographs of the dead – their portraits (self and family), family snaps, exhumation and reburials – in ways that counteract the limitations that stem from reading photographs within a bureaucratic framework. This chapter is a response to the critiques suggested by Van Laun and Moosage of the counter-forensic readings of photographs in the second chapter. It discusses the assertion of the person-as-such by briefly exploring efforts made by the mothers of the disappeared in Argentina for the visibility of their missing sons and husbands through protests organised by the *Madres de la Plaza*. I then examine and explore the scholarly works of Jenny Edkins and Gustav Germano associated with portrait photographs in relation to disappeared persons (including photographs of disembodied American soldier faces, unnamed people caught up in the Rwandan Genocide, and family portraits and snapshots of victims of disappearance of the 1976 Argentinian dictatorship), making an argument for them as a way of asserting the disappeared dead's claims to being a 'person-as-such'. I argue that portraits, family snapshots and photographs taken at exhumations and reburials act to some extent as a way of addressing the critique of reading the dead counter-forensically. I argue, alongside scholars such as Van Laun and Edkins, that by highlighting their politics over the reasons for which they are primarily missed as persons-as-such, the dead continue to be objectified for bureaucratic reasons and this, to an extent, is a form of dehumanisation. However, whereas Van Laun argues that the person-as-such is difficult to access once people are tied into a bureaucratic state politics, I argue that when we look at photographs of faces one at a time, something else is available. Even when enveloped by a politics, gazing at portraits eye to eye, we interpret their personalities and thoughts in that moment, like any other person, based on our own social reality and thus despite the politics, we are able to see them as human beings first. This view, as suggested earlier, extends to their family and those present at the funeral. I make my argument, returning to the case of the person whose

exhumation first inspired my thesis, Norman Pietersen, examining the photographs taken of his remains, his casket, his family and his comrades at his exhumation and reburial and disseminated to the public through news outlets and print media.

Chapter 1:

TRC Missing Persons and the Disappeared Dead of the Western Cape

According to Ciraj Rassool, following the end of apartheid, human remains associated with colonial and apartheid violence emerged as an important traumatic legacy that needed to be addressed.[24] In this thesis, I focus on a subsection of the latter, namely the disappeared 'dead of apartheid era atrocities'.[25] When I speak of the disappeared dead, I am referring to persons who were abducted and killed by the state or rival political groups. I am also speaking of those known to have been killed but whose bodies were buried by the state in gravesites unknown or inaccessible to families: hence making them missing to families. I regard their condition after death as disappeared because family have no access or do not know where their remains are. I examine how addressing issues of repatriation, restitution, and reburial for those who died from this type of political violence have been regarded as extremely important in fostering reconciliation between the state and its citizens.[26] In this chapter, I explore the work of the Truth and Reconciliation Commission (TRC) and the Missing Person's Task Team (MPTT), two instruments of the post-apartheid government, which have directly addressed these cases of the disappeared dead in relation to reconciliation, truth recovery and reparation efforts. I pay particular attention to those cases occurring or involving persons from Cape Town and the Western Cape. I argue that the way the exhumations and reburials of the disappeared were handled, or scripted, aimed to further foster healing from the injustices of the past by providing families with material reparations,

[24] Ciraj Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," in *The Politics of Heritage in Africa: Economies, Histories, and Infrastructures, ed. Derek R. Peterson, Kodzo Gavua, and Ciraj Rassool* (New York: Cambridge University Press, 2015), 133-56.
[25] Nicky Rousseau, Riedwaan Moosage and Ciraj Rassool, "Missing and Missed: Rehumanisation, the Nation and Missing-ness," *Kronos*, 44 (2018): 18.
[26] Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," 133.

as opposed to spoken reparations (thus more tangible as opposed to only political theatre[27]).

To comprehend the mammoth task of truth and reconciliation, the South African government set up the TRC drawing significantly on the model of Latin American commissions, which had dealt with government sanctioned and unsanctioned violence that constituted gross violations of human rights.[28] Following a call for such a commission in 1992 by the ANC,[29] the TRC was inaugurated on 16 December 1995,[30] when former President Nelson Mandela, appointed commissioners to the TRC with the intent that the TRC would act "as part of the bridge-building process designed to help lead the nation away from a deeply divided past to a future founded on the recognition of human rights and democracy".[31] The TRC's goal was to "redress and prevent the most severe violations of human rights by confronting legacies of mass abuse..., to find... holistic solutions to promote accountability... and... create just and peaceful societies".[32]

As part of its mandate, the TRC was expected to uncover "the truth about the past gross violations of human rights". [33] Relying on the Preamble of the Promotion of National Unity Act No 34 of 1995 for its definition, the TRC defined gross violation of human rights as those whose rights had been violated in relation to the political conflict of the past through four

[27] "Brecht – Political Theatre," A NSW Government website – Education, accessed September 4, 2021, https://education.nsw.gov.au/teaching-and-learning/curriculum/key-learning-areas/creative-arts/stages-4-and-5/drama/brecht-political-theatre. I consider political theatre as the rhetoric that politicians engage in to win political favour with a particular community, population, or affected individual with respect to a particular type of political issue, or even to make those outside of the issue aware of the problem and potentially win their favour. Political theatre often encourages awareness of particular situations, making those affected by the political issues more visible. Therefore, I believe in many situations this theatre may be important when it comes to engaging the public. However, I use the term here in the sense that politicians or political entities speak of changing the situation of a community, but do not follow through tangibly and may only bring awareness to the issue. Whilst awareness is a positive outcome, in reality without actually having to do anything that changes the situation of the affected individual or community of people, the political entities gain more from making certain issues visible, by gaining political influence, without actually tangibly addressing those issues and changing the community's situation.

[28] Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," 141.

[29] *Truth and Reconciliation Commission of South Africa Report*, Volume 1 (Cape Town: Juta, 1998), 49. Hereafter TRC *Report*, Vol.1.

[30] TRC *Report*, Vol. 1, 44.

[31] TRC *Report*, Vol. 1, 48.

[32] Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," 141.

[33] TRC *Report*, Vol. 1, 55.

particular categories: acts of killing, torture, abduction and severe ill treatment.[34] The TRC's mandate, therefore, focused specifically on "human rights violations committed as specific acts, resulting in severe physical and /or mental injury, in the course of past political conflict".[35] The idea was that the TRC would be one of the instruments that would help invoke transformation in the country, with its mandate specifically catered to citizens' 'bodily integrity rights'. These rights included "the right to life, the right to be free from torture, the right to be free from cruel, inhuman, or degrading treatment or punishment and the right to freedom and security of the person, including freedom from abduction and arbitrary and prolonged detention".[36]

To achieve their intended goal, the TRC's mandate envisaged that reconciliation would only occur by making the past injustices regarding these human rights violations as transparent as possible. In order to achieve its goal, the TRC collected 22 000 Human Rights Violation (HRV) statements made by victims[37] as well as received just over 7 000 amnesty applications.[38] The TRC was also granted legislative powers under section 29 of the TRC Act, which enabled it to create special hearings to obtain more information from perpetrators and from others whom it believed may have had information about any open cases.[39] These together with submissions and public hearings formed the basis of its attempt to tell as complete a story as possible about the injustices of the past and make that story actively publicly available.[40] From these statements, the TRC identified a great need by many relatives and comrades to find out the fate and whereabouts of those who went missing,

[34] TRC *Report*, Vol. 1, 63-4.
[35] TRC *Report*, Vol. 1, 64.
[36] TRC *Report*, Vol.1, 64. The TRC notes in its final report that, while it was mandated to investigate and record cases of killing, torture, abduction and severe ill-treatment, these were not the only violations of human rights that most South African's faced as a result of segregated development, such as forced removals.
[37] TRC *Report*, Vol. 6, Section 4, Chapter 1, 531.
[38] TRC *Report*, Vol. 1, Chapter 10, 267. The final report notes 7127 amnesty applications. TRC Website, https://www.justice.gov.za/trc/amntrans/ (accessed 22 February 2021). On the website that hosts the TRC report, however, the official Truth and Reconciliation website, the number is recorded as 7112.
[39] TRC *Report,* Vol. 6, Section 4, Chapter 1, 519-20.
[40] TRC *Report*, Vol. 1, Chapter 4, 48-9.

disappeared or who had been, as Rousseau puts it, "unjustly buried".[41] Approximately 1500 such cases were reported to the TRC. A small number of the disappeared were buried in secret graves "located in the former Transvaal, KwaZulu/Natal and the Orange Free State, near the borders of Lesotho, Swaziland and Mozambique"[42] while others were buried as unidentified paupers in formal cemeteries. The TRC exhumed 50 bodies of guerrillas from both pauper graves and clandestine graves.[43] However, they had opened a further 200 cases, which they could not complete by the end of their mandate, given how long each exhumation process took.[44]

Unlike the other forms of missing person cases, the bodies of many guerrillas who had died in skirmishes, ambushes or judicial executions were handled within a legal regime under the apartheid law. This meant that their deaths were documented in mortuary records and assigned a pauper's grave, effectively becoming property of the state. And whilst they were not given names, being appointed the moniker of 'unknown black body' or 'unknown terrorists' they would often be "[p]hotographed, fingerprinted, and transported to a police mortuary, where they would be given a state sanctioned post-mortem examination".[45] Following this, many of the bodies would be buried by the state, often through private undertakers in local gravesites set aside by the city council for "indigent or unclaimed bodies".[46] This bureaucracy provided investigators searching for the missing the evidence they needed to find the bodies. However, it also meant that in relation to the available evidence, most of the bodies being discovered by investigators were combatant and guerrilla

[41] Nicky Rousseau, "Identification, Politics, Disciplines: Missing Persons and Colonial Skeletons in South Africa," in *Human Remains and Identification: Mass Violence, Genocide, and the 'Forensic Turn', ed. Elisabeth Anstett and Jean-Marc Dreyfus* (Manchester University Press, 2015), 175-77. Rousseau defines the unjustly buried as those whose "funerals [were] banned or disrupted, bodies treated callously or just missing, demonstrating how not even death enabled the raced body to escape apartheid's bounds".
[42] TRC *Report*, Vol. 2, Chapter 6, 543.
[43] Rousseau, "Identification, Politics, Disciplines," 185.
[44] TRC *Report*, Vol. 2, Chapter 6, 543.
[45] Rousseau, "Identification, Politics, Disciplines," 177.
[46] Rousseau, "Identification, Politics, Disciplines," 177.

bodies.

In many cases of people who had disappeared in exile, the TRC had access to information provided to them by political parties. The majority of these were ANC. The TRC reports that the ANC's records of their members and their submissions to the TRC helped it to identify those who disappeared in exile and in some cases what their fate had been. While not detailed, the ANC submissions record whether and when someone had died of natural causes, by enemy hands or in accidents.[47] Following 1990, the ANC helped track down families of those who had died in exile, to inform them what had happened to their loved ones. This same information was handed over to the TRC.[48] However, the TRC does note that in certain cases, the ANC's records conflicted with other information about the conditions and reasons for death or disappearance of those missing in exile.[49]

The first bodies exhumed by the TRC were of three ANC guerrillas who had been abducted, interrogated and killed in three separate incidents before being buried on farms rented out to the security police in then Natal. They were discovered when the perpetrators of the disappearances showed investigators where they had secretly buried the men.[50] A month later on the 9 April 1997, the bodies of four combatants, Lesaja Sexwale, Sureboy A Dali, Thabo Rakuba and Mthimkhulu Masvuso, who had died on 13 August 1981 infiltrating South Africa and had been buried secretly, were exhumed at Lushof farm, Rouxville, near Aliwal North, Eastern Cape.[51] Rousseau argues that these exhumations highlighted a history of South African guerrillas who died at the hands of security forces during their infiltration back into South Africa and whose bodies were not returned to families, "rendering them missing

[47] TRC *Report*, Vol. 6, Section 4, Chapter 1, 526
[48] TRC *Report*, Vol. 6, Section 4, Chapter 1, 526.
[49] TRC *Report*, Vol. 6, Section 4, Chapter 1, 525.
[50] Rousseau, "Identification, Politics, Disciplines," 177.
[51] TRC *Report*, Vol. 2, Chapter 6, 546.

persons".[52] Upon further amnesty disclosures, investigators were led to believe that in many instances security police themselves planned ambushes against guerrillas. Although they would report these as skirmishes, they allegedly had no intention to arrest the guerrillas. This, according to Rousseau, produced the guerrilla body as primary examples of the unjustly buried, those not only seeking "forms of care", but also "restitution, and justice," that could result from the "TRC efforts to trace, exhume and identify them".[53]

From the many HRV statements pursuing missing persons, the amnesty applications, and in small part investigations done in terms of section 29, the TRC was capable of classifying types of disappearances at the end of their mandate. [54] These categories placed the missing either in categories that fell inside the TRC's mandate, or those that fell outside of it.

After analysis of cases reported to it, the TRC described five types of disappearance in its *Report*: "abductions and enforced disappearances"; "disappearances in exile" ; "disappearance during periods of unrest"; "disappearances regarding as out of the Commission's mandate"; and "cases of indeterminate cause".[55] The TRC's mandate, however, was limited, as the only group that met the category of abduction were those who had been abducted or forcibly disappeared. I would argue that those whose deaths were known but whose remains had been concealed or not returned specifically to their families should also have fallen within the category of abduction (disappeared).

The TRC's exhumations were not without error. Determined to return the bodies of the exhumed to families as soon as possible, TRC investigations were done outside of the forensic practices developed by groups such as Physicians for Human Rights and the

[52] Rousseau, "Identification, Politics, Disciplines," 177.
[53] Rousseau, "Identification, Politics, Disciplines," 177.
[54] TRC *Report,* Vol. 6, Section 4, Chapter 1, 519-20.
[55] TRC *Report,* Vol. 6, Section 4, Chapter 1, 519.

Argentine Forensic Anthropology Team (EAAF).[56] The latter had dealt with exhumations since the mid-1980s, and so with experience relied heavily on forensic expertise within the anthropological and archaeological fields. Instead of doing the same, aside from some discussion with members of the EAAF, the TRC functioned separately from the established "forensic frameworks developed" by the international collective searching for the disappeared.[57] As Rousseau asserts, aside from some 'technical advice' given by the EAAF on a single case, none of the exhumations handled by the TRC were done using a forensic anthropologist or archaeologist and "autopsies were not performed as a matter of procedure" on the exhumed remains.[58] Instead, some exhumations were overseen by pathologists, and others were overseen by police forensic laboratory members. For the most part, they only took photographs and oversaw the process of excavations, which had largely been done using "front-end loaders, assisted by local grave diggers, who also assisted the police forensic unit to remove the skeletal remains".[59] The lack of expertise led to many anomalies, which, in some cases, produced incorrect identities for the remains handed over to families.[60]

These anomalies were discovered during an audit of the exhumations. The TRC had received many requests from families to "trace and exhume the bodies of loved ones".[61] However,

[56] The EAAF were established in 1984 in order to investigate the "approximately 9000 people" estimated to have been disappeared by the 1976 Argentinian dictatorship between 196 and 1983. Today the EAAF works in 30 countries across four continents, investigating cases of people who had gone missing and died as a result of war crimes and violations of human rights and returning them to their family. These countries include South Africa, where the EAAF lends it's expertise to the MPTT. Cecilia Ayerdi, Patricia Bernardi, Daniel Bustamante, Mercedes Doretti, Sofía Egaña, Luis Fondebrider, Anahí Ginarte, Darío Olmo, Miguel Nieva, Silvana Turner, Carlos Somigliana, Raymond Pettit, Ariadna Capasso, Lesley Carson, & Gwen Ladisch, "Introduction to EAAF and Objectives of EAAF's Work," in *EAAF 2007 Annual Report,* ed. Mercedes Doretti, Raymond Petit, Ariadna Capasso, & Lesley Carson, 2007, 2, https://www.yumpu.com/en/document/read/41297033/argentine-forensic-anthropology-team-eaaf (accessed 30 October 2021).
[57] Rousseau, "Identification, Politics, Disciplines," 179.
[58] TRC *Report*, Vol. 2, Chapter 6, 544.
[59] Rousseau, "Identification, Politics, Disciplines," 179.
[60] Rousseau, "Identification, Politics, Disciplines," 179-80. For Rousseau the irregularities undermined the powerful images of the TRC handing over remains that acted as 'evidentiary proof' of reparations, as opposed to only speaking about it.
[61] TRC *Report*, Vol.6, Section 4, Chapter 2, 554. After the first five volumes of the Report were handed to government in October 1998, the main work of the HRV Committee came to an end, while the amnesty process continued.

owing to the limited time before the HRV Committee was suspended in 1998, it was unable to address all these cases. The TRC, understanding the strong need for the exhumations to continue, given the "hundreds of requests from families", approached the Minister of Justice who dealt with matters relating to the TRC, about continuing the exhumation programme while the Amnesty Committee completed its work.[62] In response to this, the Minister of Justice requested a comprehensive report on the exhumations they had already done, which would enable the government to make further decisions about future exhumations. Two researchers were tasked to produce the report. They found that the TRC had exhumed 50 bodies and that in one of the two regional offices involved in exhumations a number of irregularities had occurred that left the results of some cases as inadequately corroborated.[63] This report later formed the basis for the chapter in Volume Six of the TRC Report published after the Amnesty Committee had completed its work and the TRC closed down.

At the time when the TRC ended, the fate of 477 persons remained unknown.[64] The vast majority of these cases occurred in the 1980s, during the increase in political resistance to the apartheid state, and then again in the 1990s, due to increased violence between rival political groups, frequently arising from state involvement.[65] The 477 people included some cases where the fate of the missing person had been resolved – for instance that they had been killed – but their bodies still remained missing. However, many such cases were not included in the count because in "a number of instances where disappearances were solved through investigations or amnesty applications, the data was recoded to reflect the outcome of the

[62] TRC *Report*, Vol.6, Section 4, Chapter 2, 554.
[63] TRC *Report*, Vol.6, Section 4, Chapter 2, 556 – 562.
[64] Riedwaan Moosage, "Missing-ness, History and Apartheid-era disappearances: The figuring of Siphiwo Mthimkulu, Tobekile 'Topsy' Madaka and Sizwe Kondile as missing dead persons" (Ph. D., University of the Western Cape, 2018), 44.
[65] Jay D. Aronson, "The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons," *The International Journal of Transitional Justice* 5, no. 2 (2011): 264.

investigation".[66] In other words, where cases had previously been classified as disappearances but the person was found to have been killed, their case might have been recoded to killing. The 477 people that the TRC recognised as missing was thus not an accurate number, as the TRC itself recognises.[67]

Following the HRVC investigation, when writing the final two volumes of its report the TRC submitted to parliament in 2003, the TRC recommended that a specialised task team be established to continue the work of investigating unresolved cases as well as addressing those exhumations that the HRV investigation found to be questionable. It also recommended that where cases were found to be politically motivated, there should be further investigation to locate, identify and exhume the remains and return them to their families.

Learning from mishandling of previous exhumations, the TRC recommended that the group superseding it in exhuming bodies be adept at the 'best forensic practices' that it had not themselves practiced and thus provided a set of "guidelines and criteria for future exhumations". [68] These recommendations included consulting with families before exhumation for ante-mortem information, providing families with psychological support during the period of exhumation, having qualified forensic, medical and legal personnel handle the exhumation and identification process and providing families with a true assessment of the situation as to not build up false expectations.[69] These best practices sought to provide as accurate and true information as possible about the disappeared dead, without furthering their indignity through unskilful assessment.

Following the TRC's recommendations, the National Prosecuting Authority (NPA)

[66] Rousseau, "Identification, Politics, Disciplines," 188.
[67] TRC *Report*, Vol. 6, Section 4, Chapter 1, Footnote 3, 519. Also See Footnote 92 in Moosage, "Missing-ness, History and Apartheid-era disappearances", 44.
[68] TRC *Report*, Vol.6, Section 4, Chapter 2, 554-556
[69] TRC *Report*, Vol. 6, Section 4, Chapter 2, 556-569.

established a unit within it called the Missing Person's Task Team (MPTT) in 2004-5.[70] Its responsibility was to continue the mission put forward by the TRC regarding the missing disappeared dead – namely, "locating remains of murdered or executed cadres, as an aspect of the work of symbolic reparation, national healing, and transitional justice".[71] From the outset the MPTT consulted with the EAAF, which conducted its first exhumations and subsequently assisted in training and developing the South African team. An EAAF member is part of the MPTT team.[72] The work of the EAAF is often tied closely with the work of memory projects happening in a country, such as the establishment of memory sites for those that were forcibly disappeared and killed, as a means of addressing its "legacies of violence".[73] In South Africa, the most prominent memory site is Freedom Park, where families are presented with the remains of their disappeared dead, in a handover ceremony, after the MPTT concludes its exhumation and investigation.

The cases that the MPTT are mandated to address are specifically limited to those missing persons cases categorised at the end of the TRC as being political in nature. These include investigating apartheid-era extra-judicial killings where the fate of the person is known, but where the remains of that person were unknown or buried in an improper gravesite.[74] Later this would come to include judicial killings of political prisoners who were hanged and buried in unmarked graves.[75] The TRC also advised that cases where a political motive had not been established be re-investigated in order to establish whether this determination had been correct. Unless politically motivated, these cases fall outside of the MPTT's mandate. Like the TRC, then, the MPTT would focus on the 'dead of apartheid-era atrocities' and not

[70] Rousseau," Identification, Politics, Disciplines," 188.
[71] Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," 133.
[72] Rousseau, "Identification, Politics, Disciplines," 188.
[73] Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," 140.
[74] Moosage, "Missing-ness, History and Apartheid-era disappearances", 1-2.
[75] Moosage, "Missing-ness, History and Apartheid-era disappearances", 73.

'apartheid-era missing dead', which arose from structural or everyday violence.[76]

The MPTT has seen great success in their endeavours to locate and exhume the disappeared dead. In what I argue is one of their most notable cases, the last of the 10 members of the Mamelodi 10, that had eluded the team since 2006, was discovered on 19 December 2019, using the latest in drone technology .[77] As of 25 February 2021, the MPTT had exhumed the bodies of 166 persons, of those persons exhumed 161 had been reburied, whilst the remainder still needed to be identified and handed over to family.[78]

The MPTT does face challenges when looking for bodies. Without enough linking evidence such as medical reports, documentary traces, victim and perpetrator testimony, resolving cases and locating bodies is next to impossible. This means that the MPTT is limited to cases that have some documentary trace.[79] These unfortunate limitations head of MPTT, Madeleine Fullard, posited means that some bodies will remain missing indefinitely. As Fullard stated "where people were killed and secretly buried, only the perpetrators know where that person is buried… [there] are cases where the paper trail just doesn't exist any longer", and it is these cases the MPTT would be unable to "work out".[80] As a result, most of the bodies the MPTT tends to resolve are those bodies for whom there is a documentary trace. These are primarily guerrillas, killed in ambushes or skirmishes as well as those sentenced to death; in contrast the bodies of those killed in "protest action or inter-civilian violence", while there may be documentation, some were unidentified and buried in city cemeteries alongside people who had died from criminal or inter-personal violence, causing their bodies to be

[76] Rousseau, Moosage and Rassool, "Missing and Missed," 18.
[77] Shaun Smillie, "New tech helps find last of the remains of the Mamelodi 10," *IOL,* Feb 8, 2020, https://www.iol.co.za/news/south-africa/gauteng/new-tech-helps-find-last-of-the-remains-of-the-mamelodi-10-42307721.
[78] This information was given to me through email correspondence with Madeleine Fullard, head of the Missing Person's Task Team.
[79] Rousseau, "Identification, politics, disciplines," 189.
[80] Lucas Ledwaba, "The truth lies in their bones," *City Press*, July 10, 2011, 25.

indistinguishable from each other.[81] Rousseau argues that because of the high number of guerrilla bodies exhumed, exhumations and more especially reburials have come to take on a script that is embedded in the military send off, nation-building and the "endurance of combatant identities".[82]

Missing and Disappeared Persons in the Western Cape: A Regional and Local Focus

Of the 477 people on the TRC's list whose fates were uncertain, fourteen are from the Western Cape. Disappearing between 1969 and 1992, all were male, all from Cape Town, pre-dominantly from Nyanga, Khayelitsha and Gugulethu, while one disappeared whilst serving a sentence on Robben Island. Three of them were recognised as being abducted (enforced disappearances), two were considered to have gone missing after leaving for exile, two disappeared during periods of unrest, four of the cases were regarded as outside of the TRC's mandate and in three of the cases the TRC could not determine the cause or context for their disappearance. The following perpetrators were named in statements: the South African Police, the Security Branch, the PAC and the 'witdoeke',[83] with the rest of the perpetrators' identities not known. All three cases of abduction (enforced disappearance) allegedly occurred during periods of detention. A victim from Khayelitsha disappeared during or after being held at Pollsmoor Prison, another was last seen at the Grand Parade where a clash between the youth and the police occurred during the rally addressed by Nelson

[81] Rousseau, "Identification, politics, disciplines," 189-190.
[82] Rousseau, "Identification, politics, disciplines," 189-190. Rousseau states that because the funeral scripts place emphasis on it being "politicized moments of resistance and mobilization" very little of the personal and familial grief is truly acknowledged.
[83] SAPA, 'TRC Hears how police colluded with Witdoeke in reign of terror', June 9, 1997, available at https://www.justice.gov.za/trc/media/1997/9706/s970609d.htm (accessed 10 May 2021). The Witdoeke were a vigilante group supported by the state's security police active in KTC squatter camps between December 1985 and June 1986. They are known to be responsible for leaving 60 000 people homeless, and some 60 people dead in a "concerted wave of violence". Security police are known to have transported the Witdoeke to raids and helped to transport their prisoners to kangaroo courts.

Mandela on the day of his release.[84] With the exception of the Robben Island case, none of the people I examine in this chapter make it onto the TRC's list of 477 unsolved missing persons. The people that I discuss form part of the MPTT investigations into those persons whose fates were known but whose bodies remained missing, specifically to family. These bodies include persons judicially hanged in the 1960s (i.e. convicted and sentenced to death) and those extra-judicially killed in the 1980s and early 1990s by security forces and rival political parties.

Most of the unresolved cases of missing persons on the TRC's list as well as those who I consider as the disappeared dead can be linked to two heavy periods of repression and the Western Cape follows this pattern. The first followed the 1960 Sharpeville massacre. Driven by a long standing resentment towards apartheid's pass laws, which greatly repressed the movement of 'African' adults in South Africa and required them to have permission to be and to work on 'white land', including the major urban areas, protestors marched to the Sharpeville police station to protest what they saw as an injustice.[85] Such permission was recorded in a reference book or 'dompas', which they were required to carry on them at all times and which acted as an identity document that documented the bearers' movements.[86] The attempt to extend the pass law to women led to both the ANC and PAC adopting campaigns against pass laws. On 21 March 1960, the PAC launched its campaign, calling on their supporters to disobey the law and to present themselves at police station, without their

[84] Email correspondence with Nicky Rousseau, March 26, 2021. The names of the victims as well as other identifying details were redacted from the document shared. The document records a further unknown number of unnamed victims cited in a statement. However, because of the absence of information, these were not categorised. Another individual listed had been shot by police during a student uprising in 1985. However, as his body had been found a few days later in a mortuary, this case was regarded as inaccurately coded.
[85] Michael Savage, "The imposition of Pass Laws on the African Population in South Africa 1916-1984," *African Affairs* 85, 339 (1987), 181-182. The history of Pass Laws in South Africa traces as far back as the 1760s in the Cape and aimed at limiting the movement of slaves between urban and rural areas. These laws, similar to the Apartheid Pass Laws, required specific types of people to carry passes to be in certain areas outside their jurisdiction, and acted as a way of white rule to police and control their areas, obtaining political security at the same time by limiting African presence.
[86] Bianca Van Laun, "Administrative Death: Bureaucracy, capital punishment and governmentality in South Africa during the 1960s" (Ph.D., University of the Western Cape, 2018), 58-9.

passes, encouraging the police to arrest them. At Sharpeville, police opened fire on the crowd leading to the deaths of 69 protestors, which led to international scrutiny and opposition to apartheid police actions. Following the massacre, the government declared a state of emergency in terms of the Public Safety Act of 1953.[87] This Act allowed for the detention of any person deemed dangerous to the safety of the state and allowed the police to ban meetings and gatherings. On 31 March 1960, the apartheid state banned the ANC and PAC as political groups.[88] Around the same time as the massacre, there was ongoing resistance against colonial appointed traditional leaders in Pondoland in the Transkei.[89]

Following the banning of the ANC and PAC both organisations created underground armed wings, ANCs Umkhonto we Sizwe (MK) and PACs, Poqo. MK adopted a strategy based on attacking government installations or economic and symbolic apartheid structures, with the intention of pushing the government "to their senses" before the increasing repression resulted in a violent civil war.[90] In practice, some MK units regarded military and police personnel, as well as suspected informers and collaborators of the apartheid state as targets. Poqo called for an insurrection and adopted a strategy which targeted what it perceived as collaborators of the state and whites in general.[91] Two of their strongest support bases were in the Western Cape's Paarl and the township of Langa in Cape Town and their activities in these locations resulted in the deaths of a handful of people.[92]

In response to the actions of MK and Poqo, repression intensified. In 1963, the government passed the General Law Amendment Act, better known as the 90 day detention Act. The Act

[87] TRC *Repor*t, Vol.3, Chapter 6, 528.
[88] Bianca Van Laun, "In the Shadows of the Archive: Investigating the Paarl march of November 22nd 1962" (M.A., University of the Western Cape, 2012), 1.
[89] Van Laun, "In the Shadows of the Archive", 122. The revolt occurred when the apartheid government appointed chiefs, dismissing those who had been appointed according to local tradition. The appointed chiefs were friendlier to the state's rule. See Footnote 38.
[90] TRC *Report*, Vol. 2, Chapter 1, 10.
[91] TRC *Report*, Vol. 2, Chapter 1, 10-11.
[92] Van Laun, "Administrative Death", 33-34.

allowed police to detain any person suspected of illegal political activities for 90 days without trial or access to lawyers, however, if police desired they could renew the detention order for a further 90 days. Suspects were frequently tortured or assaulted and some 20 political detainees died in custody between 1963 and 1969. These included two Cape Town detainees, Looksmart Ngudle and Imam Abdullah Haron.[93] While the body of the latter was returned and buried by the family, Ngudle was buried in a pauper's grave in Mamelodi West Cemetery, near the prison where he allegedly killed himself.

The Disappeared Dead of the 1960s: Deaths in Custody

Looksmart Khulile Ngudle, who came from Eastern Cape, but lived and worked in Cape Town, was detained along with Fihla Chrismas Tinto by the security police in Western Cape under the 90-Day detention Act[94] and initially held in Caledon Square, Cape Town. The 90 Day Act had been passed on May 1, 1963 – only three months before his detention – by the Minister of Justice, John Vorster.[95] Ngudle's wife, who had last spoken to him before his arrest, was not informed of his detention.[96] She testified at a TRC hearing that he had disappeared without warning: "He didn't even write, he didn't sent any money [sic]".[97] Ngudle was later taken to Pretoria, where he allegedly hung himself on the night of September 4/5, 1963, in his Pretoria North cell.[98] Family and comrades, like Dennis

[93] United Nations Centre against Apartheid, and Lawyers' Committee for Civil Rights Under Law, *Deaths in Detention in South Africa*, 1977, accessed April 2, 2021, http://psimg.jstor.org/fsi/img/pdf/t0/10.5555/al.sff.document.nuun1977_47_final.pdf.
[94] SAPA, 'Senator Tells Commission of Police Beating MK Leader', April 22, 1996, available at https://www.justice.gov.za/trc/media/1996/9604/s960422c.htm (accessed 26 October 2021).
[95] Shaun Smillie, "The Search For Looksmart," *Star*, June 5, 2007, 6.
[96] Philda Essop, "Slain MK detainee to be buried in W Cape", *Cape Argus*, March 5, 2007, 4.
[97] Beauty Ngudle, April 22, 1996. Testimony. South Africa: Truth and Reconciliation Commission. Accessed October 25, 2021, https://www.justice.gov.za/trc/hrvtrans/heide/ct00504.htm.
[98] TRC *Report*, Vol. 3, Chapter 2, 405.

