

# **Narratives of the TRC: Towards a framework for analysis**

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## **1 INTRODUCTION**

This paper represents part of the first phase of a larger research project into records and representations of testimonies given at the hearings of the Truth and Reconciliation Commission of South Africa (TRC). We have undertaken the research in the hope that it will contribute to the understanding of the work and methodology of the TRC, in particular by helping to theorise and make more explicit the modes of elicitation and production of testimonies at the hearings. Phase one focuses on analysis of testimonies given at the Human Rights Violations Hearings held at the University of the Western Cape from 5<sup>th</sup> - 7<sup>th</sup> August 1996. This paper represents the beginning of our search for an appropriate analytic framework that will accommodate the restrictions on the data available and the unusual features of the material emanating from the TRC hearings. (These will be explained more fully in 2.2).

The paper falls into five parts. First we give relevant background information to the TRC. In the next section, we describe our aims and the unusual features of TRC discourse, which will have to be accommodated in the analytic framework we are seeking to develop. The third section indicates the theoretical work on which we draw. In the fourth section we use the framework that we are developing to illuminate characteristics of one TRC narrative. In the final section we point to features of this narrative that we regard as significant, but that cannot be accommodated within our present framework.

### **1.1 The establishment of the TRC**

During the negotiations leading up to the 1994 elections, the parties involved agreed that it would be necessary to establish a formal body charged with promoting national unity and reconciliation by uncovering as much as possible of the truth about the human rights violations of the previous 35 years (TRC Report, vol I, 24). The underlying assumption

was that the healing of deep rifts could not take place without such knowledge.

Accordingly, through an Act of Parliament, the Truth and Reconciliation Commission was established in December 1995. (The act was the Promotion of National Unity and Reconciliation Act, 1995.) Seventeen commissioners were appointed, and the work was divided among three committees and support units: the Human Rights Violations Committee, the Amnesty Committee, and the Reparation and Rehabilitation Committee, an Investigation Unit, and a large administrative staff in the national and regional offices.

In terms of the Act by which the TRC came into being, there was a two-year time limit in which its work had to be completed. The period began the day the Commissioners were sworn in. No provision was made for an initial period of setting up procedures and administrative infrastructure. Procedures had to be established and refined, and people trained during the course of the Committee's work. As they freely acknowledge, this resulted in a number of problems for those involved in TRC work. Some of these problems are evident in the data we have analysed so far.

Since this phase of our research is concerned only with material from the Human Rights Violations section of the TRC, we confine the rest of the background information to the workings of that Committee (henceforth the HRV Committee).

## **1.2 How the HRV Committee functioned**

The human rights violations that were the concern of the Committee had to fall into the category of "gross human rights violations" as defined in the Commission's governing act.

Such violations were defined as "killing, abduction, torture or severe ill treatment" and the "attempt, conspiracy, incitement, instigation, command or procurement to commit" such acts (TRC Report, volume 1, 29). The Committee aimed to find out about the experiences of people who had been subjected to gross human rights violations - at first hand, where possible. Thus it made use of various channels to make it widely known that sittings would be held at centres throughout the country to give people opportunities to tell the Committee about their experiences, using their own languages. The mass media,

non-governmental organizations, religious institutions, community-based organizations and other means were used to let people know when the Committee would be visiting an area. At public meetings members of the HRV Committee explained the nature of the TRC and of their brief, and how they would be working. They also told the audience when and where people could give statements.

The initial statements were taken by statement takers who had been recruited from the ranks of people with previous experience of similar work. They were given some further training, and were taught particularly how to recognise signs of emotional distress during the tellings and how to deal with it (often by referral to support agencies). Statement takers were taught how to interview, using a protocol and taking down a summary of what was said. These initial statements were not sworn statements. They were not tape-recorded. There were flaws in this stage of the procedure resulting from the TRC's not having been given "start-up time": the protocol for statement-taking had to be developed "on the hoof" so to speak. Four versions of the protocol were tried out before the final, fifth, one was deemed satisfactory. It was necessary to have a protocol so that information could be gathered in such a way that it not only gave the HRV victims<sup>1</sup> an opportunity to describe their individual experiences - which were varied - but also so that their accounts could be collated and used by the Commission to generate an overall picture of patterns of violations. Just over 21 000 statements were taken.

These statements were then handed over to the Investigation Unit for checking and corroboration. Once the statements had been checked, the HRV Committee invited a selection of people to give testimonies at a local public hearing. Two criteria governed the selection: the need to have a representative sample of the types of violations that had occurred in that area, and the need to indicate the range of people - in terms of gender, race, age, political affiliation - in each area who had been affected. These people were then contacted and invited to testify at public hearings in