Goldberg, a fellow MK operative, believe, however, that he died as a result of torture.[99] When Ngudle died at the age of 41, the police buried him as a pauper in Mamelodi Cemetery, in Pretoria.

The MPTT was later asked to locate his grave and, following investigation, this was exhumed at the Mamelodi cemetery on 1 March 2007 by the MPTT, led by Madeleine Fullard and EAAF forensic anthropologist Luis Fondebrider.[100] He had been buried with two other bodies, Joseph Malhului, and Maria Maseko.[101] Throughout the day of his exhumation, family and friends held vigil at the gravesite until his remains were exhumed.[102] Tshwane mayor and the Western Cape MEC for Cultural Affairs, Sport and Recreation were also in attendance.

The presence of his family, his political group, members of government and the hymns being sung create a moment of reverence and sacredness. In many ways, it challenges the dehumanisation of his improper burial, as his bones are greeted honourably by those present. His bones are not simply the subject of forensic examination, but of a person who many were mourning and wished to put to final rest. To Ngudle's family, his exhumation and reburial "close[d] a chapter in their lives". They could now "point to a grave of their loved" one.[103] At the same time, his exhumation "reminded of the injustices of the past… it [was] a step toward recognising what [had] happened in the past". [104] More so, "lessons" from Ngudle could be taken "in to the future…, [because] Ngudle was among many others who… made contributions to our democratic society". Ngudle was reburied on 19 May 2007, in his home

[99] Shaun Smillie, "Long wait may be over for MK cadre's family: They Hope to find closure as NPA team secures remains," *Star*, March 2, 2007, 2.
[100] Sholain Govender, "Struggle activist's body exhumed," *Pretoria News*, March 2, 2007, 3. Smillie, "The Field of the Hanged," *Star*, June 6, 2007, 10.
[101] Shaun Smillie, "The Field of the Hanged," *Star*, June 6, 2007, 10.
[102] Govender, "Struggle activist's body exhumed," 3.
[103] Philda Essop, "Slain MK detainee to be buried in W Cape," *Cape Argus*, March 5, 2007, 4.
[104] Essop, "Slain MK detainee to be buried in W Cape", 4.

village of Kwazali village near Alice in the Eastern Cape.[105] The ceremonial handover of his remains to his family took place in Cape Town the week prior to his reburial ceremony. He was buried in his family plot close to his home, three plots away from his wife, who had been buried next to his aunt, Solwandle,[106] whom he had been named after.[107] He was sent off with a gun salute as the phrase: "Amandla Viva ANC Viva, long live the spirit" was shouted by a member in the hall.

In the 1960s, the government enforced the death penalty "for murders motivated by or related to political activities as well as acts of sabotage or treason".[108] When the National Party took leadership of South Africa the number of capital offenses that led to executions increased dramatically and included the Sabotage Act and the Terrorism Act, which was passed in 1967. These two Acts allowed the apartheid government to "criminalise most forms of opposition to the apartheid state".[109] This period also marked an increase in death penalty cases for those charged for capital offenses: common-law crimes of murder, treason and rape…, statuary crimes including robbery/house-breaking with aggravating circumstances, sabotage…, kidnapping, participation in terrorist activities…, and receiving training that could further the aims of communism".[110] Those condemned to death were hanged at the designated Pretoria Central Prison, with the exception of a few apartheid Bantustans, which had their own gallows.

Between 1960 and 1989, 130 political prisoners were hanged by the apartheid government at the Pretoria Central Prisons Gallows.[111] The majority of these – 101 – were hanged in the

[105] Phumla Ngoxolo, "The Home Coming," *Star*, June 8, 2007, 15.
[106] Shaun Smillie, "The Field of the Hanged," *Star*, June 6, 2007, 10.
[107] Ngoxolo, "The Home Coming," 15.
[108] Van Laun, "Administrative Death", 28. For a brief history of the death penalty in South Africa, see Van Laun, "Administrative Death", 23-27.
[109] Van Laun, "Administrative Death", 24.
[110] Van Laun, "Administrative Death", 24-5. The death penalty was abolished on 6 June 1995.
[111] Luvuyo Mfaku, "Exhumation of Ten Members of the Pan African Congress (PAC)," media statement, August 30, 2017, 1, https://www.npa.gov.za/sites/default/files/media-

1960s and were mostly related to those involved (or believed to be) in the Pan African Congresses (PAC) armed-wing, Poqo. These hangings were primarily associated with three incidents, two of which happened in the Western Cape, and the third taking place in the Transkei (which I do not discuss in my thesis), [112] and the circumstances leading up to them, which spanned a four year period from 1960 to 1964. One such incident happened in 1962, Paarl. In that year, several people died during violent acts orchestrated by Poqo, a handful of them leading to the deaths of Paarl citizens.[113] The violent outbreaks eventually culminated in a massive march consisting of 250 men who walked from "the nearby Mbekweni Township to the police station in the town's centre".[114] All in all, nine people died as a result of the violent outbreaks earlier in the year, two people died during the march and five PAC members were shot dead by police.[115]

In response, the government rounded up those they deemed responsible for the violence and charged them in six separate trials. The chief trial, which took place on the 11 March 1963, led to the first three of 21 accused suspects to be sentenced to death for sabotage and "their alleged leading roles in the uprising and belonging to an illegal organisation". [116] They were Lennox Madikane, Vezile Felix Jaxa and Mxolisi Damane, the "first people sentenced to death for the crime of sabotage in South Africa".[117] Also hanged in 1963 were Titus Tembekile Nyovu, Joseph Bhazalele Mqitsane and Aaron Kinki Njokwana. Nyovu was hanged on the 14 October for the murder of Paarl resident, Renschia Vermeulen, during the Paarl march, while Mqitsane and Njokwana were sentenced to death for the murder of three

releases/Exhumation%20Of%20Ten%20Members%20Of%20The%20Pan%20Africanist%20Congress%20%28PAC%29%20%20.pdf (accessed 30 October 2021).

[112] Van Laun, "Administrative Death", 28. In the third incident, Poqo are linked to an 'attack' on a road worker's camp near Mbashe/Bashee River, which led to the deaths of two white road workers and one of the men's wife and two daughters.

[113] TRC *Report*, Vol. 2, Chapter 4, 370.

[114] Van Laun, "Administrative Death", 31.

[115] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 1.

[116] Van Laun, "Administrative Death", 33.

[117] Van Laun, "Administrative Death", 32-33.

young women for "transgressing" the rules of Poqo by being present in the single men's hostels. According to Lucy Ndibaza in a testimony to the Supreme Court, it was against Poqo rules for women to be at the men's hostels, if they were caught there, they would be beaten and chased away.[118] There is no record of Poqo punishing men who may have been responsible for bringing the women.

Altogether, Van Laun notes that 21 men implicated in violent incidents and the Paarl march organised by Poqo were charged and hanged for their alleged actions. The men at Poqo had undertaken a series of campaigns and attacks against those they suspected as informers and against white residents.[119] Some of the men, whose ages range from 26 to 40, include Gadavu Johannes Notyawe, Vanele Matikanca, Nkosencini R. Maseti, Jonathan Sogwagwa were hanged for killing suspected informers, Klaas Hoza as well as George Tshisa (a Poqo member who allegedly gave information to the police). A further nine men were executed on the same day, 30 March 1967, for the murder of shopkeeper Maurice Berger during the period of intense political protest that had happened in Paarl 1962.[120] Their names were Baden Koboka, Livingstone Fatyela, Bongezile Edward Sikundla, Msimasi Magushe, Maqadaza Magushe, Goduka Gelem, Mcdonald Mgweba,[121] as well as Gqibile Nicholas and Jabavu Jonas Mzondi.[122]

That same year of the Paarl march, members of Poqo similarly engaged in acts of insurrection that led to the deaths of South African Police officers, "killing one African policeman, and injuring five others".[123] Poqo desired, states the TRC, to liberate the country using

[118] Van Laun, "In the Shadows of the Archive", 43.
[119] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 1.
[120] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 1.
[121] Michael Masutha, "Speech: Address by the Minister of Justice and Correctional Services, Michael Masutha, MP, (Adv) on the occasion of the handing over of exhumed remains of 17 Pan Africanist Congress (PAC) Political Activists on 23 March 2018 in Queenstown, Eastern Cape," Eastern Cape, Queens Town, March 23, 2018, https://www.justice.gov.za/m_speeches/2018/20180323-TRC-PACactivists.html.
[122] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 2.
[123] TRC *Report*, Vol. 2, Chapter 4, 368.

'traditional weapons'. Such acts included Poqo conducting a "house-to-house membership drive… [whereby] residents were coerced into 'enlisting' and paying a two shillings and sixpence joining fee".[124] Police sent to investigate the case were subsequently attacked by Poqo, in response they fired into the crowd killing one and leaving another two crowd members wounded. The confrontation resulted in the arrest of 133 people.[125] Those allegedly involved in the killing were put on trial and six men "were subsequently hanged" in relation to the killing of two police officers.[126] These activists, similar in age range, were Zibonele Dodo, Nontasi Shweni, Jim Mgantweni, Donker Ntsabo, Veyisile Qoba who were involved in police vehicle attacks and Mqokeli Nqulwana, who was involved in "an incident in which a policeman died".[127] Poqo's strategies were not always supported by the greater PAC movement including Robert Sobukwe (leader of the party).[128]

By the end of the 1960s, at least sixty members of the Poqo were hanged,[129] of which 27 were from the Western Cape.[130] Unlike their ANC counter-parts, whom the government feared if executed would be seen as martyrs causing greater resistance, the PAC and Poqo who were killed were not given the same level of media attention.[131] With the lack of attention, the names of those that were killed went largely unacknowledged by South African historiography.[132] The executions and trials of the Poqo members eventually led to the demise of the "Poqo movement".

The apartheid government when judging politically-motivated violence did not separate it

[124] TRC *Report*, Vol. 2, Chapter 4, 367.
[125] TRC *Report*, Vol. 2, Chapter 4, 367.
[126] Van Laun, "Administrative Death", 33.
[127] Sipho Masombuka, "Bring Back Gallows – PAC," *Sowetan Live*, March 05, 2010. https://www.sowetanlive.co.za/news/2010-03-05-bring-back-gallows--pac/.
[128] Van Laun, "In the Shadows of the Archive", 70.
[129] Masutha, "Speech".
[130] Ali Mphaki, "More PAC activists handed in 60s," *IOL*, December 14, 2011. https://www.iol.co.za/the-star/more-pac-activists-hanged-in-60s-1198105.
[131] Van Laun, "Administrative Death", 31. The human Rights Committee, according to Van Laun, only recorded 19 of the executions that had happened in the 1960s.
[132] Van Laun, "Administrative Death", 30.

from criminal violence. The vast majority of cases, with the exception of those charged for sabotage and terrorism, were charged as criminal cases. Even when charged with political offences, instead of acknowledging the political nature of those they imprisoned, they demarcated them as 'security prisoners', ordinary criminal prisoners who were a threat to the "security of the nation".[133] This was an attempt, Van Laun argues, by the South African government to deny it had political prisoners. Of the many trials that involved the PAC in the 1960s, notes Van Laun, offenders were usually sent to Robben Island or Pollsmoor Prison near Cape Town. Whilst Robben Island was a prison that housed political prisoners, Pollsmoor was a prison where political inmates commingled with common-law inmates.[134]

The post–apartheid state redefined those cases demarcated as criminal cases by apartheid into political prisoners, which "enabled the hanged individuals to be memorialised and honoured not as common criminals but rather as members of the liberation struggle and heroes of the nation".[135] Those hanged for political offences came to be memorialised in name and partly in story through the Gallows Memorial Project. The Gallows Memorial Project was first announced in December 2011 with the intended goal of opening the Gallows Memorial Museum being in 2012. However, the Museum has not yet opened to the greater public due to security concerns arising from it being in proximity to a high-security prison that is still operational.[136] Whilst all of those hanged between 1902 and 1989 have their names inscribed in the museum, the names of those who died for political reasons are expressly highlighted.[137]

Following on from the Gallows Memorial Project, in 2016, Minister Michael Masutha launched the Gallows Exhumation Project, "aimed at recovering the remains of 130 political

[133] Van Laun, "Administrative Death", 37.
[134] Van Laun, "Administrative Death", 38.
[135] Van Laun, "Administrative Death", 39.
[136] Bianca Van Laun, "Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs," *Kronos* 44, no 1 (2018): 126.
[137] Van Laun, "Administrative Death", 38-9.

prisoners who were hanged on the Gallows prior to the suspension of the death penalty in 1990".[138] Van Laun states that the project involves the exhumation and the reburial of 83 political activists executed, as by the time of the Gallows Exhumation Projects announcement 47 political activists who were hanged had already been exhumed.[139] The exhumation project acts as an associated project to the Museum with its intention to exhume the "remains of political prisoners from unmarked graves in municipal cemeteries around Pretoria, and their reburial by their families and political organisations".[140] This was because, during apartheid, such bodies remained the property of the state and they were then buried as paupers, thus denying their families "the opportunity to bury them"[141] and, I argue, consigning them to the category of the disappeared dead. A traditional part of the Gallows exhumation process involves the MPTT arranging for relatives to be brought to Pretoria and given a tour of the Gallows Museum. Here they are informed about the death row facility and the process of hanging.[142] Following the tour, relatives are taken to Freedom Park and shown the names of their hanged relatives.

On the 31 August 2017 Jaxa, Madikane, Damane, Notyawe, Hans, Koboka, Mzondi, Fatyela, Sikundla and Tyobeka were all exhumed by the MPTT.[143] All nine men were buried in the Mamelodi cemetery in a pauper's grave the same day that they were hanged. On the 23 March 2018, seventeen of these men were returned to their families, the two exceptions being Nicholas and Mzondi.

[138] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 1.
[139] See footnote 43, Van Laun, "Bureaucratically Missing", 135.
[140] Van Laun, "Bureaucratically Missing", 124.
[141] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 1.
[142] Van Laun, "Bureaucratically Missing", 136.
[143] Mfaku, 'Exhumation of Ten Members of the Pan African Congress (PAC)', 1.

Extra-Judicial Killings of MK Combatants in the Western Cape in the 1980s

During the 1980s, especially the mid-to-late 1980s, political resistance against apartheid increased. In Cape Town, for instance, resistance played out in the "form of public protests and public violence in the streets, towns and townships… manifested largely in marches and demonstrations, sometimes accompanied by more militant protest such as stoning and petrol bombing".[144] Resistance also took the form of organised strategies by activists and supporters to undermine state structures and authority. Underground armed formations, primarily MK, engaged in attacks on alleged collaborators, including their homes, as well as state properties.[145] Unable to curb resistance and political instability through the process of the law, in many cases security forces turned to extra-judicial means, including the use of murder, either directly through planned ambushes or indirectly by convincing third parties to kill in an attempt to protect their own interests. [146] Here, argues Fullard, the state made very little distinction between common, peaceful and legal mobilisation against apartheid policies and violent illegal underground mobilization. The same efforts of repression and rhetoric were therefore directed at both civilian protestors and underground military operatives (those involved in an armed struggle against the state).[147]

For security forces engaged in extra-judicial killings, their goals were to scare activists and produce distrust amongst them, demoralizing them. Whilst illegal, security police made the excuse that extra-judicial killings were considered a logical necessity in order to protect the interests and safety of white voters against communism and terrorism, and ultimately to uphold apartheid. Although most political figures cannot directly be linked to supporting the killings, the TRC revealed that the state undertook a strategy of counter-revolutionary

[144] Madeleine Fullard, "The state and political struggle: strategies of repression and resistance in the greater Cape Town area from 1985 to 1989" (M.A, University of the Western Cape, 2000), 21-2.
[145] Fullard, "The state and political struggle", 22.
[146] TRC *Report,* Vol. 2, Chapter 3, 220-74.
[147] Fullard, "The state and political struggle", 22.

warfare, which made use of unconventional tactics previously adopted by the State Security Council on political rivals outside of the state.[148] The TRC gathered through amnesty applications the evidence needed to implicate high ranking officials in government, such as the Minister of Law and Order, as to knowing about the killings, being supportive of it, and, in some instances, having a direct connection to extra-judicial killings.[149] The TRC in other words, found that between the 1960s and early 1990s, the apartheid administration were the primary perpetrators of gross violations of human rights in South Africa.[150] They engaged in counter-revolutionary warfare, which the TRC considered as criminal, considering that they knowingly arranged, engaged, condoned and in many instances worked to cover up their violent engagement of those whom they considered threats to their administration.[151]

These tactics also include increasingly hostile rhetoric expressed on public platforms and in documents against political rivals.[152] This includes knowingly engaging in the extra-judicial killings of political rivals inside and outside South Africa, working sometimes with outside political entities, such as the Inkatha Freedom Party (IFP), that they could use to assist them in their goal of crushing resistance.[153] The security forces were thus a part of the larger strategy put in place by the state aimed not directly at repression, but "counter revolutionary principles… that emphasised undermining the revolutionary or resistance movement through strategies of co-option, counter-mobilisation and targeted development".[154]

As opposed to the 1960s, where most of the killings, such as hangings (mainly of PAC/ Poqo combatants), occurred within the framework of apartheid law, the 1980s extra-judicial killings primarily targeted ANC MK cadres. In its Report, the TRC identified four categories

[148] TRC *Report*, Vol. 5, Chapter 6, 214-218.
[149] TRC *Report*, Vol. 2, Chapter 3, 273.
[150] TRC *Report*, Vol. 5, Chapter 6, 222.
[151] TRC *Report*, Vol. 5, Chapter 6, 214-218.
[152] TRC *Report*, Vol. 5, Chapter 6, 215. Such language includes, 'destroy terrorists', 'neutralise', 'methods other than detention' and 'take out'.
[153] TRC *Report*, Vol. 5, Chapter 6, 220.
[154] Fullard, "The state and political struggle", 23.

of extra-judicial killings. They are "targeted killings; killings following abduction and interrogation; ambushes where seemingly little or no attempt was made to effect an arrest, and entrapment killings". [155] These killings were not committed openly and in many cases security forces would deliberately seek to manufacture such deaths as lawful killing, sometimes citing self-defence. For example, TRC investigations and analyses of amnesty applications demonstrated a pattern of killings in custody, blowing up bodies to make it appear as if the guerrillas themselves were incompetent[156] or killing those in custody supposedly in self-defence; in some cases weapons were planted at the scenes of death to help protect police in case of future court cases. A Constable Bambatha reported to the TRC that "My instructions from the then Captain… was that, in the circumstances leading to the death of a terrorist in the process of trying to arrest him, I was to… place the Makharov pistol and F1 hand grenades on the deceased with no person to observe me".[157] Furthermore, it is believed, as reported in the TRC, that many of these deaths were revenge killings for actions taken against police and *askaris* by MK.

In Cape Town, a pattern emerged where persons were killed while arrested. Whilst notable trials happened in Cape Town involving MK operatives, there were a number of operatives who were also killed in Cape Town, which matches the category of extra-judicial killings as laid out by the TRC in its Report. The operatives include Ashley Kriel from Bonteheuwel, who was killed about two to three months after re-entering South Africa on the 9 July 1987 in Hazendal, Athlone.[158] The police who killed him reported their confrontation as self-defence; however, forensic investigation of the scene challenged the police's version of the event,

[155] TRC *Report*, Vol. 2, Chapter 3, 221. The hurdle the TRC faced in gathering the evidence to produce these four categories is that most of them were defined as a result of the amnesty applications of the perpetrators who did the killing. As they note, it was unfortunate to have the victim's life and death depicted in finality through the versions given by the Security Forces that killed them.
[156] Nicky Rousseau, "Death and Dismemberment: the Body and Counter-Revolutionary Warfare in Apartheid South Africa," in *Destruction and Human Remains,* ed. Élisabeth Anstett & Jean-Marc Dreyfus (Manchester University Press, 2014), 210.
[157] TRC *Report*, Vol. 2, Chapter 3, 256-7.
[158] Okuhle Hlati, "Ashley Kriel remembered 30 years after killing," *The Star*, July 10, 2017, 4.

placing doubt on their report of the incident.[159] When Kriel was buried, family state that he did not receive a dignified funeral under the intense surveillance of the police. One family member went as far as to recall the police calling him a 'vark' (pig) while they were busy burying him.[160] The TRC's Amnesty Committee granted Jeff Benzien amnesty even though it believed he had not fully disclosed every detail that led to Kriel's death.[161] A similar killing happened on the 27 September 1988, when Mthetheleli Gcina was shot dead in Gugulethu, Cape Town, by *askari* members Lucky 'Agrippa' Madubula and David Musimeke. He had been given away by an informer, and allegedly died because he produced a pistol and fired shots when he was confronted by Madubula and Musimeke.[162] Such a case happened again on the 23 January 1989, when handcuffed Patrick Welilie 'Deks' Dakuse was killed when he allegedly was about to toss a grenade at police escorting him to his weapon's stash in Khayelitsha. Like Dakuse, Zola Dubeni was also killed in Nyanga with Security Branch officers using the same motivation for his death whilst under arrest, producing a grenade while he was supposed to be pointing out arms.[163]

In another incident, 21-year old Anton Fransch, who had an "eight-hour siege" with armed forces using guns and grenades, was believed to have been killed by police when they threw a grenade through an open window.[164] He died 17 November 1989 in Church Street, Athlone, where he had been staying in hiding.[165] Police, however, report that he had likely killed himself in a detonation before they had a chance to lob their grenade into the house.[166] In 2020, five new heritage sites were approved for development in the Western Cape, including

[159] TRC *Report*, Vol. 2, Chapter 3, 254.
[160] Okuhle Hlati, "Ashley Kriel remembered 30 years after killing," *The Star*, July 10, 2017, 4.
[161] Micheal Donen, "SA needs to know who murdered Ashley Kriel," *Cape Times*, November 5, 2018, 8.
[162] TRC *Report*, Vol. 2, Chapter 3, 255-6.
[163] TRC *Report*, Vol. 3, Chapter 5, 454.
[164] Yolisa Tswany, "Youth league honours murdered MK hero Fransch," *Cape Argus*, November 11, 2016, 4. Also see: TRC *Report*, Vol. 2, Chapter 3, 256. The TRC reports this as a six-hour gun battle with police.
[165] Staff Writer, "Fransch, his generation of heroes would fight inequality, corruption," *Cape Times*, November 18, 2016, 3.
[166] TRC *Report*, Vol. 2, Chapter 3, 256.

those honouring Kriel and Fransch amongst others at Freedom Square in Bonteheuwel.[167]

Perhaps the most heinous actions by security forces was their involvement in entrapment killings, where askaris purporting to be guerrilla commanders recruited, trained and armed young militant comrades.[168] In Cape Town, a well-known case is that of the Gugulethu Seven: Mandla Simon Mxinwa, Zanisile Zenith Mjobo, Zola Aflred Swelani, Godfrey Jabulani Miya, Christopher Piet, Themba Mlifi and Zabonke Jon Konile who were shot dead and killed on the 3 March 1986.[169] Recruited and trained by askaris, Jimmy Mbane and Eric Maluleke, working for Vlakplaas commander Eugene de Kock, the seven men were recruited to conduct an operation that targeted a bus carrying senior police officers. However, once they arrived, they were immediately shot at and all were killed. Only one of the seven members, Christopher Piet, is known to have returned fire at police.[170] Whilst there were witnesses who contradicted police accounts, stating that the men surrendered instead of fighting back and that they had been killed in "cold blood", the court still found the police innocent of any crimes.[171] In March 2005, a monument made of large concrete with silhouette cut-outs representing of each man was erected in Gugulethu between the NY1 and NY111.[172] Only four of the monuments have portraits of the men pasted on them (Mxina, Miya, Piet and Mjobo), a common feature among those killed extra-judicially who very rarely had any personal photographs of themselves taken whilst alive.[173] The Gugulethu 7 incident thus clearly shows security forces engaged in both entrapment and ambush tactics to delegitimise the anti-apartheid movement.

[167] Sisonke Mlamla, "Five new heritage sites approved in Western Cape," *Cape Argus*, September 30, 2020, 3.
[168] TRC *Report*, Vol. 2, Chapter 3, 257.
[169] TRC *Report,* Vol. 2, Chapter 3, 261-2.
[170] TRC *Report*, Vol. 2, Chapter 3, 261-2.
[171] Lindiz Van Zilla, "Memorial planned in homage to the Gugulethu Seven," *Cape Times*, March 4, 2002, 5.
[172] Zenzile Khoisan, "Relatives celebrate as Gugulethu Seven return from the shadows," *Cape Argus*, March 22, 2005, 3.
[173] Kylie Thomas, "Exhuming Apartheid: Photography, Disappearance and Return," *Cahiers D'Études Africaines* 58, no. 230 (2) (2018): 446-7.

In a number of these cases, the Security Branch and/ or the SADF had learnt of the operative's infiltration routes and had no intention of capturing insurgents alive. Instead many security force operatives went in with the complete opposite mindset: to kill. However, the TRC was not always able to determine whether combatants were ambushed or whether they died during skirmishes with security forces.[174] While no such incidents were recorded in the Western Cape, several MK operatives from the Western Cape died during their attempt to infiltrate South Africa. In many of these cases, the bodies of operatives were not returned to their families, and it is these cases that I am interested in in later chapters.

Such cases also include Peter Johnson from Elsies River, Thembisile Mkhalipi from Langa, and Andile Mrumshe from Gugulethu. In 1970, Peter 'Tom Livingstone' Johnson, was imprisoned for five years on Robben Island as a common law criminal.[175] Upon his release in 1975, he joined the ranks of MK and went into exile to train for military insurgency. At the time he did not inform his sister of his plans, instead, as she remembers, he took her out to Adderley Street, Cape Town, for lunch and told her that he was going to work on a ship.[176] However, he had actually travelled to Odessa in the Soviet Union, where he received military training. He later commanded MK camps in Angola, Quibaxe and Pango in Angola. Nearly a decade later, on the 26 October 1984, Johnson died during a guerrilla skirmish just outside the borders of Bophuthatswana. According to a surviving combatant, Johnson killed himself to avoid capture by security forces.

[174] TRC *Report*, Vol. 2, Chapter 3, 244 and 272-3. The TRC records the involvement of at least eight divisions of the Security Branches, SADF and BOSS involved in extra-judicial killings, those in Vlakplaas, Port Natal, Northern Transvaal, Eastern Cape, Witwatersrand (Soweto), Eastern Transvaal, Western Cape and Orange Free State. The TRC also notes that in a number of the exchanges between these groups and operatives, the operatives were killed in situations that were not combative. The Security Branch believed their actions were justified given that their duty by politicians at the time were to stabilize the country by disempowering anti-apartheid action, such as the ANCs strategic direction of producing a 'people's war'. The TRC reports that members of these security forces whose loyalty was questioned themselves became targets of extra-judicial killings.
[175] Zami Feni, "Tears and joy as long lost struggle heroes come home," *Cape Argus*, May 10, 2007, 3.
[176] Philda Essop, "I never forgot my activist brother," *The Argus*, September 14, 2006, 3.

Following an investigation by the MPTT, on the 4 July 2006 Johnson was exhumed from the Mmbatho cemetery, in a shared grave with another MK combatant, Karabo Madiba. Both were killed in Cook's Lake, Mafikeng and buried by police as paupers.[177] This is despite police having asked Madiba's mother, Hilda Madiba, to identify Karabo Madiba. Similarly, Mkhalipi and Mrumshe were two of four MK cadres who returned to South Africa near Mafikeng on the 21 May 1986. They too were part of a group of insurgents aiming to disrupt the apartheid government.[178] While they both had originally disappeared into exile, Khalipi, unlike Johnson, had informed his uncle about his plans. Similarly to Johnson, however, before they could reach the Western Cape upon entering into South Africa from Botswana, they were stopped by a police roadblock between Makgobistat and Mafikeng. It is here they lost their lives in a skirmish or ambush.[179] When stopped by police they allegedly engaged in a shootout. While Mrumshe was allegedly killed immediately by the police, Mkhalipi initially escaped, but to avoid capture, he allegedly shot himself.[180] Mkhalipi and Mrumshe were later buried together with Motlalekhotso Sello, another MK cadre who had died in the shootout, at Mmabatho cemetery, alongside the grave containing the remains of Peter Johnson and Karabo Madiba.[181]

When exhumed, the mortal remains from both incidents were sent to the Cultural History Museum in Tshwane for further examination and identification.[182] Upon analysis, a forensic anthropologist confirmed that the skeletal remains were consistent with the six men from both incidents. Later, DNA testing by the Human Identification Laboratory at the Biotechnology Department at the University of the Western Cape confirmed a match.

[177] Report of 'Missing Persons Task Team Investigation: Karabo Madiba (MK Gabriel Seatlholo) and Peter Johnson (MK Tom Livingstone Gaza), April 2007, 6.
[178] Melanie Gosling, "Closure for families as they bury MK cadres decades later," *Star*, May 10, 2007, 3.
[179] Shaun Smillie, "Suspected remains of cadres taken from graves," *Star*, July 05, 2006, 3.
[180] Melanie Gosling, "Closure for families as they bury MK cadres decades later," *Star*, May 10, 2007, 3.
[181] Shaun Smillie, "Suspected remains of cadres taken from graves," *Star*, July 05, 2006, 3.
[182] 'Missing Persons Task Team Investigation: Karabo Madiba and Peter Johnson', 11.

The skeletal remains of Johnson, Mkalipi and Mrumshe, together with Looksmart Ngudle, were returned to their family in Cape Town in May 2007 at a handover ceremony before being reburied where their families chose to bury them.[183]

South Africa's Funeral Script

The MPTT's exhumation process involves the procedures recommended by the TRC, such as the use of forensic anthropologists and archaeologists uncovering bodies instead of front end loaders and grave diggers who lacked expertise. Families are also more involved and made more aware of the processes of examination that will occur, including how bodies will be examined in order to establish identity. Following the exhumation, the remains are returned to the family at a handover ceremony and then reburied by the family often with or organised by local political groups associated with the exhumed. Although the handover and reburials are not directly managed by the MPTT, they are occasions that signify the memorialization of the "individual identified guerrilla into the pantheon of heroes" of South Africa, further symbolised by the political presentation of the ceremony itself and are accompanied by political songs and speeches.[184] Taking place at Freedom Park the handover becomes part of the "symbolic return of the spirits of the dead freedom fighters from the African and international locations of their death and burial through the transfer of soil, rocks, plants, and trees to the memorial garden, Isivivane".[185] At the same time, they locate the dead into a national memory, as their names are inscribed on the Wall of Names at Freedom Park known as the Sikhumbuto. In South Africa, as Ngudle's exhumation shows, some of the practices evident at the handover also come to feature in the exhumation itself with funeral hymns and

[183] Sivuyile Mangxamba, "Final rest for apartheid victims," *Cape Argus*, May 10, 2007, 3.
[184] Rousseau, "Identification, Politics, Disciplines," 190.
[185] Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," 144 - 5.

struggle songs being sung and the presence of political, government and community members as part of the mourners.

The bodies I have discussed in this chapter were all buried according to a burial script aimed at symbolically restoring their humanity. However, as I have argued, this nation-driven script also to a degree strips them of their humanity. This script aims to counteract their dehumanisation through the appointment of a team of specialists fluent in the 'best-practices' in the exhumation and reburial process, by enabling family and comrades to be present at the exhumation, through the processes of establishing and verifying identity before being handed over in a formal ceremony to family at Freedom Park or at other locations and finally being buried in the presence of mourners who were family, community and political affiliates.

The funeral script of the disappeared dead exhumed by the TRC drew on a longer genealogy, which sought to counter the racist treatment of the bodies of black South Africans. Reburials were generally organised by the family and local political parties to which the deceased belonged.[186] Rousseau suggests that this genealogy combines earlier practices developed by burial societies with those of struggle funerals in the 1970s and 1980s. While the former sought to ensure that the bodies of migrant workers received a dignified burial, the latter sought to both mobilise and honour political 'heroes' and were later re-scripted in the high profile burials of ANC leaders in the early 1990s.[187] The funerals that occurred after MPTT's exhumations mostly made use of the same funeral script that was organised during TRC exhumations. However, an official handover ceremony of the disappeared dead's remains has been added to the TRC practices, which in many cases takes place at Freedom Park.[188] This inscribes the dead into a national memory, which sees them judged as military heroes.

[186] Rousseau, "Identification, Politics, Disciplines," 194.
[187] Rousseau, "Identification, Politics, Disciplines," 181.
[188] Moosage, "Missing-ness, History and Apartheid-era disappearances", 134.

Because of the highly politicised nature of the burial script that has thus far lingered as a means to address the lack of dignified funerals, it faces some criticism by scholars, members of the MPTT and family. For one, it tends to incorporate a select few of politically missing people into this script. As Rosalia Mendes has argued, the script highlights certain deaths in a manner that excludes the "histories and biographies" of those who do not fit "within the heroic narrative".[189] Mendes argues that, to some degree, the problem with the heroic narrative is that it is so encompassing that families may be pressured to abide by defining their loved one in the way the script lays out or risk their loved one – and in part their own pain - falling into political and historical obscurity.[190] Discussing a podcast between Madeleine Fullard and host Eusebius McKaiser, Mendes notes Fullard's concerns with the heroic narrative, in particular its creation of a standard of heroism that is "generic…mythical and unattainable".[191] And that it unfairly pressures those being judged by this standard to live up to an idealised heroism that is impossible, whilst at the same time, stripping the dead of their humanity by asking them to exist as a monolithic icon.

For Fullard some of the narrative that is lost in the heroic scripting of individuals is that which defines them as everyday ordinary people. To her these were people who may have made errors in judgment, such as falling asleep, not arriving to meetings, or drinking out with comrades instead of remaining in hiding. Or, instead of dying by the hands of security police, activists died by other means, such as natural causes or following an argument in a tavern. Fullard argues that to re/humanise the politically dead would be to make a place in the narrative that allows the dead to be human, to have made errors in judgement, made mistakes

[189] Rosália Mendes, "The Everyday Life and the Missing: Silences, Heroic Narratives and Exhumations" (M.A, University of the Western Cape, 2020), 95.
[190] Footnote 14. Mendes, "The Everyday Life and the Missing", 47.
[191] Eusebius Mckaiser with Madeleine Fullard, "Digging up the Truth about Missing Persons," *The Best of the Eusebius Show*, [Podcast audio], May 10, 2017, https://omny.fm/shows/mid-morning-show-702/digging-up-the-truth-about-missing-persons (accessed 26 October 2021).

and be allowed to exist outside of the monolithic and idolised status of hero.[192] This is not to say that families themselves do not want this type of heroic script. In many ways, the script itself is designed to appease family. For it is often family who call for the disappeared dead to be inscribed in this manner, in order to be acknowledged as more than just ordinary people who died but whose deaths had greater value.[193]

Nonetheless, even when those who died do meet the script's condition of heroism, there may be contention. For example, some families have expressed disappointment at what they perceive to be inequalities in profile, resources and public attention of some funerals in comparison with others. Aronson notes this dissatisfaction after examining and interviewing the relatives of one group known as the Mamelodi Four, who felt that the local ANC branch did not deliver the level of funeral arrangements that they had seen given at the first reburial, which had occurred in Mamelodi (Ronald Kekana).[194] The handover ceremony of Kekana had had full military honours and was attended by prominent military officials and popular struggle leaders and he was publicly heralded as a military hero. In stark contrast, for the relatives of the Mamelodi Four, there was no noteworthy military attendance, no MK marches, no flags to honour them and even the mayor did not appear.[195] To them, "It was like we were burying an old person," and what they wanted was for their loved ones to be buried equally as heroes, to be given the funeral of heroes that they had expected would be given to them.[196]

Here the issue lay with the lack of acknowledgement that relatives felt their dead received, and the responsibility that government should have in such an event. Such instances include

[192] Mckaiser with Fullard "Digging up the Truth about Missing Persons" – Podcast.
[193] Mendes, "The Everyday Life and the Missing", 46-8.
[194] Aronson, "The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons," 277.
[195] Aronson, "The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons," 277.
[196] Aronson, "The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons," 277-9. Fullard notes the problem was the false perceptions given to family in the wake of the first reburial, which also aimed to raise public awareness about the MPTT's work.

coffins, food and certain needs[197] that the family felt were necessary to provide adequate closure for themselves and their loved ones. Aronson suggests that government should consider what would bring families a true sense of repatriation, reconciliation and ultimately closure. He argued that the government needed to take into account what actually mattered to the family burying their loved ones, instead of specifically placing a type of script upon them that may not be adequate for their healing process.

Conclusion

In this Chapter, I examined the context of the disappeared dead in South Africa, which I define as both persons abducted and subject to enforced disappearances, as well as those whose bodies are buried by the state as unnamed paupers without families being given proper opportunity to bury and mourn them according to familial or cultural norms. In doing so, I explored the disappeared dead's history, specifically within the Western Cape region, the reasons and manner of their disappearances and the manner in which their exhumations and funerals were handled post-apartheid. In the next chapters, I engage these processes aimed at helping families and victims of gross acts of human violation heal from the trauma of disappearance, both through abduction and enforced disappearance, and through bodies remaining out of reach of family and buried in pauper graves. I discuss the themes of counter-forensics, such as re-examining evidence produced by surveillance institutions for human rights purposes, to establish what had happened to a victim and who is responsible for their condition. I am specifically interested in exploring the visual imagery associated with forensic practices and the extent to which they humanise the disappeared dead. In Chapter 3,

[197] Aronson, "South Africa's Search for Apartheid-Era Missing Persons," 279-80. For example, families of the Mamelodi Four complained that unlike the Mamelodi 10, local government had failed to provide them with food to serve up after the funeral, as well as provide coffins to rebury their dead.

following my critique of counter-forensics as a mode of re/humanisation, I look at how familial photographs – portraits, family – exhumation and reburial photographs help to address the critique on counter-forensics put forward in Chapter 2.

Chapter 2:

Forensics, Counter-Forensics and Photography

When photographs of the politically dead and disappeared travel beyond their intended purposes and into the public, they tend to accrue a variety of meanings depending on who interprets them. In this chapter, I am interested in the forensic and counter-forensic interpretation of photographs of the politically dead and disappeared. I aim to examine the growing salience of visual technologies in forensic research associated with apartheid-era politically missing. I believe as Allan Sekula and Thomas Keenan argue that the development of counter-forensics as a tool for justice has and can aid in uncovering what happened in the past to victims of human violation,[198] as well as holding perpetrators of such violations, such as those involved in disappearances, to account. [199] However, I also believe, as Riedwaan Moosage and Bianca van Laun do, that although forensics and counter-forensics may be necessary steps in the pursuit of justice for victims of human rights violations, its means of producing the victims, namely as forensic evidence of a crime having happened, limits the said person's identity within practices and processes of forensic engagement, [200] in particular policing and state structures. [201] This makes the question of what the person was more important than who the person was.

Many forces of interpretation – the law, the media, family, and politics – inform how the

[198] Allan Sekula, "Photography and the Limits of National Identity," *Grey Room,* 55 (Spring 2014): 30. Sekula is interested in how to identify unidentified persons who have been violated by the state through counter-forensic practices.
[199] Thomas Keenan, "Counter-forensics and photography," *Grey Room,* 55 (Spring 2014), 68-9. Keenan takes Sekula's argument further, and believes forensic evidence can be used to convict perpetrators, or uncover those responsible for human violations.
[200] Riedwaan Moosage, "Missing-ness, History and Apartheid-era disappearances: The figuring of Siphiwo Mthimkulu, Tobekile 'Topsy' Madaka and Sizwe Kondile as missing dead persons" (Ph. D., University of the Western Cape, 2018), 118.
[201] Bianca Van Laun, "Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs," *Kronos* 44, no. 1 (2018): 124-5. Van Laun argues that bodies that are reproduced forensically within bureaucratic procedures and rationality traps those persons in that logic and she believes this still makes them missing as people.

politically dead or disappeared are returned and re-appropriated by the state. These interpretations are generally multiple, with a handful of them made more hegemonic through political rhetoric or media attention. These interpretations can be both complementary and in opposition to one another, depending on the ideology, personal experiences and intent of those who mediate the dead or disappeared. As Eric Stern Carlson notes in his book, *I Remember Julia*, the multiple ways people are represented or remembered comes from the fact that in life and in death "the person lives on in… multiple memories... a person is ultimately unnameable and unknowable, even to themselves".[202] The people who remember the dead have different fears and hopes for those they remember. And, as a result, the remembered person means different things to different people. In this chapter, I focus on interpretations of the dead and disappeared accrued through the scientific field of forensics. I first discuss its value in human rights work, and then its limitations in producing the person.

Forensics is an influential contemporary tool for communicating what the dead say – or what entities translate the dead to say, mean or represent – through examination of the physical evidence found of their existence. However, evidence does not speak for itself. To interpret what evidence says, authorities rely on the scientific and legal accuracy believed to be held within forensic methodology to assert their claims. Though this accuracy is constantly challenged as newer forums reread and reinterpret the meaning and value of evidence. These newer forums sometimes also challenge the previous forums' conclusions. Forensics can then be understood as the relationship between two elastic sites, the field and the forum, both of which are constantly in flux. The field, as Eyal Weizman states, is the site of an investigation and the forum is where the objects and evidence obtained during an investigation are

[202] Cited in Jenny Edkins, "Missing Migrants and the Politics of Naming: Names Without Bodies, Bodies Without Names," *Social Research: An International Quarterly* 83, 2 (2016): 360.

presented and contested.[203] The field can be thought of as a territory that is "shaped and shapes conflict", on which traces of potentiality can be found.[204] The forum can be thought of as a fluid space of fixed, rotating and evolving mediators who interpret a field object's meaning and value, invoking but not limited to input from public gatherings.[205]

In this relationship between field and forum, inanimate objects are given voice and asked to bear witness to occurrences through the voice of an interpreter, or what Roman rhetorician Quintilian called *prosopopoeia*, the personification of the abstract through an actor, character or speaker.[206] This abstraction can be used to put on trial statues, weapons or human remains, but can also extend to larger abstractions, like cities, buildings or landscapes, from concentration camps to deserts.[207] The inanimate object or abstraction of reality that I am focused on in this chapter is forensic photographs produced to identify sites and people of interest to the state, but reread to identify victims produced by the state.

I begin this chapter with a brief history of photography in forensics and criminal identification spaces, before turning to a discussion of the counter-forensic photograph as understood by Allen Sekula. Sekula's suggestive use of counter-forensics has been further developed by Thomas Keenan who is interested in the way evidence produced by the state for surveillance or repression can be repurposed as evidence for human rights advocates. In Keenan's examination of Sekula's research, Keenan is uniquely interested in mechanical and instrumental evidence recorded in photographs; evidence produced with the intention to act immediately on what is recorded, such as military aerial photography taken before putting troops on the ground, or more violently bombing the site of interest.

[203] Eyal Weizman, "Introduction: Forensis" in Forensic Architecture (Project) *Forensis: The Architecture of Public Truth*, (Berlin: Sternberg Press, 2014), 9.
[204] Weizman, "Introduction: Forensis", 9.
[205] Weizman, "Introduction: Forensis", 9.
[206] DS Mayfield, "Theoretico-Conceptual Groundwork (By Recourse to the *Rhetorica ad Herennium*, Cicero, Quintilian, and Further Theorists)," in *Variants of Rhetorical Ventriloquism*, ed. Joachim Küpper, Jan Mosch and Elena Penskaya (New York: De Gruyter, 2018), 47.
[207] Weizman, "Introduction: Forensis", 10.

I follow up the section on forensic and counter-forensic photography with a critique of counter-forensics, most recently argued by historians Van Laun and Moosage. Sekula, Keenan, Moosage and Van Laun all argue that forensic and counter-forensic methods of investigation are functional in seeking out evidence that may lead to positive identification of remains and criminal convictions for victims of mass violence and disappearance. However, Van Laun[208] and Moosage[209] believe that because counter-forensics is focused on producing evidence to convict the guilty, victims and their remains inadvertently are rehearsed as evidence of what happened, and who is guilty of what happened, rather than *who* the victims were as individuals. To Van Laun[210] and Moosage[211], by describing people in this limited manner, as Edkins[212] suggests we lose the 'who' of what makes them human, their personhood and why they are being missed in the first place, for what in essence makes them politically or forensically interesting to us.

Van Laun discusses how both commingled sand and human remains, as well as photographs of hanged political prisoners produce and come to stand in for the person-as-such.[213] I am specifically interested in her argument pertaining to the network of new activations and meanings that portrait photographs (mug shots) of condemned prisoners come to embody both within the prison bureaucratic system and, more recently, in public spaces.

Moosage discusses how the commingled remains of Topsy Madaka and Siphiwo Mthimkulu with fragments of scalp and hair, as well as photographs of Mthimkulu, come to stand in for Mthimkulu as a whole person, his person-as-such, and how it addresses a question of

[208] Van Laun, "Bureaucratically Missing,"124-5.
[209] Moosage, "Missing-ness, History and Apartheid-era disappearances", 118.
[210] Van Laun, "Bureaucratically Missing," 20.
[211] Moosage, "Missing-ness, History and Apartheid-era disappearances", 125.
[212] Jenny Edkins, "Introduction," in *Missing: Persons and Politics* (London: Cornell University Press, 2011), 2.
[213] Bianca van Laun, "Following the Image: Examining the multiple afterlives of apartheid-era prison identificatory photographs," *Journal of African Cinema*, 12, no.1-2 (2020): 138.

Mthimkulu's missing-ness.[214] For Moosage missing-ness "relates to the forensic figuring… of human substances as constitutive of a person categorized as missing".[215] I am specifically interested in his discussion on how the medical photograph of Siphiwo Mthimkulu helps to diagnose his physical condition, and in so doing produces evidence against his perpetrators. However, at the same time I am also interested in how the photograph draws our attention to particular ways of thinking and facilitates how Mthimkulu is historically narrated as medical evidence, rather - at least at first - than as a person.[216] I believe there is an argument to be made that additional photographs of him and his mother, as well as the popular documentary made by Mark Kaplan, while still limiting him to a particularly political lens, has furthered him historically as a person rather than a state object.

A Brief Genealogy of Forensics, Counter-forensics and Photography

Since its invention in 1839, photography has been a means of transferring and communicating the existence of one person or people, by the photographer, to another person or people, its viewer. For many the photograph captured the imagination in full, mimicking reality 'as is', helping to expand social awareness of a world sometimes very rarely seen by many. Evolving from the optical principle of the camera obscura, which traces its existence as far back as Aristotle, Giovanni Battista della Porta and the early study of eclipses by Arabian scholar Alhazen,[217] photography quickly made its way into the state as a means of assisting in the policing of its citizens. Almost immediately after Nicéphore Niépce and Louis-Jacque-Mandé Daguerre had invented the daguerreotype, the state saw its potential as a

[214] Moosage, "Missing-ness, History and Apartheid-era disappearances", 48; 126.
[215] Moosage, "Missing-ness, History and Apartheid-era disappearances", 48.
[216] Mark Kaplan, *Between Joyce and Remembrance*, directed by Mark Kaplan (Grey Matter Media and Bullfrog Films, 2004), DVD.
[217] Helmut Gernsheim, *A Concise History of Photography: Third Revised Edition* (New York: Dover Publications, 1986), 3-4.

tool of surveillance and identification.[218] Shortly following photography's official invention in 1839, the government bought the patent from Daguerre (Niépce died in 1837), before revealing its secrets to the world. About four years later in 1843/4, Belgium started using photographs to record the faces of prisoners, marking the start of the mugshot, with places like New York doing the same in 1857.[219]

Although police services initially found photography promising, photographs alone were insufficient to enable any meaningful strides in the identification and surveillance of citizens. To achieve this goal, photographs needed order, description and category. They needed to be able to be found in collections that very soon, like in the Paris Police Department, had "ballooned" to over "80 000 mug shots", making the timeous use of the photographs almost impractical for identification purposes.[220]

Two men, according to Sekula, took up the cause to fix this problem: Alphonse Bertillon and Francis Galton. Bertillon, an official in the Paris police, greatly desired the ability to accurately keep track and deter criminals from reoffending. He "combined photographic portraiture, anthropometric description, and highly standardized and abbreviated written notes on a single" card, and then he "organized these cards within a comprehensive, statistically based filing system".[221] He believed that by being able to positively identify offenders, this would enable police to re-identify habitual criminals. A statistician and founder of eugenics, Galton's work, on the other hand, attempted to produce a "criminal type" that could statistically be identified by compositing as many criminal faces into a non-existent artificial hybridised face that highlighted the physical features of the general

[218] Gernsheim, *A Concise History of Photography*, 10.
[219] Randy Kennedy, "Grifters and Goons, Framed (and Matted)," *The New York Times*, Sept 15, 2006, https://www.nytimes3xbfgragh.onion/2006/09/15/arts/design/grifters-and-goons-framed-and-matted.html.
[220] Jim Fisher, "Alphonse Bertillon: The Father of Criminal Identification*,"* Jim Fisher: The Official Web Site*,* accessed January 7, 2021*,* last modified January 7, 2008, https://jimfisher.edinboro.edu/forensics/bertillon2.html#_ftn5.
[221] Allan Sekula, "The Body and the Archive," *October* 39, Winter (1986): 18.

criminal.[222] Galton believed that criminal types could be gauged from hereditary features that such composite photographs would come to reveal, helping ultimately to curb criminal behaviour by 'breeding out' hereditary indicators of the criminal type.

Both Bertillon's and Galton's methods sought to track the criminal through the photograph and further prevent the 'criminal element' that was believed to be a problem at the time. Their desire was one based on the development of a scientifically accurate way of identifying the criminal in a photograph.[223] As Keenan asserts, Sekula viewed their work in the system of identification as an attempt to code people to a mathematical degree, a mechanical process thought of as instrumental in identifying criminality and preventing or imposing law upon it.[224] Bertillon and Galton drew upon claims made by William H. Fox Talbot, who saw legalistic truth not so much based in textual inventory but on an indexical inventory founded on the "impersonal" and "natural" image.[225] What greatly separated these men, however, Sekula notes, was their approaches.

Bertillon was a nominalist, nominalism being based on denying the "reality of generic categories as anything other than mental constructs". [226] He saw practicality in individuating the criminal from the rest of the citizenry. Galton was a realist, in his sense realism being the belief in the "truth of general propositions". He believed in the practicality of the constructed criminal. In other words, whilst Bertillon focused on photographs ability to help identify a specific person responsible for a specific crime, Galton believed that in creating a composite photograph of criminals of a specific type he could produce the general physiognomic indicators to look out for in order to prevent future criminality by acting upon what he believed were potential criminal bodies before their 'instincts' caused them to act. Though

[222] Sekula, "The Body and the Archive," 19.
[223] Sekula, "The Body and the Archive," 18.
[224] Keenan, "Counter-forensics and photography," 69.
[225] Susan Sontag, *On Photography (*London: Penguin, 1979*),* 68.
[226] Sekula, "The Body and the Archive," 18.

drastically different in approach, they both held to the belief, along with Oliver Wendell Holmes and Francois Arago, that photographs produced an archive that could "provide a standard physiognomic gauge of the criminal…[and] could assign each criminal body a relative and quantitative position within a larger ensemble".[227] Whilst not in exactly the same manner, especially regarding the belief of an intrinsic criminal type, the parameters Bertillon produced in identifying the body continue today in enabling police and state structures in their pursuit to define and keep track of their citizens.

In order to identify the victims of gross acts of human violation that happened in relation to such surveillance structures, human rights groups have sought to turn the forensic gaze back at the systems and people who produced them. Similarly to Bertillon's view that "scars and other deformations of the flesh were clues, not to any innate propensity for crime, but to the body's physical history: its trades, occupations, and calamities", but with intent on using forensic methods against surveillance regimes, human rights groups have turned to forensic anthropologists in order to identify the remains of violated persons and people.[228] The use of forensic techniques to examine skeletal remains led prominent American anthropologist Clyde Snow to produce the term osteobiography, a word used to describe the way anthropologists produce a biography of person through studying anomalies discovered on their bones.[229] Sekula calls this reversed gaze upon the state's forensic and surveillance profile: counter-forensics.[230]

For Keenan there are two meanings to counter-forensics. The first meaning is the active attempt by any entity to impede or disrupt the results of a forensic investigation by tampering with forensic evidence needed to produce forensically accurate conclusions about a case. The

[227] Sekula, "The Body and the Archive," 17.
[228] Sekula, "The Body and the Archive," 30; 33.
[229] Moosage, "Missing-ness, History and Apartheid-era disappearances", 70.
[230] Sekula, "Photography and the Limits of National Identity," 30.

second meaning proposed by Sekula, is a re-examination of the forensic evidence that the state produced as part of their surveillance tactics, re-purposing it so as to restore the identity of those they disappeared and to produce cases against the state and their agents for their role in the crimes committed.[231] As Sekula argues, for the state to produce "its victims", it required individuating them and cataloguing them as "precisely as possible".[232] To restore the identity of a people and resist their annihilation then, investigators can turn to the material used to identify and annihilate them: the photograph and the forensic. Sekula simplifies this in the following sequence:

Identification – Annihilation – Identification

In his exploration of the potential of forensics and counter-forensics, Sekula cites the example of the photographic culture that produced the Kurdish people publically. As a result of the Kurdish being photographed and characterised largely by outsiders, their records were in many ways of a type of people, rather than of the people. Sekula states, the "people were defined from without by multiple oppressors and scientists and adventurers: Ottoman Turks and Persians and Europeans in the nineteenth century; Turks, Iraqis, and Iranians in the present period; with periodic bursts of 'Western' journalistic intervention."[233] However, these sporadic representations, which include numerous photographs taken by police and military forces, can when re-read and assembled into an archive help produce a national identity of resistance by making visible the suffering of the Kurdish and their disappeared. As Keenan surmises, in Kurdistan it "is not this or that child who can become the object of pity or compassion but something more radical: the missing are the objects of a systematic political campaign of extermination… [a] people has been targeted for disappearance, [Sekula] says,

[231] Keenan, "Counter-forensics and Photography," 68-9.
[232] Sekula, "Photograhy and the Limits of National Identity," 30.
[233] Sekula, "Photography and the Limits of National Identity," 30.

but the project has left its traces and can be challenged—forensically.[234]

These sequences can be used not only to identify victims, but missing perpetrators as well. A somewhat modified version of this sequence can be seen in the attempts to identify a notorious Nazi perpetrator, Joseph Mengele. In 1985 after searching for Mengele in order to convict him for his crimes, investigators discovered that he had long since died and that he had been buried by Austrian couple Wolfram and Liselotte Bossert in Brazil.[235] During the exhumation of Mengele's body, on the 6 June 1985, journalists were invited to record, film and photograph the on-going event. Following the exhumation and the exhibiting of Mengele's bones to the media, Romeu Tuma, chief of the Saõ Paulo federal police, exclaimed that Mengele was "well and truly dead".[236] In spite of this, many, including some Israeli officials, like retired Mossad head Issar Harel, refused to believe that the bones were in fact Mengele's.[237] In response to the desire to want certainty beyond reasonable doubt, several leading forensic experts and analysts journeyed to Saõ Paulo to participate in the examination and authentication of the war criminal's identity.

Through skull-to-photo superimposition – a technique introduced by a member of the West German team, Richard Helmer – a portrait photograph of a younger Mengele was digitally superimposed on the skull of the remains believed to be his.[238] Using measurement tables and formulas, which included about thirty different pins secured to the reassembled skull, Helmer produced a model of congruency and indexical reference of identity. Through Helmer's skull-to-photo superimposition, investigators and a wider public were given the evidence they required to reassure them that Mengele was indeed dead once and for all. The last of the great

[234] Keenan, "Counter-forensics and Photography," 70.
[235] Thomas Keenan and Eyal Weizman, *Mengele's Skull: The Advent of a Forensic Aesthetics* (Berlin: Sternberg Press, 2012*),* 14.
[236] Alan Riding, "Man in the News; Key man in Mengele case: Romeu Tume," *The New York Times*, June 16, 1985, https://www.nytimes3xbfgragh.onion/1985/06/16/world/man-in-the-news-key-man-in-mengele-case-romeu-tuma.html.
[237] Keenan and Weizman, *Mengele's Skull,* 15-6.
[238] Keenan and Weizman, *Mengele's Skull,* 30.

Nazi violators were no more, and the masses of people clinging onto the idea that he could be either dead or alive, were more likely to accept what both science and their eyes were telling them.

Following the identification of Mengele, there was a wider public turn to and greater acceptance of forensic science in the field of criminality.[239] These developments outlined, led scholars to argue that a shift had happened in the production of legal, historical and humanitarian claims made about the past and the "material legacies of violence", which they called the 'forensic turn'. [240] Thus Helmer's skull-to-photo superimposition, not only "pushed the probability calculation further in the direction of definitive identification",[241] it also did more to engage the public imagination regarding the capacity of forensic methods to ascertain identity. *New York Times* journalist, Ralph Blumenthal, for example, reported that skull-to-photo superimposition made many believe that it was the most "innovative" and "decisive" in authenticating the identity of Mengele.[242] Clyde Snow, who had worked to identify the remains of disappeared persons from Argentina,[243] credits Mengele's investigation with giving legitimacy and necessary public exposure to forensic specialists. Owing to it, investigators from multiple disciplines were encouraged to collaborate, creating an interdisciplinary process that helped pave the way for methodologies to assist with finding thousands of missing bodies all around the world. [244]

One such team to come out of this inter-disciplinary exchange was the Argentine Forensic Anthropology Team (EAAF), a non-profit non-governmental organization formed in 1984, based in Buenos Aires but today active across Latin America, Asia, Europe, and Africa,

[239] Moosage, "Missing-ness, History and Apartheid-era disappearances", 68-9.
[240] Moosage, "Missing-ness History and Apartheid-era disappearances", 58-9.
[241] Keenan and Weizman, *Mengele's Skull,* 38.
[242] Blumenthal cited in Keenan and Weizman, *Mengele's Skull,* 38.
[243] Moosage, "Missing-ness, History and Apartheid-era disappearances", 99.
[244] Keenan and Weizman, *Mengele's Skull,* 55.

including South Africa.[245] Forensic anthropologist Claudia Bisso, for example, who is a representative from EAAF, now works with the South African Missing Persons Task Team (MPTT).

The methods and networks developed in search of Mengele have been particularly important in South Africa's work to dismantle the repressive legacy of apartheid. Whereas in Mengele's case, photography was used to produce convincing identity of a perpetrator of gross violations of human rights, in South Africa it has been used to identify victims. This is the case with MK operative Ntombikayise (Ntombi) Priscilla Khubeka who died in the custody of the police, even though they denied direct involvement in her death. Perpetrators claims that Khubeka had died in custody as a result of a heart attack due to being overweight and unhealthy was challenged when a "spent 7.65 bullet" fell from her skull during the exhumation of her skeletal remain from the Charlottedal Cemetery, Stanger, on 5 May 1997.[246] This led investigators to surmise that instead of a heart attack, Khubeka was more than likely shot in the head when a hole in her skull matched the bullet that fell from her skull.

In order to corroborate this new theory of death, it was necessary to positively identify the remains as those of Ntombi Khubeka. While the post-mortem examination conducted after her exhumation was able to suggest a probable match, DNA testing was inconclusive as a result of the deterioration of her remains.[247] Fortunately, a skull-to-photo superimposition conducted by Dr P. Venezis, Regius Professor of Forensic Medicine and Science at Edinburgh University proved successful, confirming the identity of the remains as those of

[245] Ciraj Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," in *The Politics of Heritage in Africa: Economies, Histories, and Infrastructures,* ed. Derek R. Peterson, Kodzo Gavua, and Ciraj Rassool (New York: Cambridge University Press, 2015), 140.
[246] Moosage," Missing-ness, History and Apartheid-era disappearances", 64-5.
[247] Moosage, "Missing-ness, History and Apartheid-era disappearances", 65. Although challenged by the perpetrators, upon further examination by the SAPS Forensic Science Laboratory in Pretoria, Sergeant TM Briers confirmed Dr. Venezis's findings.

Khubeka. The amnesties of Khubeka's perpetrators were denied.[248]

To Keenan, in certain cases, photographs that identify a person, some taken for the purposes of surveillance or repression, can be re-read or 'turned around', as it were, and used as evidence to convict perpetrators. In the case of the disappeared, photography joins "the dismal science of mass-grave exhumation in the project of recording and recovering the traces of the disappeared, of individuation". [249] Keenan argues that by tracing the history of a photograph, which includes its producers, uses and the places it has travelled, we can also track down perpetrators, pursue justice and acknowledge the lives and afterlives of those for whom we are pursuing justice. Agreeing with Sekula, Keenan believed that the people photographed with the intent made to annihilate them as a result of being identified, can not only have their identity restored in part through re-examining the photographs used to annihilate them, but also obtain a form of justice by leading to convictions of the guilty.

Keenan, explaining his furthering of Sekula's concept of counter-forensics, discusses how mechanical photographs produced by the military for the purpose of aerial tactics can be counter-forensically reread in order to create a case for victims of the state. Mechanical "photographs bear witness to a particular, limited situation, recording it so as to enable operations in it."[250] They are the type of instrumental photographs produced with a particular intent to act upon what is seen. In the case of aerial photographs taken by the military, they are taken in preparation for tactical operations. Mechanical photographs are images "designed to make things happen, to record and display a situation so as to intervene in it".[251] Thought of in another way, mechanical photographs were designed to be "evidence" that could be immediately operated upon before what was there changed. These operations can often be

[248] *TRC Report*, Vol. 6, 554.
[249] Keenan, "Counter-forensics and Photography," 71.
[250] Keenan, "Counter-Forensics and Photography," 60.
[251] Keenan, "Counter-Forensics and Photography," 60.

violent in nature, such as a drone strikes, or tactical operations conducted by ground troops to execute a particular target more efficiently. For Keenan, aerial photographs could be judged for the reason they were made to be used, brought up in court as visible evidence of the operations that were undertaken as a result of their surveillance. Through counter-forensics, that which "produces evidence, documents individual and specific things, names and attaches names to bodies," is turned upon those who produced them for those purposes and actions.[252]

Herein lay a means for human rights groups to re-read mechanical photographs in order to produce counter-forensic claims on behalf of victims of action of human rights violations. Photographs can be turned to in order to create different stories about the past that help victims of violation and repression. In his conversation with Susan Meiselas, Sekula noted that he believed that her photography could "broaden the conversations" she had heard when in Kurdistan.[253] Her own photographs were produced as a result of the stories she heard in "blasted villages and refugee tents", and her photographs would go onto produce stories about the people she photographed that could challenge the ways they were typologised. Meiselas's work invoked the argument, that to be Kurd was not one particular thing or a limited group of things, but immeasurable. From his conversation with Meiselas, Sekula gathered that stories were developed similarly to the way identities of people following efforts to annihilate them were developed, from their remnants. In other words, stories heard generated photographs that generated stories painted in the remnants of what the photographs showed us. Sekula summarises the sequence as:

Stories – Photography – Stories

These stories would develop from the people interpreting them for what they become evidence for: resistance against annihilation of memories and identities, a counter-forensics.

[252] Moosage, "Missing-ness, History and Apartheid-era disappearances", 115.
[253] Sekula, "Photography and the Limits of National Identity," 31.

As Sekula argues “[c]ounter-forensics, the exhumation and identification of the anonymized ("disappeared") bodies of the oppressor state’s victims, become the key to a process of political resistance and mourning".[254] Combined with work done to re-individuate the person, counter-forensics resists the active act of forgetting missing persons and produces evidence that can begin to address the psychological needs that suffering mourners face as a result of their uncertainty of the missing’s whereabouts.

Counter forensics is then a sort of post forensic investigation, an adoption of forensic techniques that through tactical operation could be used to collect the "microphysical barbarism" meted upon the oppressed by the oppressor; a "practice of political manoeuvring".[255] To Keenan, Sekula sees the photograph as an essential element in “ultimately genocidal operations” aimed at removing bodies unwanted by identifying them.[256] The missing, for example, can largely be identified by their photographs. They can be recorded as threats, and passed on to governing agents as instrumental in identifying state sanctioned threats and criminals; oppositions to the state and its laws. In South Africa, for example, thousands of portraits were collected and assembled into a Security Branch album of people that were considered a threat to national security in some manner.[257] Counter-forensics, as argued by Sekula, is then a method of identification that is humanist in nature, a “basic humanism… of mournful reindividuation, laying the groundwork for collective memory of suffering” that can turn this photographic gaze back around.[258] As Keenan notes, this is because counter-forensics involves the "patient exploration of the relationship between photography, evidence and humanism – and with it the politics of human rights."[259] Those

[254] Sekula, “Photography and the Limits of National Identity,” 30.
[255] Keenan, “Counter-Forensics and Photography,” 69.
[256] Keenan, “Counter-Forensics and Photography,” 70.
[257] TRC *Report*, Vol. 6, 556. See also Jacob Dlamini, *The Terrorist Album. Apartheid’s Insurgents, Collaborators, and the Security Police* (Cambridge, MA: Harvard University Press, 2020).
[258] Sekula, “Photography and the Limits of National Identity,” 31.
[259] Keenan, “Counter-Forensics and Photography,” 59.

same photographs used to annihilate victims, help to restore the identity of victims, by giving them unique faces, helping in the pursuit of justice for gross acts of human violations by identifying those targeted by the state and who had potentially gone missing as a result of that targeting.

Forensics, Counter-Forensics and Photography: South Africa

I want to now turn to examples in South Africa of sets of photographs that can be read forensically and counter-forensically in pursuit of human rights justice. I maintain, in this section, that photographs are powerful counter-forensic tools that make visible unseen violations, victims and perpetrators, enabling identification and justice. However, I also maintain that the way a photograph is disciplined depends on who or what is interpreting and reading it.

The first set of photographs I examine relating to the pursuit of human rights and a forensic affirmation of injustice are those taken by Afrapix, specifically those of Paulos Mohobane taken by photographer Gille de Vlieg. According to Patricia Hayes, Afrapix was formed at the height of apartheid resistance and violence in 1982 by Omar Badsha and Paul Weinburg[260] as a collective aimed at producing a "weapon of the struggle".[261] Knowing the power of photography, Afrapix photographers helped to win support and build sentiment for the anti-apartheid movement across the world. Afrapix explicitly desired to educate and mobilise the public around the anti-apartheid movement. As Afrapix Durban emphasised, photographs had a "crucial role to play, within the history of struggle, for photographs are

[260] Patricia Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," *photographies* 10, no. 3 (2017): 303.
[261] Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," 306.

able to ideologically frame moments in history." [262] Kylie Thomas believed this was because photographs, like those taken by Afrapix, pushed people to feel, to "think and be moved, both affectively and in the sense of being moved to action" against the structures that upheld the apartheid state.[263]

Afrapix succeeded in their goals when collaborations with international support groups, such as the Carnegie Foundation, used their photographs to inform their publics about the situation in South Africa.[264] Such was the case when a "teacher in a war zone of northern Namibia took a photograph of the police counter-insurgency unit Koevoet displaying the corpse of a guerrilla fighter on their vehicle". [265] This image, and many like it, was then distributed to "major newspapers, student publications, anti-apartheid movements in different countries and in-house projects at IDAF".[266]

One of Afrapix's desires was focused on exposing repression as opposed to enforcing it and constituting an archive of the criminality of the state.[267] This was an archive meant to build an undeniable case of the conditions South Africans faced under the leadership of apartheid. In examining the Afrapix collective, Kylie Thomas argues that Afrapix's photographs acted as evidence to "both the absence of law and to transgressions of the law".[268] By doing this they redefined apartheid repression as violent and criminal to many who were either in denial of it, or unaware. Afrapix's 'works' also to some extent documented violence committed by supporters of the liberation struggle such as photographs of necklacings by 'comrades'. Prominent amongst these photographers is Gille de Vlieg, who took photographs of the aftermath of violence upon the people it had happened to, such as photographing bodies with

[262] Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," 311.
[263] Kylie Thomas, "Wounding apertures: violence, affect and photography during and after apartheid," *Kronos* 38, no. 1 (2012): 217.
[264] Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," 310.
[265] Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," 309.
[266] Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," 316.
[267] Sekula, "The Body and the Archive," 17.
[268] Thomas, "Wounding apertures," 211.

brutal scarring.

Whilst perhaps not intentional, some of De Vlieg's photographs can be read forensically for signs and evidence of bodily harm. Such as in the case of Paulos Mohobane, whose photograph showed us the aftermath of a beating he had received from Thabong vigilantes, who were regarded as state allies. The damage from the beatings is so severe that wounds can be seen across his entire body.[269]

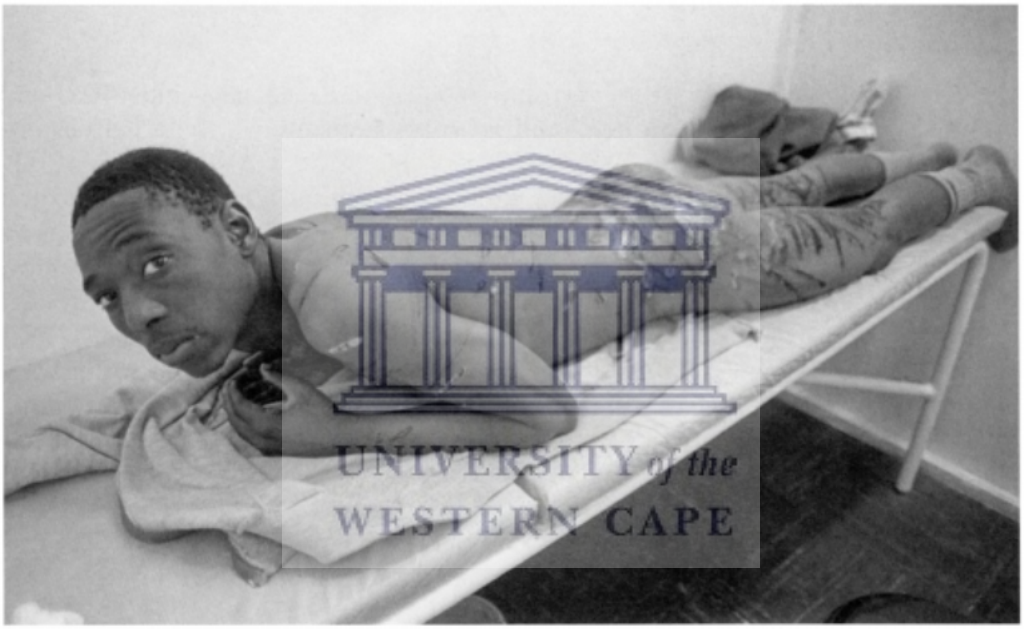

Figure 3: Paulos Mohobane, beaten by vigilantes employed by councillors, Thabong, 3 June, 1985. Black and white photograph by Gille de Vlieg.

Figure 3: Paulos Mohobane, staring at the photographer taking his photograph on June 15, 1985. His body is severely beaten as he lay naked on a medical bed, with only his socks remaining on his feet. Photograph by Gille de Vlieg. Cited in Kylie Thomas's 'Wounding Apertures.'

To Thomas, Mohobane's body is so badly beaten that he almost appears clothed upon first glance. To her, his is a body "mediated by pain".[270] However, there is a second photograph of Mohobane that shows much more of the brutality of what he had gone through. The second

[269] Thomas, "Wounding apertures," 213.
[270] Thomas, "Wounding apertures," 213.

image of him, further acting as a form of visual forensic evidence, was "shot specifically to show the severity of the beating". Through the photographs, as Thomas accounts, "I can see that a man has been beaten, I can count the number of times the weapon found flesh, I can see that the man has survived the attack and that he is in a hospital bed".[271]

Figure 4: A close up of Paulos Mohobane backside, taken on June 15, 1985. Photograph by Gille de Vlieg.[272]

Afrapix's theory on the use of photography is not dissimilar to what Shawn Michelle Smith argued after exploring photographs taken at the exhumation of African-American lynching victim Emmett Till. Photographs were essential, albeit "inadequate" and "inexact" barriers that worked against the "erasure of history and knowledge".[273] As Eric Miller believed, the photographic evidence produced to create this archive of violence would counter any

[271] Thomas, "Wounding apertures," 214.
[272] Cited in Thomas, "Wounding Apertures."
[273] Shawn Michelle Smith, "The Afterimages of Emmett Till," *American Art* 29, no. 1 (2015): 25.

attempts to deny the claims of violence in South Africa that Afrapix were making about the repressive state.[274]

In examining the Afrapix collective, Kylie Thomas argued that their photographs acted as evidence of those the law ignored and of those who were violated under it.[275] They revealed who were protected and who were not under state legislator. They made "visible the structures of indifference that were necessary for maintaining apartheid's racial divides and, at the same time, makes visible the pain that could not be shown".[276] Every photograph has meaning or is taken with an informed set of values. And to Afrapix, the photographs they took meant that experiences absent or taken outside of the consciousness of a wider public, could be brought to light; such as previously unknown and unreported violence, trauma and injustices that both the local and international publics knew little about or did not believe. As essayist and novelist Susan Sontag argued, photographs 'furnished' evidence by appearing to prove what we would doubt if only heard.[277]

It is these types of violent photographs that help us define and understand the condition of human life in relationship to the state and others. Joseph Darda argues this point when he examines Thomas Franklin's photograph of firemen raising the American flag on the rubble of the World Trade Centre as the result of the New York 9/11 Twin Tower attacks. He posits that certain photographs, under particular contexts, were signs of moral action, of justice, of injustice, of appropriate actions and calls to action, of a society's exceptionalism and kindness, a way of articulating the incomprehensible that shaped it.[278] And while photographs

[274] Hayes, "Photographic Publics and Photographic Desires in 1980's South Africa," 311.
[275] Thomas, "Wounding apertures," 211.
[276] Thomas, "Wounding apertures," 217.
[277] Sontag, *On Photography*, 175.
[278] Joseph Darda, "The Exceptionalist optics of 9/11 Photography," *Journal of American Studies* 50, no. 1 (2016): 192.

may not themselves produce political action, history and knowledge as Smith argues,[279] their existence in relationship to violence does. Similarly, returning to South Africa, Kylie Thomas argues upon examining de Vlieg's photography collection, that "photographs of people who have been subject to beatings and whose bodies bear the marks of multiple lashings… [forces us] to confront some of the most painful aspects of apartheid violence… [asking us] to think of the violence not only in the time of its occurrence but of its aftermath".[280] Photographs make real the suffering of people, and begin a place for us to address that suffering as we ask questions about what we see before our eyes.

Another uniquely South African photograph that has been produced as visual forensic evidence and then read counter-forensically as part of the photographic archive of the violence of apartheid repression is the medical photograph of Siphiwo Mthimkulu found in the 1983 August *South African Medical Journal.* [281] Mthimkulu was an anti-aparthied activist, whom after 5 months of solitary confinement was abducted in 1982 by Port Elizabeth security police.[282] A week after being admitted to Groote Schuur hospital on the 6 November 1981 for severe abdominal pain, body aches, weightloss and vomiting 2 – 3 weeks after his release from solitary confinement, Mthimkulu suffered alopecia.[283] The sight of his patchy hair loss prompted doctors to test for thalluim poisoning, which was confirmed by a urinalysis.[284] A photograph of his face, with eyes whited out, was taken two weeks after admission and provided a visual representation of the effects of the poison on him. As Moosage notes, the entry in the journal does not name him, placing him squarely into the realm of medical subject: the patient. His photograph, with his eyes censored and his name

[279] Smith, "Afterimages of Emmett Till," 25.
[280] Thomas, "Wounding Apertures," 217.
[281] F. Majoos, A.D. Marais, F. R. Ames, "Thallium poisoning: A case report," *South African Medical Journal* 64, no. 9 (1983): 328-330.
[282] Moosage, "Missing-ness, History and Apartheid-era disappearances", 103.
[283] Majoos, Marais and Ames, "Thallium poisoning," 328.
[284] Majoos, Marais and Ames, "Thallium poisoning," 329.

removed, acting to recall not Mthimkulu the person, but the visual evidence to the medical diagnosis of thalluim poisoning.

Figure 5: Unnamed medical side portrait of Siphiwo Mthimkulu found in his medical report in the *South African Medical Journal*.

However, in line with Sekula, Keenan and even Thomas, Mthimkulu's side portrait, even with his eyes censored and his name removed, coupled with the stories in his medical report about his condition, works as a counter-forensic profile providing evidence for the tactics used against him to silence him by agents of the state. As Moosage notes, citing Jan Vandenbrooke, although considered a lower and weaker "level of evidence" by some in the medical fraternity, photographs are often the first traces of something having happened. [285] They act as the first entry to imagine Mthimkulu's final experiences.

[285] Moosage, "Missing-ness, History and Apartheid-era disappearances", 106-7.

The photograph and Mthimkulu's medical case report then speaks to the crimes committed against him, to the violence of the past he experienced before his disappearance and his treatment as a human being by and under the anti-apartheid repressive state. It records the conditions he was in and where he was before his abduction. As Zoe Crossland argues, the body holds a "rhetorical trope" that allows us to see the body itself as the evidence of the crimes meted out against it. For her, the body could be read for "symptoms to diagnose interior states and faculties;… individual identity…; the past …; [and] evidence of crime."[286] Thinking then with Crossland, Mthimkulu's body becomes evidence for the crimes committed against him, whilst also pointing to those who were most likely responsible for the crime: those who put him in solitary confinement. This can be witnessed in the last paragraph of Mthimkulu's medical report. Here he is noted as being booked for readmission 3-4 months later, but failed to arrive, with the hospital being told he had disappeared and had since not been seen.[287]

Mthimkulu remained forensically missing until 2007, when burnt cremains were found in a septic tank, believed to be his and those of Tobekile 'Topsy' Madaka at Post Chalmers farm by the Missing Person's Task Team.[288] Moosage argues that the punctums within the medical photograph of Siphiwo Mthimkulu produce the evidence that supports engagement in the narration of apartheid repression against Siphiwo. He suggests that the attempt to produce a forensically sound photograph categorises Siphiwo as not only a patient, but as a victim too. Its "visible bald spots, the scalp alopecia… [unsettles]… precisely because of the knowing that the case report suggests: the 'patient' had been poisoned deliberately while in police detention".[289] Demarcating him as a victim then produces him along particular political lines and holds him there, producing the narration that demands that justice be sought after for

[286] Zoe Crossland cited in Moosage, "Missing-ness, History and Apartheid-era disappearances", 108.
[287] Majoos, Marais and Ames, "Thallium poisoning," 329.
[288] Nicky Rousseau, "Eastern Cape Bloodlines 1: Assembling the Human," *Parallax* 22, no. 2 (2016): 203.
[289] Moosage, "Missing-ness, History and Apartheid-era disappearances", 113.

those forensic abnormalities that Siphiwo Mthimkulu suffered. Moosage sees in this not Siphiwo's individual suffering, but agrees with Sekula, who argues, counter-forensics "refers to nothing less than the adoption of forensic techniques as a practice of 'political maneuvering', as a tactical operation in a collective struggle, a rogues gallery to document the microphysics of barbarism".[290]

The photograph then, Moosage further argues, is in this way a source to diagnose and a resource with evidential potential for future "purposive action and intervention".[291] When humanitarian groups obtain them, the photographs enter into a history of suffering which finds relief through engaging in the "detailed cause and effect, specific wrong and specific action" of its existence in the first place.[292] As Keenan states, notes Moosage, the image is not simply a passive object that produces something revealing, but is in fact an action taken to assert a force upon the world, so as to achieve and do something. In other words, photographs read for counter-forensic evidence of the dead and disappeared, with the right intent, can restore the identity of bodies taken and help support and make claims against those who took the bodies.

Such is the case of another collection of South African photographs, namely, the portrait photographs of executed political prisoners hanged between 1960 -1980 at the Gallows (now Gallows Memorial Museum) in the old Pretoria Central Prison, which have been examined by Bianca van Laun. The portrait photographs of executed political prisoners that Van Laun examines were first created as part of the bureaucratic records within apartheid's prison system in the old Pretoria Central Prison's death row facility. They were created to give the prison administration a visual record of prisoner's identity and control over the movement of those depicted in the portraits. Similarly to Bertillon's mugshot photography of the 19th

[290] Allan Sekula cited in Moosage, "Missing-ness, History and Apartheid-era disappearances", 100.
[291] Moosage, "Missing-ness, History and Apartheid-era disappearances", 113.
[292] Moosage, "Missing-ness, History and Apartheid-era disappearances", 114.

century, the photographs were accompanied by documents that identified physiognomic features of the prisoners, and included their crimes[293] which ranged from politically motivated murder to sabotage. [294] This would have been to confirm the legal identification of each prisoner.

To Van Laun, the physical traces of interaction that the document itself possessed, more than noting the legal reason for the prisoners being there, revealed some part of the "invisible relations between state offices and the functioning of the system as a whole", which led to the death of the prisoners. She notes, for example, that the documents littered with several bureaucratic stamps reflected the document's itinerary and, in turn, the transfer of the prisoners from external facilities to the old Pretoria Central Prison. The eyelet holes on the photographs meant that each one of them were taken, not in isolation, but with the intent to be filed and read in tandem with documents that further identified them.[295] To Van Laun, the prisoners' portrait photographs draw on Sekula's argument that surveillance photographs that identify persons can be considered as material linked directly to eventual 'genocidal operations'. In other words, the photographs through positively identifying prisoners were also to a degree responsible for those who were eventually executed as a result of being positively identified.[296] But as Sekula and Keenan conclude, those same photographs can later be used to counter their annihilation by giving them unique faces.

The Pretoria Central Prison's death row facility as well as the actual gallows where the prisoners were executed was dismantled after the death penalty was abolished in South Africa in 1996.[297] However, on 15 December 2011, former-president of South Africa Jacob Zuma announced that the Prison would be renovated and re-imagined as a "national memorial

[293] Van Laun, "Following the Image," 140.
[294] Van Laun, "Bureaucratically Missing," 124.
[295] Van Laun, "Following the Image," 6.
[296] Keenan, "Counter-forensics and Photography," 70.
[297] Van Laun, "Bureaucratically Missing," 125.

museum".[298] The museum's intended goal was in large part aimed at restoring the memory of the 134 political prisoners who had been executed there. At the same time, it was also intended, notes Van Laun, to help South Africans "confront and reflect on the violences of the past in ways that would supposedly help us to heal and move forward".[299] As a result, the items that identified the prisoners extended their meanings into the realms of human rights violations, the liberation movement and nation building. The museum itself became a forum, as noted earlier through Weizman that helped produce new ways of interpreting the evidence of the politically hanged.

Both Van Laun and Moosage see photographs as a means of tracing the relationship of the people referred to in them with the system that produced them as either victim or criminal. In Moosage's work we see that the methods and techniques of medical photography, whilst drawing on the same forensic principles as Bertillon's criminal photography – and the image seems to replicate some of this photography – rather than identifying a person along biological mathematical consistencies for purposes of policing, was used to record visual indicators of Siphiwo Mthimkulu's illness. Thus it allowed the photograph to act as a starting point with which to engage the crimes committed against Mthimkulu – evidence of poisoning by thallium during his prior detention. As Moosage argues, the photograph helps produce Mthimkulu as a victim of the state. Van Laun, at the same time, sees the multiple stamps, puncture holes and attached documents revealing of the invisible institutions involved in the lives and deaths of the condemned prisoners. Through forensic and counter-forensic investigation of photographic and physical material left behind, some semblance of what occurred to the individual referred to in these documents can be produced.

Whilst this does yield some sense of justice for the living, what this does not do, as Moosage

[298] Van Laun, "Bureaucratically Missing," 125.
[299] Van Laun, "Bureaucratically Missing," 125.

and Van Laun struggle with, is adequately produce the person-as-such outside of meanings attached to counting within a bureaucratic order. Put differently, trying to move beyond the bureaucratic order and seeing the person-as-such is an especially difficult task when narrations of political struggle tie closely to why they are of interest to forensic and counter-forensic investigators in the first place. The person being mourned is not recalled for the actual 'who', the innumerability of their existence, personal networks and personal beliefs, but for the general 'what' to the state that was lost: a hero, a victim, an agent of a political ideal.

Forensics, Counter-forensics and Photography: The Absence of Personhood

In this section of my chapter, I turn to the critique of producing a person through political bureaucracy and through the laboratory. I believe that although forensics and counter-forensics are important for the pursuit of criminal justice, we must be hyper-vigilant of their limitations in addressing the reason the person is being missed in the first place. This is not as the politically dead and disappeared, which are bureaucratic terms so that we can more easily discipline the dead, but as individuals with their own personal network of people whose lives they were directly part of. This is a network of people who were attached to the dead, emotionally, psychology and physically and who were denied mourning when they disappeared.

The two most recent critiques of defining the politically dead and disappeared produced through counter-forensic readings by a bureaucratic order, are also two historians who I turned to in discussing the value of counter-forensics, Moosage and Van Laun. Whereas Van Laun is specifically uncomfortable with how post-apartheid bureaucratic descriptions re-objectify the dead and disappeared for the purposes of the state, Moosage is concerned with

the way the missing dead are disciplined not for who they are as people, but why they are being pursued, as either medical cases, forensic subjects, criminals or missing persons.

They are both deeply interested in how forensic evidence come to stand in for and reproduce the person of the missing dead; a term Jenny Edkins used when thinking about the manner in which a person is produced after having gone missing as a result of war and/or other violent means of disappearance.[300] When Edkins speaks of the person-as-such, she refers to the innumerable aspects that shape a person, their personal political beliefs, connections, mannerisms, voice and more, that cannot ever be fully retrieved or restored, and is relationally based.[301] Van Laun's project traces what she calls the life and multiple afterlives of portrait photographs of political prisoners taken before they were hanged, now displayed at the old Pretoria Central Prison's death row facility turned into the Gallows Memorialisation Project. She is curious to know how the copied prison photographs, and the commingled sand and human remains come to stand in for the person-as-such.[302] Moosage wants to understand how the commingled bits of ash and bone of what is believed to be Siphiwo Mthimkulu and Topsy Madaka, and bits of Mthimkulu's hair that are made present by photographs taken by Jillian Edelstein, addresses his missing-ness.[303] Moosage argues this is as forensically missing rather than as missed for their person-as-such.[304]

Herein lies the problem for both historians. Van Laun for example argues that through the use of counter-forensics the portraits of the hanged political prisoners when repurposed along lines of nation-building enact the very bureaucratic structures that led to their execution in the first place: their existence as decisively political beings. For Van Laun, the problem with engaging in those individual deaths in this manner is that it continues to perpetuate state

[300] Edkins, "Introduction," 3-7.
[301] Edkins, "introduction," 11.
[302] Van Laun, "Following the Image," 138.
[303] Moosage, "Missing-ness, History and Apartheid-era disappearances", 45; 55.
[304] Moosage, "Missing-ness, History and Apartheid-era disappearances", 49.

ownership over their deaths, even though they are repurposed in narrations of nation-building. In other words, by continuing to perpetuate people by a collective identity, over their unique individuality, we are also perpetuating state ownership over them. Their deaths are not their own, to be respected, mourned by those in need of mourning them and then put to rest. Instead, their deaths are to be rehearsed numerous times for political means.

And, as with the case presented by Moosage, what this type of restoration does not do, is restore the politically dead's person-as-such. Citing the conversation Sekula had with Meiselas again, it is the production of a person not their type that we should consider to be more important. As Meiselas states, when "you are working with evidence – say when you're digging up grave sites – you don't want people to think that it is conceptual art, an installation, or that it's just invented."[305] It is important to note that it is not everyone's story you are telling, but the story of the person being photographed. And through counter-forensics, that person is often lost to their type, category or functionality within society.

By reading a photograph of a person through forensic and counter-forensics we discipline them as subjects beholden to the evidence, archives and categories that come to define the state rather than the person. They are not missed for who they are, but what makes them count to the state: as victims or heroes of the state.[306] This disciplined approach, leads Van Laun to argue that "even in their new activations" – when new meanings get attached to photographs resulting from where it travels and who interprets it – "the photographs never entirely escapes the bureaucratic rationality of the apartheid state that produced" them. In some way, they continue to "fix identities and discipline particular individuals" in bureaucratic ways, just as the apartheid government did, albeit one that aligns them with the

[305] Sekula, "Photography and the Limits of National Identity," 32.
[306] Moosage, "Missing-ness, History and Apartheid-era disappearances", 182-4.

goals of the post-apartheid rationality.[307]

Challenging the Limitations of Forensic Identities

Moosage discusses this difficulty in separating the persons mourning and persons lost from a politics when he examines another photograph connected to Siphiwo Mtimkhulu, that of his mother, Joyce Mthimkulu. The photograph, taken by Jillian Edelstein, shows Joyce Mthimkulu holding up clumps of Siphiwo Mthimkulu's hair in a fist.[308] The photograph mimicked the photograph taken when Joyce Mthimkulu spoke in court of her son; in her fist, like the photograph taken by Edelstein, sits a clump of her son's hair and scalp that fell out of his head as a result of the Thallium poisoning he had suffered.

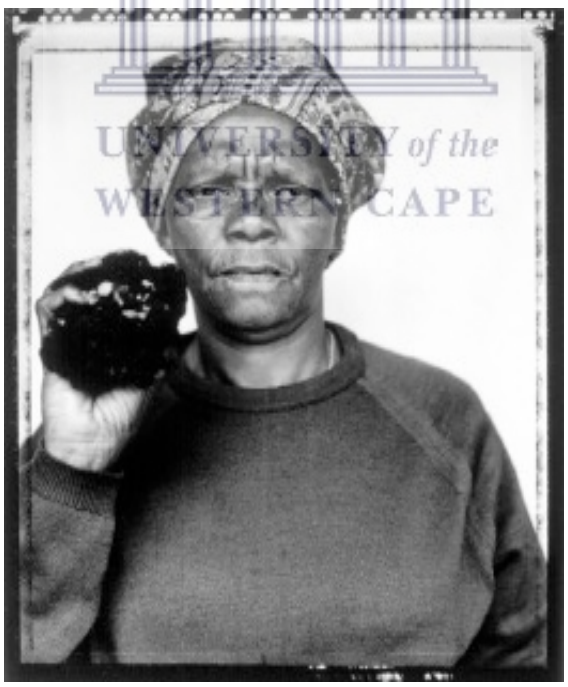

Figure 6: 'Joyce Mthimkulu, Zwide, Port Elizabeth, February 1997.' Photograph by Jillian Edelstein104 (University of Cape Town Digital Archive)

[307] Van Laun, "Bureaucratically Missing," 125.
[308] Kylie Thomas, "Exhuming Apartheid: Photography, Disappearance and Return," *Cahiers D'études Africaines* 58, no. 230 (2018): 433.

Moosage reads the photograph as making a statement concerning the presence of absence and violence of the apartheid state. The photograph, as Keenan drawing upon Sekula warrants Moosage to argue, could be seen as a form of testimony, one having "evidentiary status". [309] It "tethered" itself "to a 'story' of Siphiwo Mthimkhulu's disappearance and subsequent killing together with a painful reminder that the hair shown in the image was the only human remnant… which his mother had" left.[310] To Moosage, more so than just a reminder of remnants, Mthimkulu's photograph was also a reminder "that truth and reconciliation were the work of individuals, who refused to live with silence, with lies, with equivocation and excuses".[311]

In thinking with Keenan and Sekula, Moosage argues that it is important to consider that these meanings, like forensics, develop in a counter-forensic field subjected to humanitarian efforts. As Keenan notes, the "history of human rights forensics is marked by [the] asymmetrical reversal of state policing techniques into tactics for resisting and challenging injustice".[312] In the case of the photographs Moosage discuss, this is within the mandate of Truth and Reconciliation Commissions efforts to, without promoting further violence, reconcile the past repression with present democracy. And for Edelstein, this would be to stage her photograph in a manner that echoes freedom fighters, "whose clenched fists became a symbol of black power, resistance and African nationalism".[313] These are the forums in which the photograph entered into testimony, its "conditions" or "presentational circumstances" that help shape its meaning.[314] And, it is these circumstances that to Moosage worked to mask the ambivalent quality of Joyce Mthimkulu's photograph holding up clumps of her son's hair. To him, in tying it to what she was to others, and what her son was to a

[309] Moosage, "Missing-ness, History and Apartheid-era disappearances", 91.
[310] Moosage, "Missing-ness, History and Apartheid-era disappearances", 92.
[311] Moosage, "Missing-ness, History and Apartheid-era disappearances", 90.
[312] Keenan, "Counter-forensics and Photography," 71.
[313] Thomas, "Exhuming Apartheid," 434.
[314] Moosage, "Missing-ness, History and Apartheid-era disappearances", 91.

politics, both mother and son figured not into the discourse as persons, but symbols and political evidence of resistance.

Exploring a means to go beyond the mask of the ambivalent, Moosage turns to Mark Sanders, who believes that by placing a spotlight on how Edelstein staged the photograph, and possibly why she did so, it would allow more of Joyce Mthimkulu's voice to come through. Sanders suggest that three traits restore ambivalence to the moment Edelstein captures, which the image itself may mask. The first is Joyce Mthimkulu herself presenting the clump of hair with scalp attached and stating that she brought evidence to exhibit so that investigators had a "clear picture" of what she believed happened, mandating them to prove it.[315] The second was an engagement with almost "imagined advocates" whereby she was "ushering in… a forensic aesthetic, whereby a distinction was being 'undone' that existed between witness and a piece of evidence.[316] The evidence was both the witness to a crime, loose human material testifying to the violence committed against it, and evidence that proved the testimonial it was being interpreted to be making; what Keenan and Weizman refer to as a super-object or haunted object. The final trait is Joyce Mthimkulu referring to 'poison' as both the physical chemical that killed him, and his involvement with politics. To Sanders, Edelstein's staged photograph of Joyce Mthimkulu's raised fist is almost an attempt by Edelstein to "undo the damage [Joyce] has done to it in her grief", giving the photograph a meaning set in the anti-apartheid political narration.[317] The damage Sanders is referring to is Joyce's testimony about her son and the poison he died from being the politics he was absorbed into when alive. For Moosage, by Sanders working to restore the ambivalence to the photograph masked by its staging and presentational circumstances, its pursuit to provoke particular politics, it figures Siphiwo Mtimkhulu beyond simply being forensically missing as part of a counter-forensic

[315] Moosage, "Missing-ness, History and Apartheid-era disappearances", 93.
[316] Moosage, "Missing-ness, History and Apartheid-era disappearances", 94.
[317] Moosage, "Missing-ness, History and Apartheid-era disappearances", 96.

promise but also engages in restoring the person outside of attempts to discipline them.

Photographs of the politically exhumed, dead and disappeared, from South America to South Africa tend to demand our attention by disturbing us through indicators of mortality. Counter-forensic photographs warrant that the methods used to solve contemporary crimes be used to solve the injustices the dead faced before their civil and human rights were obtained. In this pursuit, when they are identified and reburied and their perpetrators convicted the case is often considered settled by systems of justice, with the politically disappeared being written into new political regimes. In this scribing, some have argued, like Moosage and Van Laun, that the very person-as-such that it seeks to identify in pursuit of justice is masked by the political forces they come to embody.

In examining counter-forensics as explained by Sekula and Keenan, Van Laun and Moosage argue that the person-as-such is lost in bureaucratic rationality as a result of producing personhood through the evidence needed to make counter-forensic investigations function. Whilst both see merit in its use, Moosage and Van Laun critique the ability of counter-forensics to pursue the politically missing, dead and disappeared beyond the police and state order that insists on making them count as part of the order. Whereas this can help in efforts in pursuit of justice for those made to count, as well as in some cases monetary compensation to kin for their absence, it fails to account for why the person is missed in the first place. Moosage and Van Laun both argue that counter-forensic practices in their attempt to produce a victim and convict a perpetrator, struggles to produce the person-as-such, a person in all their wholeness, a separate individual outside of a personhood based on their missing-ness, or as an entity of importance outside of their relation to the state. They are unreal people, almost untouchable, unknowable, their incalculable personhood lost to their symbolic place in a bureaucratic order.

Conclusion

Forensics and counter-forensics reproduce the person along new categories of order, masking the missing-ness of the missing by claiming to close the case of the investigation of that person as forensically missing. This is because a person-as-such is – in the court of law – thought to be given justice based on how the evidence found in the field (physical field or that is obtained in the photograph) are discoursed over in forums that are evoked as a tool that communicates on behalf of the dead. This can and has helped produce evidence that convict and identify perpetrators of gross acts of human violation, as well as pursue legal justice and identify victims of gross acts of human rights violations. But as Edkins makes us aware, in this pursuit to produce forensic evidence we in part forget the person lost, as we tie them into our political ideals and goals, and define their importance within it.

Both Van Laun and Moosage echo Edkins' argument, which roots the problem in the way she perceives the relationship of western politics with the people it governs. Edkins argues that western politics places people "between systems of registration, identification, and control and a process of objectification – the production of people as nothing more than objects of administration".[318] An example which she believes occurred during the 9/11 New York Twin Tower attacks upon seeing the way photographs of the dead were attached to immediate political reaction and American retaliation. As a remedy, Edkins believes that when we focus or produce action on behalf of the displaced or the disappeared, we cater to the "demand for a place for the person-as-such in politics," for who they are, and not only for what they are.

Some of the ways we can think about photographs of the dead being interpreted is through their legal, political and communal lens. Through a legal lens, photographs of the missing produce a means of identifying and surveying individual citizens in relation to the law and

[318] Jenny Edkins, "Introduction," 7.

citizenry. Through a political lens, photographs of the missing are not people first to be mourned, but evidence of the state's past and current crimes. These types of definitions further perpetuate violence as they manifest reasons to continue fighting: the dead as tokens of political ideologies. To the community, the missing person in the photograph is no longer one of them, in some ways they have raised through death to a realm beyond them, becoming ancestors, heroes or victims. Their photographs are not of people who lived, someone with their own individual thoughts, feelings and personal connections, but symbols of a community icon to be endowed with the spirit of the communities will, such as the photograph of Mthimkulu and his mother. In these photographs are persons to be revered, their heroics emulated, their sacrifice to be learnt more about. However, like in the case of Kurdistan, and those photographs taken by Afrapix, such photographs can also come to represent a community and the conditions the community existed within.

For these reasons, and more, in line with my thesis objective, in the next chapter, I aim to answer the question, what types of meaning do photographs of the politically dead and disappeared inherit that help re/humanise them with the goal of restoring their personhood?

Chapter 3:

Photography and Re/humanising the Disappeared Dead

I argue in this chapter that the practices of reading portrait photographs, as well as photographs of exhumations and reburials help re/humanise the politically missing who were disappeared or whose bodies were buried without names in pauper graves. I provide a counter to my previous chapter, which looked at the benefits of counter-forensic practices in reproducing evidence for the court in cases of identification and injustice, but which at the same time missed who the disappeared was: their person-as-such. I believe that the practices involved in interpreting portraits, exhumation and reburial photographs can help break through what Van Laun, Moosage and Sanders refer to as a political masking, or the disciplining of the dead that forgets who the person was in favour of what made the person count to a policing or state order.

I believe that one of the biggest problems with those who go politically missing is their invisibility to family and those who would wish to grieve them. I argue that the practices in interpreting portrait, exhumation and reburial photographs make the disappeared visible to their own familial and social networks and to the public. As Sylvia Karl states, all "practices and methods implying physical, psychological, symbolic and/or structural violence that aim at the violent abasement of people, are… processes of dehumanization".[319] I argue that to purposefully make someone invisible to their social networks by disappearing them disrupts processes of grieving that dehumanises not only the disappeared, but those who wish to mourn them as well. This is because they are not only denied human rights when they are killed and buried in pauper graves but are also denied vital rites of passage that make them human. As Sylvia Karl states, what is denied is the disappeared person's very body, the

[319] Sylvia Karl, "Missing in Mexico: Denied Victims, Neglected Stories," *Culture & History Journal* 32, no. 2 (2014): 3.

family's ability to mourn, the disappeared person's mortuary rituals and a denial of memory sites that give family a place to remember the disappeared.[320]

To re/humanise the disappeared, to restore parts of their humanity denied, therefore, is to, as far as possible, reverse that which dehumanised them: the invisibility of their person-as-such to the state, and denied to family through the lack of their body and mourning site.[321] As Moosage notes in his exploration of the South African cases of re/humanisation of Siphiwo Mthimkulu and 'Topsy' Madaka, the "processes of rehumanisation…emerged almost simultaneously with the process of their dehumanisation".[322] This is to restore, at least as much as is possible, that which was taken through dehumanising them: their dignity as humans.

In this chapter, I examine one of the processes that may be able to reverse the dehumanisation that comes with making the disappeared and dead 'invisible', namely, the photograph. Specifically, I examine how portrait photographs, exhumation photographs and reburial photographs restore not only the person's visibility to the state in desirable ways, but along with that their personhood as well. Here, I look at how such photographs address the disappeared's invisibility by drawing them out of politically limited categories of a type of people that fit within a police or state order.[323]

[320] Sylvia Karl, "Rehumanizing the Disappeared: Spaces of Memory in Mexico and the Liminality of Transitional Justice," *American Quarterly 66,* no. 3 (2014): 729-30.
[321] Karl, "Rehumanizing the Disappeared," 729.
[322] Riedwaan Moosage, "Missing-ness, History and Apartheid-era Disappearances: The figuring of Siphiwo Mthimkulu, Tobekile 'Topsy' Madaka and Sizwe Kondile as missing dead persons" (Ph. D., University of the Western Cape & Vrije Universiteit Amsterdam, 2018), 143.
[323]Jenny Edkins, "Politics and Personhood: Reflections on the Portrait Photograph," *Alternatives: Global, Local, Political* 38, no. 2 (2013): 139-154

In this chapter, I take note of the fact that disappearing a person extends beyond the dehumanisation of the disappeared person but also includes dehumanising those grieving and missing the disappeared. This is because family of the disappeared are the ones directly affected by the psychological torture that occurred as a result of the "permanent presence of the absent disappeared": their liminality.[324] Legally too, the UN International Convention for the Protection of All Persons from Enforced Disappearance regards the family as also victims of the act of disappearance .[325] As Edkins notes, people do not go missing in the abstract, they go missing in relation to those "who know them and are concerned for their well-being and want to know their whereabouts".[326] Therefore any attempts towards re/humanisation have to consider the family of the disappeared as victims, as well. Thus, I look at how photographs taken at exhumations and reburials incorporate the family and make them visible too.

However, it is essential that we recognise that victims and victims' groups of disappeared persons are not passive entities waiting to be re/humanised, instead many victim groups assert themselves into spaces of memory and demand that they and their loved one count. Such is the case with the *Las Madres de la Plaza de Mayo* and *Las Abuelas de Plaza de Mayo* (respectively the Mothers and the Grandmothers of the Plaza de Mayo), who themselves took to protesting in a public square in Argentina, asserting their status as mothers and grandmothers by "wearing the scarves of women" and demanding that not only must their children count, but themselves as well as victims. [327] On a more individual level, the same can be said of Gustavo Germano, a professional photographer, who produced a collection of photographs that focused on making visible the absences of the disappeared in the lives of the

[324] Karl, "Missing in Mexico," 4.
[325] Karl, "Rehumanizing the Disappeared," 730-1.
[326] Jenny Edkins, "Introduction," in *Missing: Persons and Politics* (Ithaca and London: Cornell University Press, 2011), 13.
[327] Edkins, "Introduction," 11.

living, one of which was that of his eldest brother – also a *desaparecido* – in his own life.[328] In rare cases, victims of disappearance spoke about their own victimisation prior to being disappeared. In South Africa, for example, anti-apartheid activist Siphiwo Mthimkulu before disappearing made the suffering incurred during a period of detention public knowledge through an affidavit, which is re-enacted in Mark Kaplan's film *Between Joyce and Remembrance* and through a "unique" recording made at Mthimkulu's hospital bed. [329] In it he described his detention and torture by security police in the notorious Sanlam building in Port Elizabeth. Shortly before he was disappeared he sued the then Minister of Police for what they had done to him, thus actively making his victimisation a legal and political case.

To re/humanise the disappeared, I argue, is to find ways to challenge fixed bureaucratic identities that forget the human and find ways to increase recognition for the victims' individuality: their person-as-such. Here, I argue for the potential of photographs, which come to stand in for the people disappeared, to re/humanise. As Karl notes, unless a victim-centred approach is taken, whereby individual victims' needs are acknowledged and catered for, a transitioning country will continue to perpetuate the dehumanisation caused by those who disappeared the victims.[330] It is important that victims' own interests, personal politics and social networks be made visible, even if it does not correspond with the ways bureaucratic orders wish to make them count. For example, Joyce Mthimkulu testified that her son's involvement in politics is also what she believed was the poison that led to her son actually being poisoned and killed by secret police.[331] Mark Sanders has argued that a picture by Edelstein, which shows Joyce Mthimkulu's raised fist holding up her son's scalp and

[328] "Gustavo Germano," Gustavo Germano fotógrafo – Gustavo Germano, https://www.gustavogermano.com/gg-bio-2/ (accessed 16 January 2021).
[329] Mark Kaplan, *Between Joyce and Remembrance*, directed by Mark Kaplan (Grey Matter Media and Bullfrog Films, 2004), DVD.
[330] Karl, "Rehumanizing the Disappeared," 727.
[331] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 102.

pieces of hair in a gesture familiar to black activism, tried to mask this complicated voice of Joyce Mthimkulu by making her a symbol of black resistance against apartheid violence. A feature, Sanders believed, that worked to sanitise her dissenting view on her son's politics.[332]

There are two ways a photograph can be read, I argue, that touch upon processes to re/humanise the disappeared and politically missing. The first is to present the photograph as a document of evidence in a court case, usually in efforts to convict a perpetrator or uncover the guilty implicated in the disappearance. Here the photographs are examined for their evidentiary properties, read forensically and counter-forensically, so that the politically missing can be given peace through justice.[333] In my previous chapter, I discuss how examining photographs as forensic documents helps extract from them traces that speak to the lives and afterlives of victims of gross acts of human violation. However, I conclude that examining photographs for their evidence also produces the disappeared in evidentiary ways rather than as beings with personhood. As Moosage argues, when the end goal of forensics is identification, it "masks the missing-ness of the missing".[334] This is because when reading photographs as forensic objects they are inserted into categories and definitions that tie them to investigatory and forensic logics. This perpetuates their existence as "state property", which Rousseau, Moosage and Rassool argue, "dehumanises once again".[335]

[332] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 97-8. There were various debates amongst photographers in the 1980s to early 1990s on how to portray subjects under repression in Apartheid, including how to photograph victimhood. In some cases photographers desired to show strength and resistance rather than victimisation. See: Patricia Hayes, "Unity and Struggle: Afripix and the Sedimenting of Photography," in *Rise and Fall of Apartheid: Photography and the Bureaucracy of Everyday Life,* ed. Okwui Enwezor and Rory Bester (New York: International Center of Photography, 2013), 342-347.
[333] Ofelia Ferrán, "Grievability and the Politics of Visibility: the Photography of Francesc Torres and the Mass Graves of the Spanish Civil War," in *Memory and Postwar Memorials: Confronting the Violence of the Past*, ed. Marc Silberman and Florence Vatan (New York: Palgrave Macmillan, 2013), 121.
[334] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 120.
[335] Nicky Rousseau, Riedwaan Moosage and Ciraj Rasool, "Missing and Missed: Rehumanisation, the Nation and Missing-ness," *Kronos 44, no. 1* (2018): 25.

To re/humanise the missing dead and disappeared is to find ways of mitigating and excavating them from the politics that sought to find them.[336] This is because, following Edkins, "a focus on the missing demands a focus on the specific, the particular" and that when governments get involved in finding the missing, they usually pay attention to what the missing are, over who they are as individuals, i.e. who they are important to, and for what reason they are important beyond their political role.[337] In a counter-forensic reading of photographs we are not looking at who the person was, but what they are – self-evidence of a crime[338] (or its victim). This may help groups seeking to restore the identity of the disappeared, but because of the limited nature of forensic readings, produces them by limited bureaucratic categories within a police and state order, such as victim or "heroes to the nation".[339] They, to some extent, are not real people with 'particular lives'[340] but continue to be 'constrained' by efforts to produce them along the "bureaucratic rationality" that first produced them.[341] The failure of counter-forensics, I conclude is that its search for the person ends with their discovery of the crimes committed, and the body found and buried. But as Van Laun asserts, thinking with Jenny Edkins' explanation of portrait photographs, "photographs are a reminder that the individuals pictured continue to be absent and missed".[342]

In this chapter then, I aim to look beyond these limiting categories that work to produce victims of a state or heroes of a nation, and see photographs for their potential to produce the 'person-as-such.' The person-as-such is a term Jenny Edkins popularised that referred to all

[336] The effect of the disappeared dead's political biography being highlighted is that one aspect of their existence, their political biography, overwhelms other important aspects of their existence.
[337] Edkins, "Introduction," 7.
[338] Moosage, "Missing-ness, History and Apartheid-era disappearances", 94-5.
[339] Moosage, "Missing-ness, History and Apartheid-era disappearances", 138.
[340] Jenny Edkins, *Missing: Persons and Politics* (Ithaca and London: Cornell University Press, 2011), 159.
[341] Bianca van Laun, "Following the Image: Examining the multiple afterlives of apartheid-era prison identificatory photographs," *Journal of African Cinema* 12, no.1+2 (2020): 155.
[342] Bianca Van Laun, "Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs," *Kronos* 44, no. 1 (2018): 132-133.

the incalculable personal traits and social networks, which a person possesses that constitutes them when alive, that can never truly be restored once dead: their living presence in reality.[343] The person-as-such is never something that can be truly quantified, neither replaced nor made into an abstract individual.[344] To try and extract the person-as-such is to think of the person as a whole being with a particular life not just as someone who counts only so far as they fit into governable, political or categorical orders. Edkins applies the term when she examines the potential portrait photographs have to challenge official discourses that place victims of violence into governable categories, something she believes does not account for the person-as-such. She argues that the "strangeness of the portrait photograph, its uncanny quality, is related to how it shares in or reflects the strangeness of the 'person' – any person – it portrays and the social order in which that person is embossed".[345] Portrait photographs help individualise the conflict experienced by the disappeared, making them real people missed for a spectrum of traits, with unique faces that we, as a community, family and politics, wish to restore.

Portraits

Only by understanding how those who experienced conflict made sense of the conflict, can mechanisms of re/humanisation be decided on which allow victims to transition past the conflict.[346] The person-as-such, then, which photographs allow us to abstract, is a means to re/humanise the disappeared by addressing what was lost by making them invisible: their living presence, their humanity made invisible. As Karl states, each victim's perspective (usually family) holds the key for them to deal with the past. Portraits make those victims individuals, by giving them unique faces. As Karl suggests only through "participant

[343] Edkins, "Introduction," 7.
[344] Edkins, "Introduction," 9.
[345] Edkins, "Politics and Personhood: Reflections on the Portrait Photograph," 140.
[346] Karl, "Rehumanizing the Disappeared," 733.

observation" of the lives of the victims by other persons such as family can we gain a sense of what efforts need to be taken. In the absence of the victims, we begin to participate in their lives through humanising their portraits because we assume we see a whole person in that photograph.[347] Portrait photographs, in some ways, make the dead visible, not just as an organisation with a particular political presence, which they certainly do have, but also as individuals with unique familial and social networks with needs that need to be addressed as a project of re/humanisation.

In many ways, without portrait photographs and testimony by their familial and social networks, the disappeared and politically missing almost completely vanish. When familial and social networks present a portrait of a disappeared person to the public they resist the disappeared person's erasure from the social fabric of the state. In Mexico, for example, Romana Bello Cabañas, who belongs to an association of families of the disappeared, has since 1974, called for "clarification of her son's whereabouts", following his disappearance. She asserts his present absence through a portrait of him derived from an identity photograph used for state surveillance purposes.[348]

[347] Edkins, "Politics and Personhood," 144.
[348] Karl, "Missing in Mexico," 4.

Figure 1: Romana Bellow Cabañas holds a picture of her son. (Picture: Sylvia Karl)

When identity photographs are taken by the state, turning to them again after disappearance can sometimes be a family's only form of evidence of the disappeared's existence. Turning those same identity documents into portrait photographs, can begin to re/humanise the disappeared where governments dehumanised them through the processes of disappearing

them.[349] When thinking about the violent context of removal of the disappeared from society, I find some correlation in an argument put forward by Ariella Azouley, cited by Ferrán here in the context of the Spanish Civil War's dead and disappeared. According to Azoulay, photographs produce a civil contract, which demands that we see the impunity of those who denied rights to the dead and disappeared.[350] It demands that we see the person gazing back at us as someone whose injustices we should care about, but also as someone we should care about getting to know.

This civil contract can be seen in organisations like the *Madres de Plaza de Mayo*, which in 1976 began protesting in a public square by doing nothing more than holding up portraits of their missing loved ones in an attempt to break the silence of their disappeared person's absence. The Madres were made up of a group of Argentinian mothers and grandmothers who protested the disappearance of their children by the military coup that removed President Isabel Perón from power on the 24 March 1976.[351] The civil contract they wanted was not based on the support, or production of an authorised and linear account of the 'Dirty War' that incorporated their child into it; rather, they wanted their children to be thought of as "people with all their faults, and as people who lived their lives – *their political lives*".[352] The protesting mothers wanted to make sure the missing were not forgotten, to advocate that these were the individual faces of the collective people that were taken away, and who lived particular lives that were not just to be defined as someone else's victim.[353] They wanted their children not to be forgotten to the linearity of history, but continue to be remembered while

[349] Karl, "Rehumanizing the Disappeared," 730.
[350] Ariella Azouley cited in Ferrán, "Grievability and the Politics of Visibility," 122-3.
[351] Mario Ranalletti, "When Death Is Not the End: Towards a Typology of the Treatment of Corpses of 'disappeared Detainees' in Argentina from 1975 to 1983," in *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence, Human Remains and Violence,* ed. Anstett Élisabeth and Dreyfus Jean-Marc (Manchester: Manchester University Press, 2014). 146.
[352] Edkins, *Missing: Persons and Politics,* 159.
[353] Edkins, *Missing: Persons and Politics,* 159.

still absent. The mothers showcased this desire through actively using the photographs as a reminder of those they were referring to, giving voice to themselves and their disappeared loved ones. This is apparent in 1996, when upon the twentieth anniversary of their disappearances, the Madres "festooned" trees "with photographs of the disappeared" and set up "tables…where material mementos from their lives – diplomas, possessions, souvenirs – were displayed".[354]

When we gaze at a portrait we are gazing at a figure gazing back at us. In this gaze, we project our own reality and experiences back on to the person staring back at us. We search, as Edkins puts it, for "what might lie beneath the surface of the face, what the face might tell us about what we think of as the person beneath the surface of the face, what the face might tell us about what we think of as the person beneath, concealed or revealed by the face".[355] In a photograph of the face, the eyes are the detail of the photograph that prefaces our viewing of it, which invokes us to think about the lived-experiences of the person gazing back at us from the photograph. As Susan Sontag posits, a photograph can ultimately be thought of as that moment, a "memento mori", a carved out moment of a person's life which is ultimately leading to their death. Or, as Roland Barthes remarks, photographs produce a "spectrum" with which to think about that "return of the dead" to the present.[356] And even though the experience is imagined, dependant on the gaze of the viewer, it is in this gazes of multi-faceted interpretations that a face allows the disappeared to crawl out of the categories governments impose on them to make them count. As Edkins argues, images of the face can reveal our inability to securely judge the experiences of the person in the photograph. Photographs of faces prompt us to interpret our own experiences through the person we gaze at. They prompt "a response of sympathy… [what] we face is another iteration of

[354] Edkins, *Missing: Persons and Politics,* 159.
[355] Jenny Edkins, "Still face, moving face," *Journal of Cultural Research* 17, no. 4 (2013): 425.
[356] Ferrán, "Grievability and the Politics of Visibility," 119.

ourselves".[357] And in this manner, re/humanisation occurs when we place the dead in a realm of respect we afford ourselves.

Two photographic collections support Edkins' theory of the face's capacity to challenge attempts at inserting people into particular political or bureaucratic categories. The first is a set of semi-staged photographs, taken by New York based photographer Suzanne Opton, which showcase the individual heads (appearing as if decapitated) of returning combatants who had survived the Iraqi/Afghan War. Opton's photographs were then posted on billboards across America. Opton is said to have waited for an "unguarded moment" when the soldiers relaxed in the posture she had posed them in before snapping the photograph. [358] Opton believed that in this way, even though semi-staged, viewers could get a real sense of the internal emotions of those in the portraits emanating from the photograph. Opton intended that the subjects position would "remind [the soldiers] of the possibility of being shot down, close calls they have had, it would bring them back to their war experiences". Her aim was to see if the face could reveal "something of what they had experienced in war". [359]

[357] Edkins, "Still face, moving face," 423.
[358] Jim Casper, "Interview: Soldier," *LensCulture*, https://www.lensculture.com/articles/suzanne-opton-soldier (accessed 16 January 2021).
[359] Edkins, "Still face, moving face," 417.

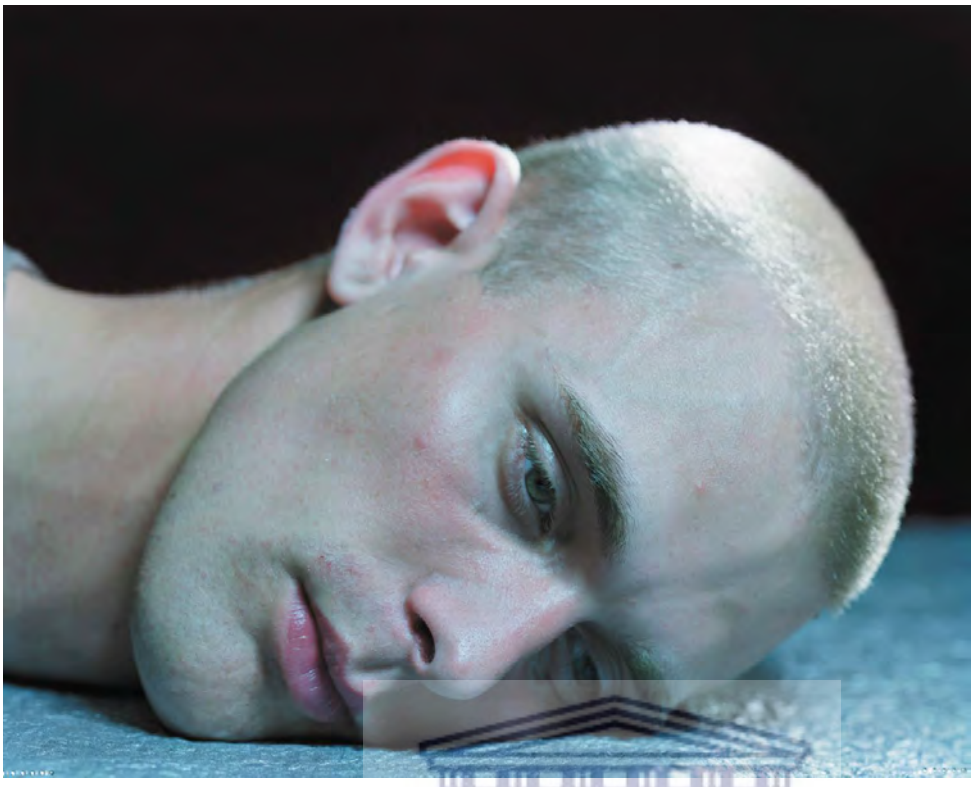

Figure 2: Solider: Birkholz 353 Days in Iraq, 205 DAys in Afghanistan. (Picture: Suzanne Opton)

Figure 3: I-690, Sycracuse, Billboard of Solider: Birkholz, by Suzanne Opton,

Edkins believed Opton's photographs would take the soldiers beyond dominant visual perceptions of them as marching uniforms, strong willed combatants for a state, and instead humanise them. For Edkins, their poses were meant to speak to soldiers' intimacy with death and dying. As Jim Casper argues, the photographs were a rarely viewed position of another person, "an uncomfortably intimate" one experienced only unless you are "in bed with them, side by side".[360] They were taken with the intent to speak to the experiences of the soldiers, of what they saw on tour in the war and to do so not to any one person, but all viewers passing by the billboard.

Whilst Opton stated that she took the photographs without any particular political intention in mind, a politics still emerges as the response to the photographs varied dramatically from viewer to viewer. Some aligned with her initial intention, as was the case when an Atlanta Contemporary Art Centre writer argued that Opton's work "helped change our abstract understanding of 'the troops' into an awareness of a respect for the specific people who choose to serve in the military… she raised questions about how war is sold, and political opinions are constructed."[361] Others reacted in a manner opposed to her intention. Tyler Coburn, for example saw a link in "undertone" to videos Al Qaeda produced of decapitation. In a series of CBS interviews, Opton's photographs were described as "distasteful, horrid…sad, because he looks hurt". For Edkins, "Opton's images raised many questions: questions of responsibility, sympathy and common vulnerability … [people] responded, it seems, to the person in the image, not the image as such… what was … evoked was a response person-to-person, face-to-face."[362] In this case, the subjects are different from those usually cast as 'disappeared' or vulnerable, but the dichotomy that would elicit them as soldiers who are often seen as emotionally invulnerable fighters starts to dissolve, taking us

[360] Casper, "Interview: Soldier".
[361] Edkins, "Still face, moving face," 418.
[362] Edkins, "Still face, moving face," 420-21.

beyond binary perceptions of them as heroes of a just war or perpetrators of an unjust war, agents of freedom or imperialism.

The second set of photographs, taken by Robert Lyon, is of victims, perpetrators and ordinary folk caught up in the Rwandan Genocide. Lyon's goal with these photographs was to "destabilise" our assumptions that we can read the face in any significant way.[363] He believed that without captioning photographs and taking the most ordinary looking photographs of all parties involved in the Rwandan genocide we would realise that nothing can particularly be gauged from the face that implies a predisposition to cruelty. Instead Lyon believed that at any point, given the circumstances, that we too could find ourselves, or those we see ourselves in, as victims or perpetrators.

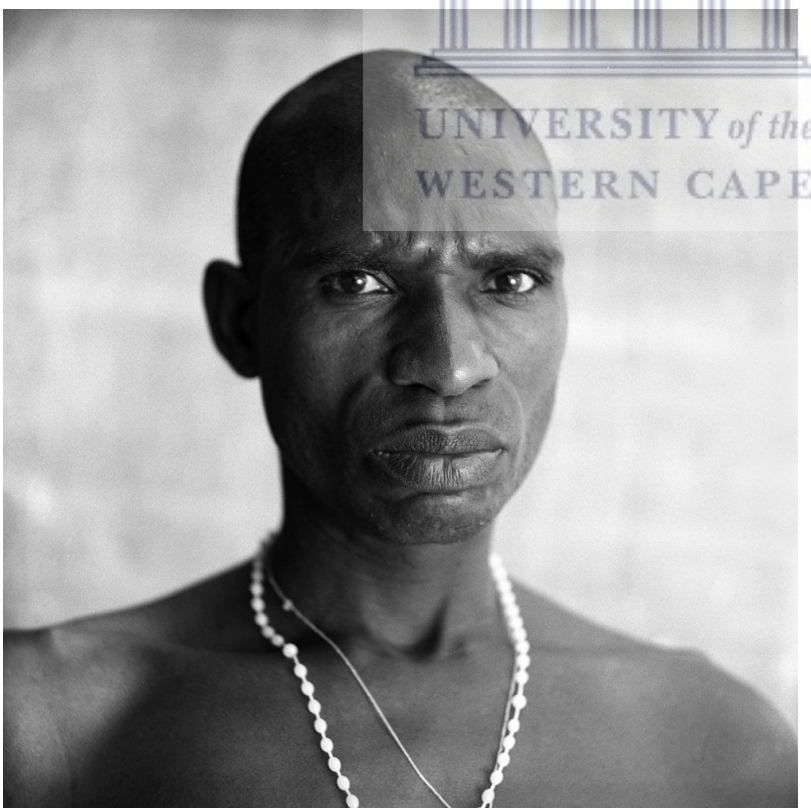

Figure 4: Uncaptioned Photograph. (Picture Robert Lyon)

[363] Edkins, "Still face, moving face," 415.

Figure 5: Uncaptioned Photograph. (Picture Robert Lyon)

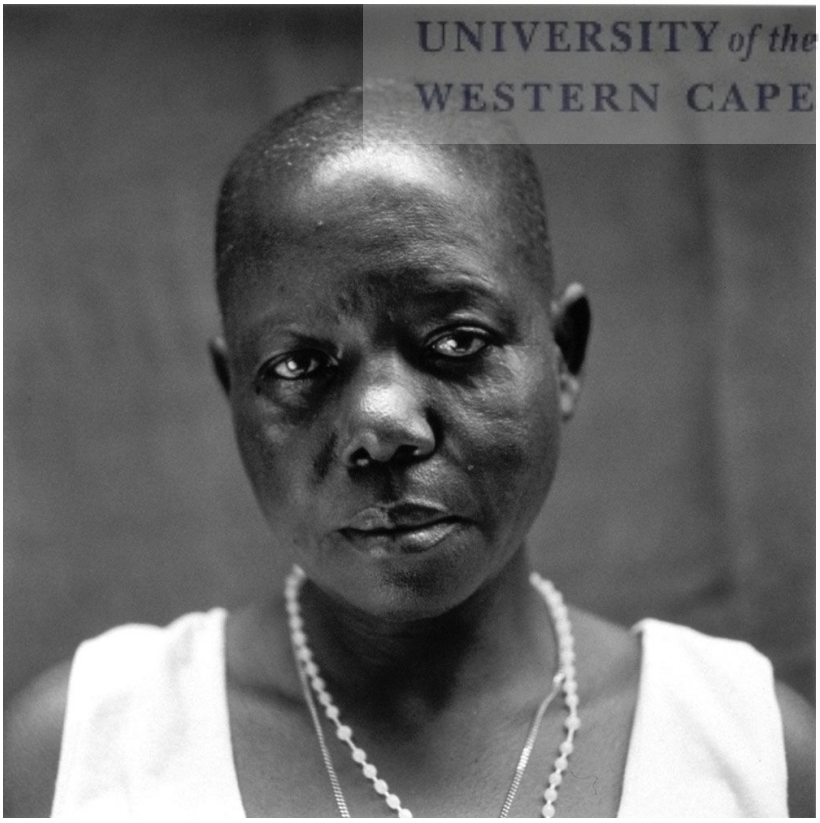

Figure 6: Uncaptioned Photograph. (Picture Robert Lyon)

Lyon's photographs – purposefully without caption – guided his principle that from a face we cannot truly gauge anything specific that would allow us to categorise them as victim, perpetrator, or bystander. He wanted us to see a common humanity emerge from all those he photographed. That it was only through context that we ourselves separated people from one another. He writes in the opening of his photographic collection:

> "…I believe that as a photographer, I am responsible for portraying people without emphasizing my own preconceptions. I want something of each person to come through in the image, to be experienced emotionally and retinally… by closing the space between ourselves and the 'other', we can perhaps begin to ask more critical questions, to change fixed patterns of behavior, to arrest the impulse that reduces individual strangers to mere savages and, in so doing, conveniently absolves us of complicity in or responsibility for their actions."[364]

Lyon's was a collection intended to dismantle any notions or preconceived ideas that we have about our ability to read what lies beneath the surface of the face. Edkins, Opton and Lyon's conclusions surmise that as viewers, we ourselves project our reality onto the photographs of the faces that we see. In other words it is not reality that we see but one we create based on preconceived contexts and personal realities. In the case of disappeared persons, we interpret their faces in portraits the same way we would interpret living faces, and thus just as we install individual identity into living people we do the same for portrait photographs of the disappeared.

Drawing on Edkins and her discussion of Opton's and Lyon's portrait photographs of those caught in a politics of violence and war, I see a parallel with faces of the disappeared dead

[364] Jim Casper, "Book Review: Intimate Enemy: Images and Voices of the Rwandan Genocide," *LensCulture*, https://www.lensculture.com/articles/robert-lyons-intimate-enemy-images-and-voices-of-the-rwandan-genocide (accessed 16 January 2021).

whose portraits are placed on display. Each face is of a unique individual who simply shares a category of political resistance and the status of being disappeared. Other than these categories, their internal thoughts and beliefs, and their personal networks differ. Whilst context places people into bureaucratic categories, portrait photographs of them become a starting place to perceive their individuality. What we can determine through Lyon's and Opton's photographs, is their political context is not the first thing we gauge from viewing their faces, what we see first is the human being. In their eyes, we begin our interpretation of what they might be thinking (or thought when the photograph was taken).

Figure 7: [Cropped to highlight the eyes] Uncaptioned Photograph. (Picture Robert Lyon)

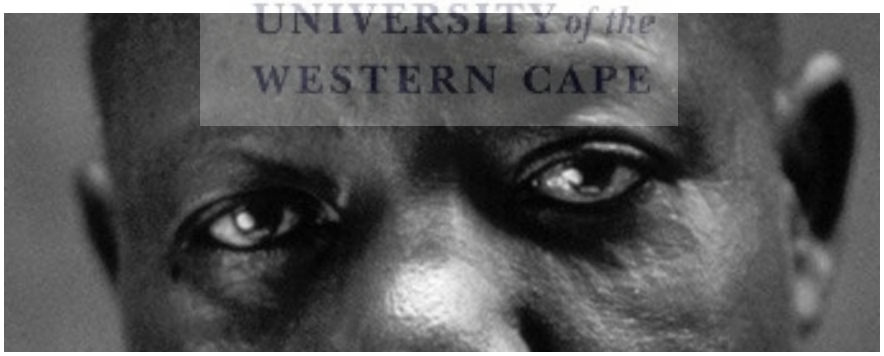

Figure 8: [Cropped to highlight the eyes] Uncaptioned Photograph. (Picture Robert Lyon)

Figure 9: [Cropped to highlight the eyes] Uncaptioned Photograph. (Picture Robert Lyon)

Figure 70: Photograph of Lennox Madikane, one of the hanged political prisoners of the Pretoria Central Prison Gallows (Cropped to highlight his eyes), Gallows Memorial Museum, June 2015. He falls into the flexible category of the 'disappeared dead' that I defined at the beginning of my thesis. Photograph by Bianca van Laun

Figure 11: Photograph of Siphiwo Mthimkulu, a victim of disappearance in South Africa, taken from a poster drawing our attention to his disappearance (Cropped to highlight his eyes).[365]

Perhaps in this realization of personal or individual attributes lies their person-as-such, enabling us to see them not as categories, but to depart from the logic of categorisation. We can think of them as individuals, as Lyon states, caught up in extreme and unique circumstances that both dissolves us from their actions, and from their realities, but also makes them ordinary people who had real lives, in many ways, not too different from our own.[366]

Bearing in mind that reading faces for what lies beneath – thoughts, feelings and experiences – is based on preconceived ideas helps us comprehend how portraits of the disappeared help to re/humanise them. Not only does it make the disappeared visible to us, and by extension their families (also victims of their disappearance), but it helps break down barriers that tie them into specific categories into which sometimes well-intentioned governments may put

[365] Kylie Thomas, "Exhuming Apartheid: Photography, Disappearance and Return," *Cahiers d'études Africaines 58,* no.230 (2) (2018): 439.
[366] Edkins, "Still face, moving face," 422.

them in order to make them count. A popular version of this is seen in the photographs and posters that emerged in wake of the 9/11 Twin Tower attacks in America. In her examination of these photographs, Edkins argued that the portraits of people were no longer just individual people, but victims and heroes, their likeness used to justify American retaliation.[367] Opposed to governmental objectification of missing and dead people, Edkins believed these were not acutely pictures of heroes or victims, she saw them as people 'co-opted' into the war on terror, voiceless whether they would have agreed to it or not. To her, the posters of missing people remaining for years invoked them not as heroes but as ordinary people still present in their absence.[368] Similarly, Edkins reads the portrait photographs of those missing or lost, which families posted in aftermath of the London Bombings, as a politics of insisting that the missing count as persons instead of a government politics focused on order and security.[369] Portrait photographs, then, with their power to individuate the missed can draw us to think of them as people with their own set of political beliefs, interests and personal relations, evoking their person-as-such, which was lost when they were disappeared.[370]

Bianca van Laun brings many of the above arguments to her work on portrait photographs in the Gallows Memorial Museum, created to commemorate political prisoners who were executed at the old Pretoria Central Prison during the apartheid regime between 1960 and 1989. Van Laun discusses how surveillance photographs and documents of political prisoners were repurposed from identification documents that travelled within a bureaucratic network that marked them as criminals to eventually be executed into documents with the

[367] Edkins, "Politics and Personhood," 140.
[368] Edkins, *Missing: Persons and Politics*, 2.
[369] Edkins, *Missing: Persons and Politics,* 2.
[370] Edkins, "Politics and Personhood," 140.

intention of re/humanising the individuals they reflect.[371] The prisoners' photographs, recalling Alfonse Bertillion's mug shot photography of the 19th century, began life as mugshots attached to documents, which identified specific physiognomic features, making clear who was being identified and for what reason.[372] This enabled the administration a record of, and control over, the prisoners. However, following the end of apartheid, these same photographs were repurposed as part of the Gallows Memorial Project, and used as part of a restorative plan aimed at making the prisoners visible.

When the photographs were originally taken the "prisoners were placed in front of a white wall, with a black line indicating exactly where the centre of the head was to be positioned."[373] But when they were repurposed and placed throughout the old Prison Building as part of the memorial project, the images were cropped, the pole along with the prison numbers edited out and the light exposure increased. The edits intended to dignify the dead, to a degree sanitizing them from their attachment to their identities as prisoners. As the curator, Anneliese Burgess told Van Laun that there was an intention to find ways to humanise the prisoners, which she believed could begin by giving them back "their names and their faces".[374]

[371] Van Laun, "Following the Image," 145-146.
[372] Van Laun, "Following the Image," 140.
[373] Van Laun, "Bureaucratically Missing," 10.
[374] Van Laun, "Following the Image," 148.

Figure 12: Photograph of Lennox Madikane from the official prison archive bearing his prisoner and fingerprint numbers.

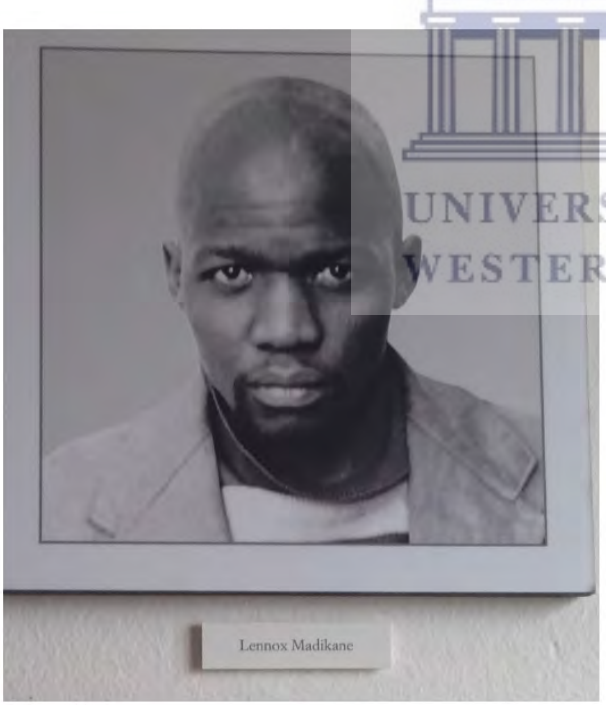

Figure 13: Photograph of Lennox Madikane, Gallows Memorial Museum, June 2015. Photograph by Bianca van Laun

To Van Laun, all these alterations were an attempt to separate the identification of the prisoners as prisoners, removing them from their original indexical use as surveillance photographs. During the exhumation process A3 portraits are displayed at the head of the

grave as "temporary headstones"[375]; these portraits, however, exist as if they were permanent headstones, to be visited by family and strangers, in order to be thought about, mourned and remembered for years to come. Unlike headstones, these portraits evoke a real person, who had real emotions that we respond back to. We get to see the man, not just the victim, the prisoner or the political advocate. Examining the wall of portraits of the prisoners, Van Laun writes, "rather than locating their meaning in the forensic as evidence of bureaucratic activities, the curators draw on the sensory and affective modes of the visual to convey the message of the museum".[376] They were, to Van Laun, attempts "to act as a visual reminder of the humanity of those pictured – each face representing a life".[377] Later, the photographs used for the museum were framed and given to family, some of whom had no other photograph of their loved one.

While portrait photographs are powerful artefacts that work against erasure of the person, this may be challenged by the context of their presentation. Van Laun finds some friction in regards to the portrait photographs of the executed political prisoners, arguing that even though the portraits were recovered with the "aim of restoring personhood, honouring the men executed, and representing the history of apartheid-era judicial executions of political opponents", in some respect they still remain missing owing to the way in which they are represented.[378] There was, according to Van Laun, a desire for photographs to "re-align" their meaning with the logic of "nation-building, political commemoration and healing".[379] To Van Laun, by placing the portraits in relation to one another in an effort to bolster nation-building, viewers are overwhelmed, and that which binds the prisoners ties them into the national discourse of the liberation struggle. In many ways, for Van Laun, because "current political

[375] Van Laun, "Following the Image," 156.
[376] Van Laun, "Following the Image," 146.
[377] Van Laun, "Bureaucratically Missing," 10.
[378] Van Laun, "Bureaucratically Missing," 6.
[379] Van Laun, "Following the Image," 146.

priorities" are asserted, they replicate to some degree the identification processes that produced them.[380] In other words, they identify or memorialise these men in ways that obscure their individual existence, focusing instead on their "symbolic… life within a larger tragic historical narrative".[381] I wonder though, as the wall is still made of individuals, perhaps to see the individual means simply to take a step forward, initiating as Edkins states, a response person-to-person, thus helping to find the person outside of the context in which they are being presented.

Family Portraits and Snapshots

Whereas the photographs Edkins and Van Laun discuss focus on how the face produces the person-as-such, there are other portraits that accomplish this while at the same time placing the disappeared – and their absence – within their family or social networks. For example, Gustavo Germano's photographic study, *Absences*, includes a portrait of himself with his three brothers (his eldest whom was later disappeared). Similarly Jillian Edelstein's photograph of Joyce Mthimkulu, holding up a clump of her son's hair alongside that of a full body portrait of Siphiwo Mthimkulu in a wheel chair explores these markers of disappearance and victimisation. These photographs can be read as recording the physical and social conditions of the missing person, but they can also be read for their personal networks that formed part of their person-as-such. The importance is not simply an awareness of a solitary existence, but of that individual being tied to and being tied by their family, friends and personal networks: those most affected by the disappearance.

[380] Van Laun, "Bureaucratically Missing," 128.
[381] Van Laun, "Bureaucratically Missing," 9.

Gustavo Germano's photographs of *Absences* aimed at juxtaposing original photographs from the 1960s to 1980s with more current photographs. [382] His photographs engage the dead and living separated through time and space. The first photograph he introduces us to is of himself (left) and all three of his brothers in 1969 years before the military coup. The second juxtaposes the first, only the brothers are older, and Eduardo, originally on the right of the photograph, is absent. The photographs replicate, as much as possible, the photographs taken decades ago revealing a before and after of what was absent, of who was absent, but also of who was left behind.[383] Mimicking their poses when younger, a sense of wholeness is perceived in the photograph set decades ago, with a sense of incompleteness penetrating the gaze of the subsequent photograph.

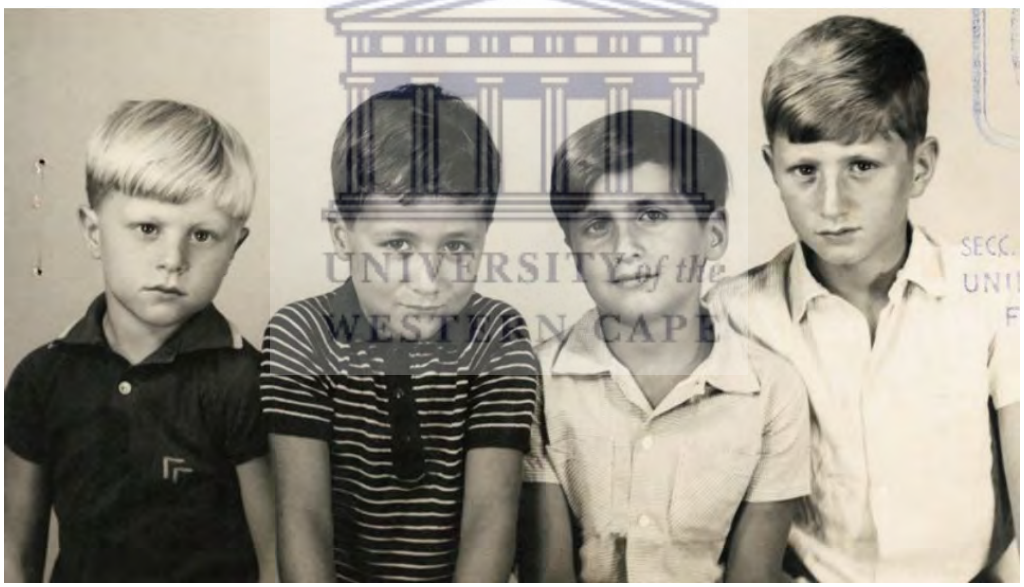

Figure 14: Gustavo Germano as a boy, with all three of his brothers in 1969.

[382] "In pictures: Absent faces," *BBC News*, February 27, 2013, https://www.bbc.com/news/world-latin-america-21295117 (accessed 16 January 2021).
[383] *BBC News*, "In pictures: Absent faces".

Figure 15: Gustavo Germano, with his remaining brothers 30 years later. (Picture: Gustavo Germano)

Similar to the argument Edkins makes of 9/11 victims, the photographs are of ordinary people, not heroes, who went through extra-ordinary events.[384] The power of Germano's photographs lay in Azoulay's concept of the civil contract, where ordinary people ask us to connect with them, to see them, to know them and to know what happened to them, so that they will not be forgotten. In each photograph, we internalise the absence presented to us. We ponder the years of experience in the eyes gazing back at us, as we instil our own feelings of what that absence must have felt like, and may continue to feel like.

Another duo of photographs in Germano's collection of Omar Dario Amestoy and his brother Mario Alfredo are taken in mid motion and appear to almost directly capture a life once lived. The first photo conveys not only a photograph of two brothers running, but evokes a seemingly spirited and shared experience; the second photograph, taken 31 years later, is of Mario running down the same slope alone, his brother long since disappeared. Furthermore, the second photograph is captioned with an even sadder history, Omar's brother's wife Maria and their two children, Maria Eugenia and Fernando, were also killed by the army.

[384] Edkins, *Missing: Persons and Politics,* 2.

Figure 16: A photograph from 1975 shows Omar Dario Amestoy (l) and his brother Mario Alfredo in 1975.

Figure 17: Thirty-one years later, Mario Alfredo runs down the same slope alone.

From Germano's personal photograph of himself and his brothers, as well as other disappeared siblings, children, fathers, mothers and parents, he sought to make it clear that those affected were not just the missing people, but those who grew older without them. Germano's photographs mimic that of survivors, like the *Madres de Plaza*, or any photograph where family of the disappeared hold up a portrait of their disappeared relative. While the

family member, usually with a weary look on their faces, grows older their missing dead remain frozen in the past.[385] The image of the survivor with the photograph actively places the disappearance and the sense of loss occasioned by disappearance at the forefront of a viewer's consciousness. As Edkins posits, "Photographs make the missing visible. But photographs themselves are ambiguous, at once present as objects yet inevitably records of an absence". [386] And what portraits held by family do, Renshaw argues, is "eloquently compresses the fact of disappearance in the mind of the viewer with all its ramifications of doubt, loss, and lives interrupted".[387]

Figure 18: Kurdistan activist, Kamaran Abdullah Saber, 21-years old, killed in July 1991 in a protest against Saddam Hussein. Here the faces of the women and young boy staring at us solemnly draw us into their experiences of loss, demanding us to pay attention to the man in the portrait, the person whose absence they mourn. [388]

This sense of disruption is also present in Jillian Edelstein's famous photograph of Joyce Mthimkulu holding up a clump her son's hair, who was lost to family as a result of thallium

[385] Layla Renshaw, "The Iconography of Exhumation: Representations of Mass Graves from the Spanish Civil War," in *Archaeology and the Media,* ed. Timothy Clack and Marcus Brittain (California, USA: Left Coast Press, 2007), 250.
[386] Edkins, *Missing: Persons and Politics,* 1.
[387] Renshaw, "The Iconography of Exhumation," 250.
[388] Allan Sekula, "Photography and the Limits of National Identity," *Grey Room, no.* 55 (Spring 2014): 33.

poisoning.[389] Edelstein's photograph, taken as a portrait with political intent, is a photograph of two victims of disappearance: Siphiwo Mthimkulu and his mother, Joyce Mthimkulu. Joyce Mthimkulu's weary face mimics Renshaw's observation of exhumation photographs of the face of survivors (family, usually women) holding up their exhumed loved one's portraits. In Joyce Mthimkulu's eyes, we interpret a silent commentary on the sacrifices resistance produces, of its victims and of the effect of the violence of the apartheid state both on her and her son. Moosage argues that although the photograph was taken with the intended purpose of mimicking the raised fist of the black consciousness movement, it still holds onto its ambivalence. As Mark Sanders puts it, even though the photograph's meaning seems clear, politically indexical, any photograph of a person cannot easily lose its ambivalence upon further inspection. It lives almost with a life of its own and, similarly to the photographs of the Gallows Memorial Museum, gains new meaning when it gains 'new activations'.[390]

[389] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 92.
[390] Bianca Van Laun, "Following the Image," 159.

Figure 19: 'Joyce Mthimkulu, Zwide, Port Elizabeth, February 1997.' Photograph by Jillian Edelstein (University of Cape Town Digital Archive)

Sanders argues that the staged photograph of Joyce Mthimkulu holding up clumps of her son's hair and scalp is a forensic performance that aims to mask its ambivalence as it is produced to make a particular political statement, and act as visible evidence of a particular heinous crime.[391] However, he suggests when new stories and traits are told about the photograph new ways of thinking about the photograph emerges. And this, I argue, allows us access to new ways to think of the people we are gazing at. Sanders' logic follows that of Allan Sekula, in that similar to how forensic evidence produces an incomplete, partly

[391] Sanders cited in Moosage, "Missing-ness, History and Apartheid-era Disappearances", 92.

abstract, identity of a person after the annihilation of that person, photographs also gain their authority once paired with the stories told about them and around them, before going on to support those stories it assumes to be telling about itself.[392]

In the case of Edelstein's photograph, Sanders suggests that by deep-diving into the context and traits of its creation, the portrait's value is to broaden Joyce Mthimkulu's personal relationship with her son's disappearance. The first trait Sanders suggests is of Joyce Mthimkulu presenting the clump of hair with scalp attached and stating that she brought evidence to exhibit so that investigators had a "clear picture" of what she believed happened, mandating them to prove it.[393] The second was an engagement with almost "imagined advocates" whereby she was "ushering in… a forensic aesthetic, whereby a distinction was being 'undone' that existed between witness and a piece of evidence.[394] The evidence was both the witness to a crime, detached human material testifying to the violence committed against it and evidence that verified the testimony. This is what Keenan and Weizman refer to as a super-object or haunted object. The final trait is Joyce referring to 'poison' as both the physical chemical that killed him, and his involvement with the politics that made him a target. To her, it was not why he died that made him important, in many ways, she would likely never desire to sacrifice her son to be a symbol for other people, but would want a son living, who never got involved. To Sanders, then, Edelstein's staged photograph of Joyce Mthimkulu's raised fist is almost an attempt by Edelstein to "undo the damage [Joyce] has done to it in her grief" (it being both mother and son being a symbol of black resistance), giving the photograph a meaning set in the anti-apartheid political narration.[395] For Moosage, by Sanders working to unmask and restore ambivalence to the photograph it takes the

[392] Sekula, "Photography and the Limits of National Identity," 31.
[393] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 93.
[394] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 94.
[395] Moosage, "Missing-ness, History and Apartheid-era Disappearances", 96.

photograph beyond black resistance against apartheid repression. By restoring the portrait, we can once again see the person, the ordinary mother mourning her son. A mother who viewed the death of her son as a loss that cannot be replaced, attached to human material she has difficulty letting go of.

We as viewers produce these types of stories when we look at portraits of people; we speak about them, often to others, interpreting our own thoughts and feelings into them. Sanders working to restore the ambivalent quality that the staging of Mthimkulu's portrait photograph attempted to mask is important in re/humanising Mthimkulu's agency. However, I believe without it, to some degree, the portrait still maintains the agency to evoke Mthimkulu's personhood simply as a result of the person-to-person response. Joyce Mthimkulu is an ordinary woman, caught up in an extraordinary event, whilst captions may give context to her photograph, we still respond to her eyes gazing back at us. The emotions we interpret on her face forms our stories about her, about her feelings in that moment, about her attachment to the pieces of scalp and hair of her son she holds up, and in some way, what she wants us to feel in that moment with her. What we see is not just a stance of black-activism, but a weary woman inviting us into her world, her pain, and her trauma. These thoughts draw us into putting ourselves in her shoes, of thoughts of loss and what is primarily on her mind.
For these above reasons laid out above, I argue that portraits, family snapshots and even staged portraits taken with political intent assist in making the disappeared more than evidence of a crime. They help us move the disappeared past the limiting categories within police and state orders that works to make them count.

Exhumation Photographs

Portrait photographs of persons now dead may produce one set of meanings situated in a mirroring of emotion between the viewer and subject of the photograph, elicited in the connection of the eyes of the two. Photographs of the dead body, skeletal remains and of funerals produce another set of meanings. Bones yield haunting images, not of a living person whose photograph was taken and elicits an interpretive feeling, the moment the photograph was taken, but of that person dead, their life removed from society but those moments of removal not known. The resurfacing of human remains of those politically disappeared to the family or public gaze takes the form of photographs that record moments of exhuming a missing body, one that has often been buried in an unmarked grave. Funerals – or reburials – of these remains produce another set of images, invoking in the imagination a sense of closure, of putting the person to rest and, to some degree, the past that produced them. In the realm of the politically disappeared, photographs of exhumations and reburial ceremonies mark this occasion.

In this section, I look at the documentation of exhumation and reburial photographs. I examine the many ways they have made their ways into narratives of liberation and re/humanisation. I argue that photographs of exhumations not only record the processes of the retrieval of a body, but they also work to repatriate the dead back into the social fabric of the living by making their remains visible to society. I then argue that reburial photographs situate themselves squarely within political resistance and memory, and although I somewhat disagree, are seen by some to re/humanise them by communicating the disappeared life in an honorific fashion. I, however, believe that the presence of photographs of the disappeared and their family as part of the reburial photographic collection produces reburial photographs not just as political items, but to a degree asserts part of that reburied person's person-as-such by

revealing part of their social networks. I believe this is only slightly the case, however, because reburials are overwhelmingly political affairs as much as they are for family to finally put to rest a loved one appropriately, and thus photographs are usually taken in relation to the overwhelming political presence at such funerals. I ultimately argue that exhumation and reburial photographs re/humanise the disappeared in differing ways: exhumations making us think about the life of bones and reburials drawing us into the politics that celebrates them and of those whom mourned them, including family, friends and community.

At its heart, exhumations are the retrieval of bodies and skeletal remains from "informal graves" that are then "forensically examined to establish identity".[396] Exhumations transpire after a case file is assembled through a "culmination of research and investigation" done for several months or years by "historians, lawyers and police", and are then conducted usually by those with a profession in "archaeology, anthropology and anatomy".[397] These are professionals with an intimate understanding of what separates inorganic or ordinary matter unrelated to the body from organic matter implicit in the production of the human body being pursued, such as those in the "genetics field".[398]

Because the process of exhumation is pursued in order to reclaim the body by producing them and giving them rights, Rousseau worries at whether the body has been considered as an archive, consisting of 'hidden histories' and 'silenced voices' in the same way as social history approaches its archive.[399] By actively involving family in investigations, the

[396] Nicky Rousseau,"Eastern Cape Bloodlines 1: Assembling the Human," *Parallax* 22, no. 2 (2016): 204.
[397] Rousseau, "Eastern Cape Bloodlines 1," 208.
[398] Nicky Rousseau, "Identification, politics, disciplines: missing persons and colonial skeletons in South Africa," in *Human Remains and Identification: Mass violence, genocide, and the 'forensic turn'*, ed. Élisabeth Anstett and Jean-Marc Dreyfus (Manchester: Manchester University Press, 2015), 176.
[399] Rousseau, "Eastern Cape Bloodlines 1," 204.

production of the body draws our attention to who the person was and is to those still living, and by extension the value of the exhumation for victim families and the crimes committed against them.[400] As Zoe Crossland states, "[t]he body not only provided evidence but also, for those trained to read it, testified truthfully, because to observe the body was to observe a part of the thing studied".[401] Crossland suggests that where the body is produced as evidence, the "rhetorical trope" is one that claims "to diagnose interior states and faculties;… individual identity;… the past; [and]… of crime".[402] This is a crime that took shape when the exhumed were disappeared and informally buried, not just against them but their families as well. Exhumations occur, then, out of a perceived necessity to restore bodies that were informally buried owing to their political relationship with the state and more often through the desire of their family. The context under which informal burials occurred often involved authoritarian states, which repressed their citizens through the use of a police or military order that violently removed the most disorderly of its citizens. This was done either in secret or purposefully in order to control the bodies and movement of persons or people the state found to be undesirable. The state did this by demarcating them as "absolute" enemies of the state, 'desubjectifying' them by labelling them either as criminals or terrorists or after a skirmish leading to their deaths, burying them in pauper's graves.[403]

In South Africa, these informal graves that the 'desubjectified' dead were buried in were mostly unknown and largely inaccessible to family and friends. This was because, after the skirmish with the police, the exhumed were buried in local cemeteries labelled as 'unknown black male' or 'unknown terrorist' by "private undertakers appointed by the state to bury

[400] Renshaw, "The Iconography of exhumation," 251.
[401] Zoe Crossland, "Of Clues and Signs: The Dead Body and Its Evidential Traces," *American Anthropologist* 111, 2, March (2009): 72, https://www.researchgate.net/publication/227609195 (accessed 17 January 2021).
[402] Cited in Moosage, "Missing-ness, History and Apartheid-era disappearances", 108.
[403] Riedwaan Moosage, Ciraj Rassool, and Nicky Rousseau, "Missing and Missed: Rehumanisation, the Nation and the Missing-ness," *Kronos,* no. 44 *(2018):* 24-5.

indigent or unclaimed bodies" and not handed over to family to take care of.[404] In many cases, not only were the dead not given names, they were buried in mass graves as well, an element that further "robbed" them of their individuality in death.[405] All of which culminates into, in the wake of Karl's explanation of it, a gravely dehumanising act both on those disappeared and their families.[406]

To re/humanise the exhumed, then, is to repatriate them back into society by digging up their corpse, positively identifying them and establishing what happened to them, and making that information visible again to their social networks. Exhumations are a correction to the exhumed being buried in secret as nameless paupers outside of mortuary ritual and away from their personal and social networks. Citing Butler, Ferran defines this process of exhumation as addressing the lack of 'grievability' of the exhumed, which she defines as: "…the socially and politically sanctioned acknowledgement that a life is worth mourning, a condition that can all too easily be denied to entire populations, thus making massacre by violent regimes and the attempted erasure of that massacre possible. Asserting the grievability of a life ensures not only that the loss of that life can be publicly and adequately mourned by those it has touched, but also makes a claim for the state of the individual who lived that life as a full-fledged citizen with inviolable rights within a political community."[407]

Exhumations help because they produce the physical remains necessary for the assembling and identification of a human body, which in turn is necessary for mourning to take place. Once the human body has been identified through forensic precision and practice, exhumation teams "allow the family members of the victims to finally bury their loved ones

[404] Rousseau, "Identification, politics, disciplines," 177.
[405] Renshaw, "The Iconography of exhumation," 249.
[406] Sylvia Karl, "Missing in Mexico: Denied victims, neglected stories," *Culture & History* 3, 2 (2014): 2.
[407] Ferrán, "Grievability and the Politics of Visibility," 121.

properly, establishing a socially accepted space to mourn their deaths".[408] As Rousseau states, "[re/humanisation]… rests on the identification of human bone". [409] And, as Renshaw notes, exhumations are an important step in a process that grants those who were buried in mass graves to be reburied in a dignified manner. Exhumations build on the discourse that all bodies deserve, at least, a "normalised burial ritual in an independent grave".[410] It is not any material or person that matters to those seeking their family member but the matter and material that belongs to their disappeared. It is in the moment of exhumation that the dead are separated from the unknown and placed into a "community of care" which will eventually constitute the exhumed as human once more, prepared for their "sacred ancestral afterlife".[411] This is a process that is essential to their repatriation into society and their ultimate restoration as human: their re/humanisation.

Photographs of exhumations then help to speak to the processes of restoring the body, the person and their invisible history. They highlight the dead being both "improperly mourned" and informally buried, at the same time they reveal violence the state intended to hide.[412] As Renshaw posits, "the majority of visual representations of exhumations are of intact graves and in situ bodies, 'wide-angle' shots encompassing an entire scene". [413] These are images whose "value for the viewer is not 'evidential' in the strict sense but iconic… [because they] present the graves almost 'untouched' in a disordered state, resonant with violence, as a freeze frame of [an] agonising moment".[414] These photographs are taken with the intent to

[408] Ferrán, "Grievability and the Politics of Visibility," 121.
[409] Rousseau, "Eastern Cape Bloodlines 1," 210.
[410] Renshaw, "The Iconography of exhumation," 249.
[411] Rousseau, "Identification, politics, disciplines," 187.
[412] Rousseau, "Eastern Cape Bloodlines 1," 120.
[413] Renshaw, "The Iconography of exhumation," 244.
[414] Renshaw, "The Iconography of exhumation," 244.

make them ‘impact’, to speak on behalf of the processes of exhumation and to the condition the exhumed were found in: of what was found and how they were found. [415]

Photographs of exhumations tie us into relationships the dead have, with kin and auxiliary people at the informal gravesite. As Ferran puts it, there is a "mystical transfer between the living and the dead, and the absorption of the lessons of the dead through the intimate contact with their remains."[416] The photographs, for example, taken at the exhumation of Norman ‘Billy Holiday’ Pietersen on 2 March 2016 from a pauper’s grave in Paarl, echo his silenced history, his treatment in death and his loved ones’ suffering.

As discussed in Chapter 1, between the years 1986 and 1990, at least nine uMkhonto we Sizwe (MK) members were killed in the Western Cape.[417] Amongst them was a young man named Norman ‘Billy Holliday’ Pietersen who remained missing for nearly 30 years. At the age of fifteen,[418] Pietersen abandoned the apartheid education system, allegedly believing it to be an oppressive system, and joined MK for military training in Angola and later in Bulgaria. Following his training, Pietersen returned to South Africa as an active member of MK. About a year into his stay, at the age of 22, on the 11th of March 1987, Peterson was killed by “named members of the SAP (South African Police)”[419] in a house in New Crossroads, Cape Town, supposedly as part of an anti-terrorist operation. He was suspected of being the reason for the murder of two officers earlier in the year. Following his death,

[415] Renshaw, “The Iconography of exhumation,” 242.
[416] Ferrán, “Grievability and the Politics of Visibility,” 124.
[417] *Truth and Reconciliation Commission of South Africa Report*, Volumes 3 (Cape Town: Jutas, 1998), 450, https://sabctrc.saha.org.za/originals/finalreport/volume3/volume3.pdf (accessed 16 January 2021). Additionally there were more people who died for political reasons, such as the ‘Gugulethu Seven’, who the TRC reports as not being ‘technically MK operatives’. And who died under suspicious police activity, involving them being framed as terrorist and killed as part of an anti-terrorist operation.
[418] Quinton Mtyala, “Struggle hero to receive proper burial at last,” *Cape Times*, July 27, 2016, https://www.pressreader.com/south-africa/cape-times/20160727/281517930483651. Also see: Zenzile Khoisan, “MK fighter ‘Billy Holiday’ reburied in heroes’ acre,” *IOL*, July 31, 2016, https://www.iol.co.za/news/south-africa/western-cape/mk-fighter-billy-holiday-reburied-in-heroes-acre-2051408.
[419] TRC *Report*, Vol. 7, 720.

Pietersen's body was identified by a family member and subsequently buried at Groenheuwel Cemetery in Paarl under strict watch by police. The major problem was that he had been buried, without headstone, in a site that later was used by a neighbouring community as a dumpsite. To his comrades this was a dishonour they wished to correct by reburying him as a hero, like other MK combatants killed by police.[420] Through assistance from the Missing Person's Task Team (MPTT), his cadres and the grave digger who helped bury Pietersen, his grave was located and the body exhumed. Following this, his remains, after nearly three decades, were finally given what associates determined to be an honourable ceremony and reburial. Each of these phases from exhumation to reburial was photographed and these photographs were circulated to the public through newspaper and media channels such as Eye Witness News, SABC News, IOL News and The Argus. In the next section, I examine some of these photographs.

[420] Some articles reporting his exhumation state that comrades had been searching for years to locate his whereabouts in an unmarked grave in Groenheuwel Cemetery. It is important to note that he was not disappeared or missing to family, a handful of them knew of his location, but the procedure of exhumation and reburial follows the same pattern that are applied to bodies that were, including the types of photography synonymous with exhumation and reburial. See: Gadeeja Abbas, "Remains of MK soldier found PICS and VIDEO," *IOL*, March 3, 2016, *https://www.iol.co.za/news/south-africa/western-cape/remains-of-mk-soldier-found-pics-and-video-1992653.*

Figure 20: The remains of Norman 'Billy Holiday' Pietersen exhumed at the Groenheuwel Cemetary. Reporter: Quiton Mtyala. Photographer: Stephen Smuts.[421]

In the first photograph (Figure 20) taken at his exhumation, we see what at the time were believed but not yet confirmed to be Pietersen's bones on top of black plastic wrapping. Located alongside the bones, is a paper strategically placed to mark the gravesite and date of discovery, "DLJ-01 M3315 02/03/2016" and another smaller yellow page with a check black and yellow arrow with the inscription "North" above it.

In another photograph taken at his exhumation (Figure 21), we see Claudia Bisso, the forensic anthropologist from the MPTT (formerly from the EAAF) helping to unearth the skeletal remains. She holds up what appears to be a handful of shotgun pellets, which she appears to be handing over to a male standing above the grave. In the left hand corner of the grave is a brown paper bag, which we later learn contain varying objects and bone found in the grave carefully set aside for later investigation.

[421] Abbas, "Remains of MK soldier found – PICS and VIDEO".

Figure 21: Claudia Bisso of the NPA's Missing Persons Task Team revealing the shot gun pellets found lodged in Pietersen's remains. The photograph was the result of a desire for visual proof of the shot gun pellets lodged in Pietersen. It would add extra validity to the claims being made by Abbas, and other reporters. Reporter: Quinton Mtyala. Photo by Stephen Smuts.[422]

Both photographs speak a language of acknowledgement, of a scientific process and of a transparency with which the exhumations are conducted and shared with the public. Renshaw argues that the iconography of black and white photographs of exhumation photographs in places still dealing with difficult memories of the past, like in Argentina and Mexico, places the work of those searching for the dead and the dead squarely in the realm of the "distant past".[423] In contrast then to the photographs taken at Pietersen's exhumation, these digital photographs filled with colour appear timeless, making their discovery a present discourse with which to engage in. Here the dead are not to be thought of as distant, but present, and what was done to them still a present injustice needing to be addressed.

[422] Abbas, "Remains of MK soldier found – PICS and VIDEO".
[423] Renshaw, "The Iconography of exhumation," 250.

These photographs capture the exhumation of Pietersen with forensic crime scene precision and practice. They show as clearly as possible how fragments and bones of the exhumed are carefully labelled and the entire process photographed.[424] Citing Zoe Crossland, Rousseau argues that "[technologies] of identifying mortal remains on site happen in part through physical apprehension of ground and body – colour, appearance, texture, smell and an intimate understanding of both soil and body's transformations…[that]… a dead body is produced, rather than recovered."[425] This practice is notable in the photographs taken at the site of Pietersen's exhumation. The brown bag, labelled in what appears to be a black marker notes the body and objects the present forensic teams considers needs to be separated from one another. The process records professionalism on the part of the forensic investigators and of those who take the photograph, showing the investigating team working carefully whilst handling the material with which they would later need to examine and identify Pietersen.

Beyond being visual evidence of a professional exhumation, what the practices of exhumation do is to generate a corporeal history of Pietersen that "supply… disturbing and thought-provoking visual images in which the viewer may readily decode metaphors for the exposure of concealed crimes".[426] Exhumation photographs, argues Renshaw in relation to exhumations in Spain, at times capture items like "watches, wallets, shoes, and belts" as well as other familiar objects in proximity or attached to the bones. She suggests that exhumation teams are sometimes asked by those present at a gravesite to leave the remains and objects intact until a photographer photographs it.[427] Here the intent, usually by media or private photographers, is to envelop as much of the person into the bones being exhumed, of who

[424] Rousseau, "Eastern Cape Bloodlines 1," 210.
[425] Rousseau, "Eastern Cape Bloodlines 1," 209.
[426] Layla Renshaw, "Preamble: Exhumation and the Traumatic Past," in *Exhuming Loss: memory, Materiality, and Mass Graves of the Spanish Civil War* (California: Left Coast Press, 2016), 11.
[427] Renshaw, "The Iconography of exhumation," 242.

was taken away, and the life they lived as to make a visual impact that impresses upon the viewer. In this way, as opposed to photographs of living people, which capture moments in a life leading up to a person's inevitable death,[428] photographs of human remains are of dead people whose fragments captured in photographs enable us to imagine their lived experiences. We already know they are dead, but we imagine their experiences before death and of how they were viewed in death. In the case of Pietersen, not only were shot gun pellets present that added to evidence of what led to his death, but the photographs taken of the environment at his exhumation bear witness to the value of his gravesite as now a dumpsite. It however also captures the value those who now exhume him have of him, as their intention is to remove him from what is essentially a dumpsite and rebury him as a hero, with a name for many to know about.

Figure 22: Pictured Right is MK Commander Patrick Ricketts, hugging MPPT head Madeline Fullard, as a man wearing Personal Protective Equipment stands over the collection of brown bags being put together by Claudia Bisso. Photographer: Stefan Smuts.[429]

[428] Ferrán, "Grievability and the Politics of Visibility," 119.
[429] Abbas, "Remains of MK soldier found – PICS and VIDEO".

In some ways then, photographs taken at exhumations assist in correcting the callous nature of persons buried as nameless paupers stripped of their humanity. In the case of Pietersen, a photograph of his commander Patrick Ricketts hugging MPPT head Madeline Fullard, taken by photojournalist Stefan Smuts, shows two worlds colliding. The first world proves the callousness of Pietersen's burial site. This world appears in the background of the two human figures hugging before an exhumed gravesite; instead of a typical gravesite littered with symbols of religion and mourning, it is one nearby residential government housing There are no crosses, no flowers, and the only things littered nearby are dirt, plastic and waste material, a gravesite left untended now turned into a dumpsite, and a land that appears almost forgotten about. The land is not one built in service of respecting or honouring dead, not a place to visit and mourn him. The second world shows not only the intimate relationship the team searching for the exhumed have with each other and by relation Pietersen, but ties him into what Rousseau refers to as a 'community of care'. These people welling up with emotion are the same people searching for him. It is these people who care deeply about him, at a personal level, who are going to take 'him' away from the first world that dehumanised him. It is a picture not of a 'cold' scientific examination of bones in pursuit of scientific ends and study, but one with clear personal attachment and the goal to reassert his humanity: a photograph that communicates re/humanisation.

Exhumation photographs by asserting the humanity of the person being exhumed compel us to think of more than just bone and death, they compel us to think of the people those bones are important to. They connect to present feelings of psychological violence that were perpetuated by the liminality of the presence of absence. The material icons presented to us in photographs taken at exhumation sites unpack fragments of stories that can be situated both inside and outside of their political and historical attachments, making us ask questions about

the person being exhumed, and sometimes the people doing the exhuming. Figure 22, for example, ties Fullard and Ricketts both to a politics of South African dead, but also shows them being human, expressing emotional elation through hugging, with each other over uncovering the dead. Such photographs ask us to imagine the reason for that material existence being present at the gravesite, and of those effects on the people searching for that material. And, while "portrait photographs or family snapshots" as Sontag says, make us consider how that person would ultimately die, exhumation photographs make us wonder about how that person lived.[430] As Renshaw suggests, "[conventional] historiography... slips away, is irrelevant in the confrontation between banality of everyday life, sentimental associations and the apocalyptic".[431] Just as the dirt and pellets reflect in part how Pietersen died and the conditions of his final resting place, the same photograph also make us wonder who he was and why we are looking at his bones.

In some photographs, this connection to the living world directly implies particular relationships to people through items that symbolise intimate experiences. This is the case of a photograph of a skeletal hand with a ring around one of its bony fingers in a collection of Francesc Torres's photographs of Spain's exhumations.[432]

[430] Edkins, "Politics and Personhood," 145.
[431] Renshaw, "The Iconography of exhumation," 244.
[432] Ferrán, "Grievability and the Politics of Visibility," 126.

Figure 23; A black and white photograph of a skeletal hand with a wedding ring. The picture was taken at the mass grave of Villamayor de los Montes. (Picture: Francesc Torres)

To Ferrán the ring was symbolic of many things, key among them being the intimate connection the dead had with those still living. A "symbol of commitment" that married one half in the past and the other in the present.[433] These types of material fragments guide us in imagining who the exhumed were, in some small part way making them real people with familiar experiences of intimacy and feelings of the loss of that intimacy, which we ourselves could experience.

Exhumed humans then are not persons solely because of their physical body, but "assembled through fragments, things or objects, sensorial and affective".[434] We are the connections, networks and experiences that are not immediately present. Photographs taken at exhumations, of family, of bones, of fragments of material, similarly to portrait photographs that mimic emotion person-to-person, mimic and reveal some of these connections, networks and experiences that make us human. We are beings beyond our physical capacity to exist in corporeal form, we are our thoughts, emotions and personal beliefs. We are that which make us up, our person-as-such, and exhumation photographs provide a small but crucial step in

[433] Ferrán, "Grievability and the Politics of Visibility," 126.
[434] Rousseau, "Eastern Cape Bloodlines 1," 210.

making visible the connections between people who in death were broken and in part stripped of their humanity by the conditions and circumstances of their disappearance and/or burial. And, as Rousseau puts it, by "instating the human person, the person-as-such its effect is also to rehumanize".[435]

Reburial Photographs

A reburial follows an exhumation of the disappeared dead. Like exhumations, reburials are also photographed by official photographers, family and, in many instances, the media. And like exhumations, reburials also present the disappeared to the public in ways that make them speak about the lives they lived, making them visible in ways that make them count.[436] The process was established as a means of acknowledging the past and moving forward into a new democratic state. However, reburial photographs produces two competing narratives, one that addresses the individual being mourned and put to rest, and one that addresses the politics that continue to produce the disappeared in particular ways. In this section, I explore both, examining how the disappeared are re/humanised through political language and symbolism, as well as the insinuation of their person-as-such that work to resist them simply being objects of political rhetoric.

Rassool argues that the bodies of apartheid era atrocities, like those bodies unethically acquired during colonial conquest, are situated in the realm of racial injustice and the

[435] Rousseau, "Eastern Cape Bloodlines 1," 214.
[436] Rousseau, "Identification, politics, disciplines," 180. The first reburial ceremony that occurred in South Africa occurred in May 1997, and while being televised juxtaposed images of the exhumation alongside the ceremony. To Rousseau, what emerged was a narrative that spoke to "'uncover[ing] secrets of the past', and of discovering more secret murders. These images of the first exhumed alongside the images of the first reburial led South African author and film maker, Max du Preez, to state it was 'one of the strongest visual memories of the Truth and Reconciliation process'."

discourse of reparations.[437] Reburials exist then to release bodies from this dehumanising realm and restore the humanity stripped from them as a result of the undignified circumstances in which they were handled in death. As Moosage argued, like colonial skeletons the reburial of apartheid era bodies meant a "return… of human remains that ushered in the longer process of re/humanisation through repatriation of…skeletons produced as person with names".[438]

The return of the exhumed back into society, through their celebration and putting them to rest, addressed not just what was considered the dehumanisation of the disappeared dead, but also those intimately connected to them – family, comrades and friends – who were denied access to them, to mourn them and to pay their respects to them. In South Africa, argues Moosage, reburials "through a methodology that focused on re/humanisation represented more than a physical movement" to a proper burial site, it also meant invoking a sense of return for their networks.[439] Here family members who were made to suffer in silence had their grievances recognised. In some ways, reburials are the government enacting a physical form of reparations for family, rather than just simply acknowledging the injustices of the past. As Rousseau states, although publicly acknowledging that human rights violations occurred as a means to address the injustices of the past and their victims, "… the materiality of exhumations and associated images provided a more powerful enactment of this ritual than the symbolic exchange of testimony and words".[440] To Rousseau this return not only made reparations a spoken recommendation, but actively engaged in it. Through the process of exhumation to reburial, wives, mothers, fathers, children, and a community of people all tied in some manner to the exhumed were given attention for their grief and grievance, and even

[437] Moosage, Rassool, and Rousseau, "Missing and Missed," 13.
[438] Moosage, "Missing-ness, History and Apartheid-era disappearances", 138
[439] Moosage, "Missing-ness, History and Apartheid-era disappearances", 139.
[440] Rousseau, "Identification, politics, disciplines," 178.

though not always expressively, these mourners are given names and history in the articles written in relation to their loved one. In many ways, mourners who were silenced were made present as their mourning rights were finally granted.

In the 1970s burial societies, consisting of mainly women, emerged in South Africa as a result of resistance to the callous treatment of black migrant bodies in the 1960s who died outside of their homestead and were buried in pauper graves by the state.[441] These services were later extended to bodies that died in political skirmishes, which redefined the funerals as political affairs and turned funerals partly into expressions of defiance against the government's callous treatment of black political bodies. This is because these funerals were often communal affairs, whereby political hymns and songs of resistance were sung and praise to the deceased for their political resistance was echoed to all. It also acted in this way because resources and attention were now being spent on black bodies that were not afforded to them while alive. Following the transition to a post-apartheid state, funerals continued to be highly politicised; however they took on a new tone, one that marked sacrifice for the state to come.[442] As Van Laun states, the recovery and reburial of the remains emphasised "the current government's stated goals of nation building, healing and the forging of a new, shared national identity".[443] The reburials were more than anything a community building exercise, landmarks of the history of the new state.

When the first bodies were exhumed and then reburied, post-apartheid, President Mandela proclaimed the bodies to be those of heroes who would be "inscribed in the nation's roll of honour".[444] His statement was recognition that those being reburied would be recognised for

[441] Moosage, "Missing-ness, History and Apartheid-era disappearances", 129
[442] Rousseau, "Identification, politics, disciplines," 182 - 183
[443] Van Laun, Bureaucratically Missing," 2.
[444] Rousseau, "Identification, politics, disciplines," 184.

their sacrifice for the freedom that the country was experiencing. In some ways, it was also recognition of the psychological violence caused by the improper burial to victims of disappearance. As Rousseau notes, reburials of the disappeared enacted a "proper burial" ceremony that put "the missing and unjustly buried now returned to family and community… [to] rest".[445] Reburials were the nation challenging the unethicality with which bodies were handled in the past and marked a major part of being recognised as human, our passage to the afterlife.

A recognisable symbol of this passage to the afterlife is the coffin. Coffins are powerful symbols that suggest the final resting place of a person. Even when whole bodies are often impossible because their remains are found in fragments or a state of decay, coffins are thought to gather those fragments and form the corporeal person. As Moosage notes, the coffin evokes "the power of being in the presence of the dead".[446] The coffin becomes a conduit that speaks to the importance of the exhumed and their return to the embrace of their social networks.[447] It serves to transform the fragments exhumed into a mournable body, re/humanised by ascribing it as the resting place of a whole person.[448] In this moment of handover, the coffin helps make the "visibility, recovery, and repossession a metaphor for the settlement of the pasts of apartheid".[449] A script supported by the presence of family, friends, local political members, military veterans, government officials and the media.

The question then becomes do reburials done in this political fashion simply recontextualise the intrumentalisation of the disappeared person into the context of a new nation state? Because funerals engage so strongly with the political life of the disappeared dead, the

[445] Rousseau, "Identification, politics, disciplines," 193.
[446] Moosage, Rassool, and Rousseau, "Missing and Missed," 28.
[447] Moosage, Rassool, and Rousseau, "Missing and Missed," 28.
[448] Rousseau, "Identification, politics, disciplines," 195.
[449] Rassool, "Human Remains and the Disciplines of the Dead," 139.

political party often becomes the focus of the event, which places the disappeared dead's political life at the centre of their reburial. This is very visible in the display of the coffin, in the meeting hallway and in the parades through the streets which present the reburial of the unjustly buried, "draped in the organization's flag, … often guarded by veterans in military fatigues, accompanied by songs of the guerrilla movement".[450]

Van Laun argues that the portrait photographs of prisoners at the Gallows Memorial Museum conscript the portraits "into a narrative that works to reinsert the [bodies being reburied] into an anti-apartheid organisation, as it reclaims 'its' members and heroes who laid down their lives in the struggle and locates them firmly within the discourse of nation-building". Much the same can be said when A3 size posters reflecting portrait photographs of the exhumed are present at reburials, alongside flags on coffins, and lyrics associated with the nation – national anthem, struggle songs and military marches.[451]

[451] Van Laun, "Following the Image," 17.

After nearly 30 years in an unmarked grave where he was buried by apartheid security forces, MK fighter Norman "Billy Holiday" Petersen was reburied in Paarl yesterday with full military honours.

Figure 24: Reburial of MK fighter Norman "Billy Holiday" Pietersen at Paarl. The photographs caption also highlighting his political and military involvement.[452]

In this photograph taken at the site of Norman "Billy Holiday" Pietersen's reburial, 'the nation honouring a fallen hero to be put to rest' is communicated by the ANC flag draped over a coffin, guarded by three senior military veterans dressed in uniform.[453] Behind the three veterans sit men in suits in mid-conversation as others gather around the coffin, their activity obscured by a portrait of Pietersen. Pietersen's portrait is framed, showing a desire to preserve his image. White flowers and a pillow, also wrapped in ANC regalia, are placed upon the coffin. This collection of motifs impresses upon the viewer a final resting of the person in the coffin, one of comfort, which had been denied by the plastic bag he had

[452] Zenzile Khoisan, "Fallen MK hero honoured: Umkhonto we Sizwe – Billie Holiday," *Weekend Argus*, Jul 31 2016, https://www.pressreader.com/south-africa/weekend-argus-sunday-edition/20160731/281578060033849.
[453] Khoisan, "Fallen MK hero honoured".

previously been buried in. The pillows and coffin draped in ANC colours framing Pietersen's death situates him not only as someone being buried, but also as someone who the ANC themselves are coveting, honouring and putting to rest. In another digital photograph taken at the event, a banner further ties Pietersen to his political home. In this image we see Pietersen's portrait manipulated and blended with the ANC trio of colours. It reads above and below his portrait: "Justice For… [Pietersen's face]… Billy Holiday," the name Pietersen used as an MK operative.

Figure 25: Photograph taken at Pietersen's reburial ceremony, by Eye Witness News reporter. It is captioned: "He was buried in Paarl under police guard in an unmarked grave".[454]

[454] EWN Reporter (@ewnreporter). "#NormanPetersen He was buried in Paarl under police guard in an unmarked grave. LI,"Twitter, July 30, 2016, 10:59 am., https://twitter.com/ewnreporter/status/759312484608212992/photo/2

In this moment, similarly to Van Laun's take on the portraits of political prisoners in the Gallows Memorial museum, it is clear that Pietersen is now "the dead of the nation".[455] Every aspect of the reburial is aimed at making him visible, and even though the original use of his portrait is not immediately clear, what it is now is a headstone to identify a man being honoured for his service to the country he died to create.

The MK veteran's remains were exhumed by the missing persons task team in the National Prosecuting Authority on the 2 March this year. Picture: Lauren Isaacs/EWN.

Figure 26: A photograph of Norman Pietersen reburial taken at a wider angle then before. (Picture: Lauren Isaacs)

In another picture taken at the same event, we are given another view, allowing us to see a large portrait poster draped over Pietersen's coffin, one large enough for most in the hall to see and identify as the person being celebrated and mourned.[456] Boldly in the background of the picture reads a pullup banner "ACCESS TO JUSTICE FOR ALL". The slogan frames the reburial event clearly in the realm of justice for Pietersen. The soldiers now are saluting him

[455] Van Laun, "Following the Image," 156.
[456] Lauren Isaacs, "Norman Petersen's Reburial Ceremony Underway in Paarl," *Eyewiness News*, July 30, 2016, https://ewn.co.za/2016/07/30/Reburial-ceremony-of-Norman-Petersen-underway-in-Paarl (accessed 16 January 2021).

through his remains; it is a moment in clear honour of the person in the coffin. Whilst still highly politicised, however, I note, as opposed to the first and second image, the feature that stands out most in the third image is the black and white enlarged portrait of Pietersen hanging in front of his coffin. We are now clearly gazing at a man gazing back at us, eye to eye. In some part, this larger portrait draws back to him, rather than mostly to his political home.

In countries like South Africa, reburials have adopted funeral scripts that draw the bodies of the missing dead closer to the nation, into the politics of reparation and nation-building, and tied to those "who died in the struggle to end apartheid".[457] No longer were they at the behest of apartheid inscriptions, like prisoner, criminal or terrorist, "the photographs now signify and honour struggle heroes and martyrs" as the "identity of the individuals pictured" have been "redefined as members of a specific organisation and a particular political biography".[458]

It is important to say that where the state claims the body of the exhumed, I find myself in agreement with Rousseau, Moosage and Van Laun, that the exhumed person loses in part what makes them human, their individuality outside of their relationship to the state. Emboldened by the flag, and presentation of the burial of Pietersen, what appears to be at the forefront of the reburial is not the missed person, Pietersen, but their political home, the ANC. Pietersen himself is not being missed for his innumerable traits, but for being a member of the ANC. Like Rousseau, I find myself asking "rather than marking a moment of closure," does re/humanising the exhumed through such a highly politicised lens "open a

[457] Moosage, Rassool, and Rousseau, "Missing and Missed," 21.
[458] Van Laun, "Following the Image," 157.

ledger of debt, which could only be settled by intensified resistance and further death [?]".[459] In a post-apartheid era, how would this ledger of debt be settled?[460]

However, I suggest that within reburial photographs the ambivalence of which Sanders makes us aware persists, even when there is an attempt to be tied down to a particular narrative. Although challenged by the iconography around it, reburial photographs manage to produce the humanity of the person being reburied, even if just momentarily. Portrait photographs of the disappeared and images in which the family can be seen crying draw out the sense that a real person is being mourned, not for his politics, but for his absence as a person in the lives of the living.

[459] Rousseau, "Identification, politics, disciplines," 182.
[460] A compelling argument is made by political theorist John Kane about this type of debt manifesting into what he calls moral capital. Moral capital is the abstract capital a political entity may gain to influence society if enough of society has deemed the entity an agent of morality. When situating honours, offices and authority this power given through moral capital grants who has access to it political resources and thus who controls the decisions made for and in a political society. Perhaps, one way of this debt manifesting is in legitimising the actions of the ruling party, their hold on power and their actions and reactions in society. John Kane, "Moral Capital," in *The Politics of Moral Capital* (New York: Cambridge University Press, 2001), 10 – 27.

Figure 27: A photograph shared by EWN's twitter account. The people in them are considered as "emotional relatives".[461]

Reburial photographs play an important role in reversing the invisibility and dehumanisation of the missing politically dead, who often as a result of their dehumanisation have been buried in secret improperly. As Figure 27 shows, it also allows us to see those who mourn the dead in nuanced ways that invokes both a highly politicised gaze and a humanisation of those dressed in political regalia. Political comrades, dressed in party regalia, are humanised as we see them expressing emotional grief, whilst images of family members, also dressed in political regalia, destabilises the assumed boundary between politics and family. Both work to make the dead important on a personal level, but also evoke a politics wishing to make them count within the realm of the living in ways that were denied to them under the

[461] EWN Reporter (@ewnreporter), "#NormanPetersen Emotional relatives gathered in front of the hall. LI,"Twitter, July 30, 2016, 11:29 a.m. https://twitter.com/ewnreporter/status/759320059181498368/photo/1 (accessed 16 January 2021).

apartheid. However, while this may be regarded as re/humanising, this is not to say that the two elements of humanising politics and politicising family are not at odds with one another or that it does not at the same time cancel the appropriation of the disappeared dead by the state in the name of the nation. This makes the presence of grief itself a political question that requires political answers.

In many ways, the iconography of reburials does not signal an end to past trauma in order to move forward into a brighter future but in some manner adds political fuel which reproduces the dead for the purposes of the politics of the living. However, with the incorporation of grieving friends and family, and the portrait of disappeared dead, the ambivalence of their individuality is drawn back – perhaps only momentarily – to the foreground of our imagination. These are real people mourning a real person who once existed, and not simply because they were a loss to the nation. They are more than a symbol of overcoming oppression; they were sons, daughters, parents and friends, they were people with emotions similar to our own. This is not just because of the person-to-person response evoked when gazing at their portraits but because their family's grief equally reflected what we would feel when losing someone, or what our family would feel mourning us if we died and were lost.

Conclusion

To see each other in each other is to humanise each other beyond stereotypes.[462] By recognising ourselves in others, in the disappeared dead, we can locate their humanity, because we are in essence locating our own humanity in them by refusing to dehumanise them. Over time, what I realised is that this was the intention with which I came into this thesis: a desire to find ways to uncover the humanity beyond the political, especially of those we turn into symbols of resistance.

In this thesis, I focused on issues of dehumanisation and re/humanisation of the disappeared dead and the politically missing of South Africa, more particularly those belonging to Cape Town and the Western Cape, through the visual medium of the photograph. I define the disappeared dead as those who were abducted and killed by the state or rival political groups. I also include in this definition those who were known to have been killed but whose bodies were buried in gravesites unknown or inaccessible to families, which are arguably the most important relationships that the disappeared dead had when alive. My main means of examining the dehumanisation and re/humanisation of the disappeared dead and the politically missing was to explore the visual imagery produced and reproduced of them in public: either in the form of portraits, family snaps shots and/or photographs taken at their exhumations and reburials. In particular I have been working with these photographs in order to re- think the issues of bureaucratic objectification, [463] which arise in efforts to re/humanise

[462] Documentary Filmmaker, Deeyah Kahn, makes a similar mission statement in a video podcast with Russell Brand about finding the humanity in extremists. She aims to work against the caricature of people, because if we do that, if we can see each other as humans, once we recognise each other's humanity, it is harder to "exercise violence" against each other. "How Love Will Defeat Hate | Russell Brand & Deeyah Khan | Under The Skin," Youtube Video, 1:21:15, posted by "Russell Brand," November 5, 2019, https://www.youtube.com/watch?v=gP-ekeEQXkc.

[463] Bianca Van Laun, "Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs," *Kronos* 44, no. 1 (2018): 123–44.

the dead by the state and how photographs may counteract this bureaucratic objectification, restoring the extracted personhood.

In Chapter 1, I examined the South African historical context regarding the disappeared dead. I explored the efforts that the South African government made to address the injustices that took place during apartheid against the disappeared dead through the work of the TRC and subsequently the MPTT. [464] I argue that the TRC and the MPTT are important government institutions that were and continue to be instrumental in addressing issues of repatriation, restitution and reburial for those that I have classified as Western Cape's and Cape Town's disappeared dead.

Many of the bodies that were investigated were those of guerrillas, many of whom were buried as anonymous paupers. This was primarily because unlike other forms of missing person cases, the guerrilla body was processed through a legal regime that left behind documentary traces to begin investigations. [465] As a result, the narrative of the missing dead of South Africa came to be closely associated with that of its combatants and guerrillas, a large majority of them being from the African Nation Congress (ANC) and the Pan African Congress (PAC).

The MPTT followed a process largely developed by the Argentine Forensic Anthropology Team (EAAF), which involved forensic expertise and family members in the exhumation and identification process, following which family together with local political entities and

[464] Ciraj Rassool, "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex," in *The Politics of Heritage in Africa: Economies, Histories, and Infrastructures, ed. Derek R. Peterson, Kodzo Gavua, and Ciraj Rassool* (New York: Cambridge University Press, 2015), 133.
[465] [465] Nicky Rousseau, "Identification, politics, disciplines: missing persons and colonial skeletons in South Africa," in *Human Remains and Identification: Mass violence, genocide, and the 'forensic turn'*, ed. Élisabeth Anstett and Jean-Marc Dreyfus (Manchester: Manchester University Press, 2015), 189.

government usually took charge of the reburying process. Each phase was aimed at restoring dignity and countering the dehumanisation experienced by the disappeared dead, unjustly buried, and their mourning family. The script produced a means of altering the narrative of their deaths, from criminal or terrorist to martyrs or victims of the apartheid state, and their funerals – visible to not just family but all in a community – from paupers to military heroes.[466] In this thesis, however, I argue that definitions that categorise the disappeared dead and unjustly buried in this bureaucratic manner may act to further some of the indignities which family felt. As reported by Aronson in some cases, some families contended with what they perceived as inequality in resource and political attention paid to their loved ones, in comparison to others. [467] Furthermore, the South African funeral script tied the dead not to family through their individual importance, but to a cause as political icons, taking them outside of being human and turning them mostly into a category.

These issues are filtered through the medium of photographs. I argue that photographs used to identify bodies by human rights institutions for the purposes of producing justice for the politically missing may in fact further dehumanise them. [468] I do so in Chapter 2 by examining the potential of counter-forensic photographs to produce the politically missing person. Photographs used to identify the individual could be re-examined counter-forensically both to record a body's physical history and cause of death, thus aiding to convict the perpetrators responsible for their victimisation. [469] I argue, however, that even though there is merit in forensically reproducing the person through the photographic image,

[466] Bianca van Laun, "Following the Image: Examining the multiple afterlives of apartheid-era prison identificatory photographs," *Journal of African Cinema* (Forthcoming: 2021): 18; Rousseau, "Identification, politics, disciplines," 194.
[467] Jay D. Aronson, "The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons," *The International Journal of Transitional Justice* 5, no. 2 (2011): 277.
[468] Nicky Rousseau, Riedwaan Moosage and Ciraj Rasool, "Missing and Missed: Rehumanisation, the Nation and Missing-ness," *Kronos 44, no. 1* (2018): 25.
[469] Riedwaan Moosage, "Missing-ness, History and Apartheid-era disappearances: The figuring of Siphiwo Mthimkulu, Tobekile 'Topsy' Madaka and Sizwe Kondile as missing dead persons" (Ph. D., University of the Western Cape, 2018), 157.

as evidence is produced that helps stitch together what happened to individuals, this production of the person falters in its continued categorisation of the politically missing into bureaucratic definitions of personhood: victim of a crime, or missing. This type of definition orders persons according to category, or type of person, over what they are essentially missed for, their presence and incalculable personhood.

Where this becomes a problem is that although bodies are found and potentially perpetrators of injustice could be convicted, the disappeared dead are taken once more out of being a person and turned into someone belonging to a category, undermining their individual humanity. Further, what happens when the disappeared dead enter political definitions of a person, they become worthy as a result of political categories such as martyr, hero or victim. In other words, the problem I faced was one where *what* the person was, their function in society, becomes more important than *who* the person was. [470]

I elaborated these arguments through the work of Sekula, Keenan, Moosage and Van Laun who consider the benefits and limitations that counter-forensics has in addressing human rights violations. While all argue that counter-forensic methods of investigation are necessary to identify remains and convict criminals, Moosage[471] and Van Laun[472] however argue that counter-forensics inadvertently produces people as evidence as opposed to who the person being examined was as an individual, the very reason for which they are missed in the first place.

[470] Jenny Edkins, "Introduction," in *Missing: Persons and Politics* (London: Cornell University Press, 2011), 2.
[471] Moosage, "Missing-ness, History and Apartheid-era disappearances", 182-4.
[472] Van Laun, "Following the Image," 4.

Photographs produce a means to invoke an audience to think about persons and events. It invokes a need to do something so that what we see is correct, or that what we see is the correct conclusion to what we believed need correcting. Counter-forensics produces a particular way of thinking about the situation of the disappeared dead, unjustly buried, or politically missing that sees them placed within categories understandable to a bureaucratic order – or state and police order that insists on making the men count within that order. [473] However, in this ordering, they lose their humanity to a degree and, although as attention is paid to them that may move from state terrorist, to state martyr, victim or hero, they remain categorised.

Nonetheless, although I am in agreement with this line of argument, I sought to push the limits of that argument through a re-reading of the photographs, especially the portrait photograph. In Chapter 3, I explored the way photographs can, when read for the person-as-such, re/humanise the individuality of the disappeared dead and politically missing lost through political masking. I explored four types of photographs in my pursuit to discover ways of drawing out the person-as-such from images: portraits (self and family) and family snaps, photographs taken at the exhumations of disappeared dead or unjustly buried persons, and at their reburials.

With regard to portrait photographs, I argue that portraits urge us to gaze at a reflection of another human being to whom we ascribe an emotion. This interpretation, usually imagined based on our own lived experience, forces us to see those we gaze at as human beings with emotions beyond their state function. I argue that through this, we already begin to individuate them as we would any living person, giving them thoughts and feelings as we

[473] Van Laun, "Following the Image," 4.

gaze at them eye to eye. [474] I argue that a different aspect of the person-as-such can be viewed from family portraits and snapshots. In these types of photographs what emerged were elements relatively outside of the disappeared dead, but still important to define part of what made up their person-as-such, their personal, familial and social networks. In these types of portraits and snapshots, we view who was important to the disappeared dead, who the disappeared dead were important to, and therefore who mourned them intimately. Here we could begin to see the dead and their family outside of categorisation and political bureaucracy. In them we see ordinary people, with everyday connections familiar to our own.

Whereas photographs of the living person and persons often invite us to think of the way the person would have died, and of the way those around them suffered from their death, I argue that photographs of their visible demise, their exhumation and reburial, offer up the opposite visualisation of their existence: imagining how the dead lived. [475] My argument thus extends to the family of the disappeared, who equally experienced dehumanisation through the disappearance of their loved one. I suggest that photographs can reveal grieving humans, not just abstract attachments to the dead.

Through exhumation photographs, I argue that what is captured is a retrieval of the body from a dehumanised space by a community of care – which can include forensic experts, government officials, media, community members, political comrades and family – attempting to re/humanise the dead. Through exhumations, bones are imagined to have been people, who have connection to the still living, usually the members present at their exhumation and caught on camera. To me, by digging up the physical remains and positively

[474] Jenny Edkins, "Still face, moving face," *Journal of Cultural Research* 17, no. 4 (2013): 425.
[475] Jenny Edkins, "Politics and Personhood: Reflections on the Portrait Photograph," *Alternatives: Global, Local, Political* 38, no. 2 (2013): 145.

identifying them and establishing, forensically, what had happened to them, then presenting that information to their social networks aids in this re/humanisation by making their existence – family (suffering) and their dead - visible. [476] Photographs of this exhumation process help to communicate this restoration of the body and effect a re/humanisation of the person buried unjustly.

Exhumation photographs, by compelling us to consider the humanity of bones, urge us to think about more than just death; they urge us to think about the people who depend on those bones to affirm their suspicions and put their trauma of liminality to rest. At the same time, the material iconography shown to us in pictures taken at exhumation sites deconstruct stories that are situated both inside and outside of their political and historical ties, forcing us to raise questions about both the person being exhumed and the people conducting the exhumation.

Similarly to exhumations photographs, reburial photographs also address re/humanisation by posthumously causing us to think of the life of the dead person being put to rest. I argue that reburials of the disappeared dead in South Africa produces two competing narratives of the dead: the first highlights the politics associated with them and which were the reason for their being killed, the second that of mourning the dead who are being reburied. In this way, reburials were the current politics and family challenging the indignity and unethicality with which certain bodies were treated in the past by recognizing them and highlighting their political function in society. [477] At the same time, however, it is also a means for family to

[476] Ofelia Ferrán, "Grievability and the Politics of Visibility: the Photography of Francesc Torres and the Mass Graves of the Spanish Civil War," in *Memory and Postwar Memorials: Confronting the Violence of the Past*, ed. Marc Silberman and Florence Vatan (New York: Palgrave Macmillan, 2013), 121; Nicky Rousseau, "Eastern Cape Bloodlines 1: Assembling the Human," *Parallax* 22, no. 2 (2016): 210; Layla Renshaw, "The Iconography of Exhumation: Representations of Mass Graves from the Spanish Civil War," in *Archaeology and the Media,* ed. Timothy Clack and Marcus Brittain (California, USA: Left Coast Press, 2007), 249.
[477] Ferrán, "Grievability and the Politics of Visibility," 124.

put to rest and make visible their suffering caused by the original unjust burial to the greater public.

Photographs taken at reburials reveal both of these narratives, as the political and the humane tie into one another. Although this may not be without tension, with family dressed in political attire reflecting a political funeral, their expressions of emotion and mourning serves to put humanity into the politics, which they reflect in their attire. Through reburial photographs, we see large portraits of the dead, we see mourning family, we see community, we see military and government officials, but we also see flowers, coffins and sometimes pillows, signifying putting the dead to rest. These are all aspects, I argue, that form part of the extended and incalculable traits of what made the disappeared dead individuals, who now need to be put to rest.

Where elements of politics may work to mask the person-as-such being mourned, portraits and photographs of faces of their loved ones draw us back to seeing their unique identity, to think of their feelings, desires and hopes, even if only momentarily, allowing us to re/humanise them and see them for their individual humanity outside of their state function. To me they are more than symbols for us to consume our own identity into; they are children, parents and friends. They are mourned precisely for what we would mourn our own family for, and what our family would mourn us for, that person-as-such that is lost. And photographs – of portraits, family, exhumation and reburials – help draw out these incalculable traits as the dead are given visible identity and their social and personal networks are made visible to us in ways that make them human and count beyond the political.

Bibliography

1. Books

Dlamini, Jacob. *The Terrorist Album. Apartheid's Insurgents, Collaborators, and the Security Police* (Cambridge, MA: Harvard University Press, 2020).

Edkins, Jenny. *Missing: Persons and Politics.* Ithaca and London: Cornell University Press, 2011.

Gernsheim, Helmut. *A Concise History of Photography:* Third Revised Edition (Dover Photography Collection). New York: Dover Publications, 1986.

Keenan, T and Weizman, E. *Mengele's Skull: The Advent of a Forensic Aethetics*. Portikus: Sternberg Press, 2012.

Sontag, Susan. *On Photography.* London: Penguin, 1979.

Verdery, Katherine. *The Political Lives of Dead Bodies.* New York: Columbia University Press, 1999.

Zelizer, Barbie. Remembering to Forget: Holocaust memory though the camera's eye. The University of Chicago Press: London, 1998.

2. Book Reviews

Casper, Jim. Review of *Intimate Enemy: Images and Voices of the Rwandan Genocide*, photography by Robert Lyons. *LensCulture*, Accessed January 16, 2021. https://www.lensculture.com/articles/robert-lyons-intimate-enemy-images-and-voices-of-the-rwandan-genocide.

3. Chapters in Books

Ferrán, Ofelia. "Grievability and the Politics of Visibility: the Photography of Francesc Torres and the Mass Graves of the Spanish Civil War." In *Memory and Postwar Memorials: Confronting the Violence of the Past*, edited by Marc Silberman and Florence Vatan, 117-136. New York: Palgrave Macmillan, 2013.

Hayes, Patricia. "Unity and Struggle: Afripix and the Sedimenting of Photography." In *Rise and Fall of Apartheid: Photography and the Bureaucracy of Everyday Life,* edited Okwui Enwezor and Rory Bester, 342-347. New York: International Center of Photography, 2013.

Kane, John. "Moral Capital." In *The Politics of Moral Capital.* New York: Cambridge University Press, 2001.

Mayfield, DS. "Theoretico-Conceptual Groundwork (By Recourse to the *Rhetorica ad Herennium*, Cicero, Quintilian, and Further Theorists)." In *Variants of Rhetorical*

Ventriloquism, edited by Joachim Küpper, Jan Mosch and Elena Penskaya, 25 -95. New York: De Gruyter, 2018.

Ranalletti, Mario. "When Death Is Not the End: Towards a Typology of the Treatment of Corpses of 'disappeared Detainees' in Argentina from 1975 to 1983." In *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence, Human Remains and Violence,* edited by Anstett Élisabeth and Dreyfus Jean-Marc, 146 - 179. Manchester: Manchester University Press, 2014.

Rassool, Ciraj. "Human Remains, the Disciplines of the Dead, and the South African Memorial Complex." In *The Politics of Heritage in Africa: Economies, Histories, and Infrastructures*, edited by Derek R. Peterson, Kodzo Gavua, and Ciraj Rassool. Cambridge: Cambridge University Press, 2015. doi:10.1017/CBO9781316151181.008.

Renshaw, Layla. "Preamble: Exhumation and the Traumatic Past." In *Exhuming Loss: memory, Materiality, and Mass Graves of the Spanish Civil War.* New York: Routledge, 2016.

Renshaw, Layla. "The Iconography of Exhumation: Representations of Mass Graves from the Spanish Civil War," In *Archaeology and the Media,* edited by Timothy Clack and Marcus Brittain, 237 – 352. California, USA: Left Coast Press, 2007.

Rousseau, Nicky. "Death and Dismemberment: The Body and Counter-Revolutionary Warfare in Apartheid South Africa." In *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence*, edited by Élisabeth Anstett and Jean-Marc Dreyfus, 204–25. Manchester University Press, 2014.

Rousseau, Nicky. "Identification, Politics, Disciplines: Missing Persons and Colonial Skeletons in South Africa." In *Human Remains and Identification: Mass Violence, Genocide, and the 'Forensic Turn,'* edited by Élisabeth Anstett and Jean-Marc Dreyfus, 175–202. Manchester University Press, 2015.

Weizman, Eyal. "Introduction: Forensis" In *Forensis: The Architecture of Public Truth*, 9 – 32. Berlin: Sternberg Press, 2014.

4. Film

Kaplan, Mark. *Between Joyce and Remembrance*. Directed by Mark Kaplan. South Africa. Grey Matter Media and Bullfrog Films, 2004, DVD.

5. Journal Articles

Aronson, Jay D. "The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons." *The International Journal of Transitional Justice* 5, no. 2 (2011): 262-281.

Cassia, Paul Sant. “Guarding Each Other’s Dead, Mourning One’s Own: The Problem of Missing Persons and Missing Parts in Cyprus.” *South European Society & Politics*, 11, no. 1 (March 2006): 111-128.

Crossland, Zoë. “Of Clues and Signs: The Dead Body and Its Evidential Traces.” *American Anthropologist*, 111, no. 1 (2009): 69–80.

Darda, Joseph. “The Exceptionalist optics of 9/11 Photography.” *Journal of American Studies*, 50, no. 1 (2016): 185 – 204.

Edkins, Jenny. “Missing Migrants and the Politics of Naming: Names Without Bodies, Bodies Without Names.” *Social Research: An International Quarterly*, 83, no. 2 (2016): 359 – 389.

Edkins, Jenny. “Politics and Personhood: Reflections on the Portrait Photograph.” *Alternatives: Global, Local, Political*, 38, no. 2 (2013): 139–54.

Edkins, Jenny. “Still face, moving face.” *Journal of Cultural Research*, 17, no. 4 (2013): 414-429. 10.1080/14797585.2013.792657.

Ferrandiz, Francisco & Alejandro Baer. “Digital Memory: The Visual Recording of Mass Grave Exhumations in Contemporary Spain.” *FQS* 9, no.3 (September 2008).

Hayes, Patricia. “Photographic Publics and Photographic Desires in 1980’s South Africa.” *Photographies*, 10, no. 3 (2017): 303 – 327. https://doi.org/10.1080/17540763.2017.1340736.

Karl, Sylvia. “Missing in Mexico: Denied Victims, Neglected Stories.” *Culture & History Journal*, 32, no. 2 (2014): 1 – 17.

Karl, Sylvia. “Rehumanizing the Disappeared: Spaces of Memory in Mexico and the Liminality of Transitional Justice.” *American Quarterly*, 66, no. 3 (2014): 727–48.

Keenan, Thomas. “Counter-Forensics and Photography.” In *Grey Room*, no. 55 (2014): 58–77.

Majoos, F., A. D. Marais and F. Ames. “Thallium poisoning. A case report.” *South African Medical Journal*, 64, no. 9 (1983): 328-330.

Rousseau, Nicky, Riedwaan Moosage, and Ciraj Rassool. “Missing and Missed: Rehumanisation, the Nation and Missing-Ness.” *Kronos*, no. 44 (2018): 10–32. https://www.jstor.org/stable/26610855.

Rousseau, Nicky. “Eastern Cape Bloodlines 1: Assembling the Human.” *Parallax*, 22, no. 2 (2016): 203 -218. https://doi.org/10.1080/13534645.2016.1175069.

Rousseau, Nicky. “The Farm, the River and the Picnic Spot: Topographies of Terror.” *African Studies*, 68, no. 3 (2009): 351 – 369.

Sanford, Victoria. “Photography and the Battle for Guatemala’s Memory.” *Journal on Social History and Literature in Latin America*, 6, no. 2 (Winter 2009): 317 -331.

Savage, Michael. “The Imposition of Pass Laws on the African Population in South Africa 1916-1984.” *African Affairs*, 85, no. 339 (1986): 181–205. http://www.jstor.org/stable/723012.

Sekula, Allan. "Photography and the Limits of National Identity." *Grey Room*, no. 55 (Spring 2014): 28-33. http://www.jstor.org/stable/43832262 (Accessed 13 January 2021).

Sekula, Allan. “The Body and the Archive.” *October*, 39 (1986): 3–64. https://doi.org/10.2307/778312.

Smith, Shawn Michelle. "The Afterimages of Emmett Till." *American Art* 29, no. 1 (2015): 22-27. Accessed January 13, 2021. doi:10.1086/681653.
Thomas, Kylie. “Exhuming Apartheid: Photography, Disappearance and Return.” In *Cahiers D’études Africaines*, 58, no. 230 (2) (2018): 429 - 454. DOI :

Thomas, Kylie. **“**Wounding Apertures: Violence, Affect and Photography during and after Apartheid.” *Kronos*, 38, no. 1 (2012): 204-218.

Van Laun, Bianca. “Bureaucratically Missing: Capital Punishment, Exhumations, and the Afterlives of State Documents and Photographs.” *Kronos*, 44, no. 1 (2018): 123–44.

Van Laun, Bianca. “Following the Image: Examining the multiple afterlives of apartheid-era prison identificatory photographs.” *Journal of African Cinema*, 12 no. 2+3 (2020): 137–161.

6. Media Release

Mfaku, Luvuyo. “Exhumation of Ten Members of the Pan African Congress (PAC).” Media Statement, August 30, 2017. https://www.npa.gov.za/sites/default/files/media-releases/Exhumation%20Of%20Ten%20Members%20Of%20The%20Pan%20Africanist%20Congress%20%28PAC%29%20%20.pdf (Accessed 26 October 2021).

7. Missing Persons Task Team

Report of ‘Missing Persons Task Team Investigation: Karabo Madiba (MK Gabriel Seatlholo) and Peter Johnson (MK Tom Livingstone Gaza), April 2007.

8. Newspapers

Abbas, Gadeeja. “Remains of MK soldier found PICS and VIDEO.” *IOL*, March 3, 2016. https://www.iol.co.za/news/south-africa/western-cape/remains-of-mk-soldier-found-pics-and-video-1992653.

Donen, Micheal. “SA needs to know who murdered Ashley Kriel.” *Cape Times*, November 5, 2018.

Essop, Philda. “I never forgot my activist brother.” *The Argus*, September 14, 2006.

Essop, Philda. “Slain MK detainee to be buried in W Cape.” *Cape Argus*, March 5, 2007.

Feni, Zami. “Tears and joy as long lost struggle heroes come home.” *Cape Argus*, May 10, 2007.

Gosling, Melanie. “Closure for families as they bury MK cadres decades later,” *Star*, May 10, 2007.

Govender, Sholain. “Struggle activist’s body exhumed.” *Pretoria News*, March 2, 2007.

Hlati, Okuhle. “Ashley Kriel remembered 30 years after killing.” *The Star*, July 10, 2017.

Isaacs, Lauren. “Norman Petersen’s Reburial Ceremony Underway in Paarl.” *Eyewitness News*, July 30, 2016. Accessed January 16, 2021. https://ewn.co.za/2016/07/30/Reburial-ceremony-of-Norman-Petersen-underway-in-Paarl.

Kennedy, Randy. “Grifters and Goons, Framed (and Matted).” *The New York Times*, Sept 15, 2006. https://www.nytimes3xbfgragh.onion/2006/09/15/arts/design/grifters-and-goons-framed-and-matted.html.

Khoisan, Zenzile. “Fallen MK hero honoured: Umkhonto we Sizwe – Billie Holiday.” *Weekend Argus*, Jul 31 2016. https://www.pressreader.com/south-africa/weekend-argus-sunday-edition/20160731/281578060033849.

Khoisan, Zenzile. “MK fighter ‘Billy Holiday’ reburied in heroes’ acre.” *IOL*, 31 July 2016. https://www.iol.co.za/news/south-africa/western-cape/mk-fighter-billy-holiday-reburied-in-heroes-acre-2051408.

Khoisan, Zenzile. “Relatives celebrate as Gugulethu Seven return from the shadows.” *Cape Argus*, March 22, 2005.

Ledwaba, Lucas. “The truth lies in their bones.” *City Press*, July 10, 2011.

Mangxamba, Sivuyile. “Final rest for apartheid victims.” Cape Argus, May 10, 2007.

Masombuka, Sipho. “Bring Back Gallows – PAC.” *Sowetan Live*, March 05, 2010. https://www.sowetanlive.co.za/news/2010-03-05-bring-back-gallows--pac/.

Mlamla, Sisonke. “Five new heritage sites approved in Western Cape.” *Cape Argus*, September 30, 2020.

Mphaki, Ali. “More PAC activists handed in 60s.” *IOL*, December 14, 2011. https://www.iol.co.za/the-star/more-pac-activists-hanged-in-60s-1198105.

Mtyala, Quinton. “Struggle hero to receive proper burial at last.” *Cape Times*, July 27, 2016. https://www.pressreader.com/south-africa/cape-times/20160727/281517930483651.

Ngoxolo, Phumla. “The Home Coming.” *Star*, June 8, 2007.

Riding, Alan. “Man in the News; Key man in Mengele case: Romeu Tume.” *The New York Times*, June 16, 1985. https://www.nytimes3xbfgragh.onion/1985/06/16/world/man-in-the-news-key-man-in-mengele-case-romeu-tuma.html.

Smillie, Shaun. “Long wait may be over for MK cadre’s family: They Hope to find closure as NPA team secures remains.” *Star*, March 2, 2007.

Smillie, Shaun. “New tech helps find last of the remains of the Mamelodi 10.” *IOL,* Feb 8, 2020. https://www.iol.co.za/news/south-africa/gauteng/new-tech-helps-find-last-of-the-remains-of-the-mamelodi-10-42307721(Accessed October 24, 2021).

Smillie, Shaun. “Suspected remains of cadres taken from graves.” *Star*, July 05, 2006.

Smillie, Shaun. “The Field of the Hanged.” *Star*, June 6, 2007.

Smillie, Shaun. “The Search For Looksmart.” *Star*, June 5, 2007.

Staff Writer. “Fransch, his generation of heroes would fight inequality, corruption,” *Cape Times*, November 18, 2016.

Tswany, Yolisa. “Youth league honours murdered MK hero Fransch.” *Cape Argus*, November 11, 2016.

Van Zilla, Lindiz. “Memorial planned in homage to the Gugulethu Seven.” *Cape Times*, March 4, 2002.

9. Podcast

The Best of the Eusebius McKaiser Show - Eusebius McKaiser with Madeleine Fullard “Digging up the Truth about Missing Persons” - Podcast. (10 May 2017) https://omny.fm/shows/mid-morning-show-702/digging-up-the-truth-about-missing-persons (Accessed 26 October 2021).

10. Reports

Truth and Reconciliation Commission of South Africa Report, Volumes One, Two, Three, Five, Six and Seven (Cape Town: Juta, 1998 - 2003).

United Nations Centre against Apartheid; Lawyers' Committee for Civil Rights Under Law. *Deaths in Detention in South Africa*. United Nations: New York, 1977. http://psimg.jstor.org/fsi/img/pdf/t0/10.5555/al.sff.document.nuun1977_47_final.pdf (Accessed 2 April 2021).

Ayerdi, C., Patricia Bernardi, Daniel Bustamante, Mercedes Doretti, Sofía Egaña, Luis Fondebrider, Anahí Ginarte, Darío Olmo, Miguel Nieva, Silvana Turner, Carlos Somigliana, Raymond Pettit, Ariadna Capasso, Lesley Carson, & Gwen Ladisch, "Introduction to EAAF and Objectives of EAAF's Work," in *EAAF 2007 Annual Report,* ed. Mercedes Doretti, Raymond Petit, Ariadna Capasso, & Lesley Carson, 2007. https://www.yumpu.com/en/document/read/41297033/argentine-forensic-anthropology-team-eaaf (Accessed 30 October 2021).

11. SAPA

SAPA. 'TRC Hears how police colluded with Witdoeke in reign of terror'. June 9, 1997. https://www.justice.gov.za/trc/media/1997/9706/s970609d.htm (Accessed 10 May 2021).

SAPA. 'Senator Tells Commission Of Police Beating MK Leader'. April 22, 1996. https://www.justice.gov.za/trc/media/1996/9604/s960422c.htm (Accessed 26 October 2021).

12. Social Media

Brand, Russell. 2019. "How Love Will Defeat Hate | Russell Brand & Deeyah Khan | Under The Skin." Uploaded in November 5, 2019. Youtube video, 1.50.32 min. https://www.youtube.com/watch?v=gP-ekeEQXkc.
EWN Reporter (@ewnreporter). "EWN Reporter Twitter post." Twitter, July 30, 2016, 10:59 a.m. https://twitter.com/ewnreporter/status/759312484608212992/photo/2.
EWN Reporter (@ewnreporter). 2017. "EWN Reporter Twitter post." Twitter, July 30, 2016, 9.34 a.m. https://twitter.com/ewnreporter/status/759320059181498368/photo/1.

13. Speech

Masutha, Michael. "Speech: Address by the Minister of Justice and Correctional Services, Michael Masutha, MP, (Adv) on the occasion of the handing over of exhumed remains of 17 Pan Africanist Congress (PAC) Political Activists on 23 March 2018 in Queenstown, Eastern Cape." Eastern Cape: Queens Town, March 23, 2018. https://www.justice.gov.za/m_speeches/2018/20180323-TRC-PACactivists.html (Accessed 25 October 2021).

14. Testimony

Ngudle, Beauty. April 22, 1996. Testimony. South Africa: Truth and Reconciliation Commission. https://www.justice.gov.za/trc/hrvtrans/heide/ct00504.htm (Accessed 25 October 2021).

Williams, Cathleen. October 15, 1996 Testimony. South Africa: Truth and Reconciliation Commission. https://www.justice.gov.za/trc/hrvtrans/wineland/ct00440.htm (Accessed 1 November 2021).

15. Theses

Fullard, Madeleine**.** "The state and political struggle: strategies of repression and resistance in the greater Cape Town area from 1985 to 1989." M.A., University of the Western Cape, 2000.

Luthuli, Vuyokazi. "Re-humanisation, history and a forensic aesthetic: Understanding a politics of the dead in the figuring of Ntombikayise Priscilla Kubheka." M.A., University of the Western Cape, 2020.

Mendes, Rosália. "The Everyday Life and the Missing: Silences, Heroic Narratives and Exhumations." M.A., University of the Western Cape, 2020.

Moosage, Riedwaan. "Missing-ness, History and Apartheid-era disappearances: The figuring of Siphiwo Mthimkulu, Tobelike 'Topsy' Madaka and Sizwe Kondile as missing dead persons." Ph.D., University of the Western Cape, 2018.

Mtuse, Nomzamo. "Which bodies count? The challenges of memorialisation in South Africa." Honours Research Essay, University of the Western Cape, 2016.

Van Laun, Bianca. **"**Administrative Death: Bureaucracy, capital punishment and governmentality in South Africa during the 1960s." Ph.D., University of the Western Cape, 2018.

Van Laun, Bianca. "In the Shadows of the Archive: Investigating the Paarl march of November 22nd 1962." M.A., University of the Western Cape, 2012.

16. Websites

"Brecht – Political Theatre." *A NSW Government website – Education*. https://education.nsw.gov.au/teaching-and-learning/curriculum/key-learning-areas/creative-arts/stages-4-and-5/drama/brecht-political-theatre (Accessed 4 September 2021).
"Gustavo Germano." *Gustavo Germano fotógrafo – Gustavo Germano*. https://www.gustavogermano.com/gg-bio-2/ (Accessed 16 January 2021).

"In pictures: Absent faces." *BBC News*, February 27, 2013. https://www.bbc.com/news/world-latin-america-21295117 (Accessed January 16, 2021).

Casper, Jim. "Interview: Soldier." *LensCulture*. https://www.lensculture.com/articles/suzanne-opton-soldier (Accessed 16 January 2021).

Fisher, Jim. "Alphonse Bertillon: The Father of Criminal Identification*." Jim Fisher: The Official Web Site.* https://jimfisher.edinboro.edu/forensics/bertillon2.html#_ftn5 (Accessed 7 January 2021*)*.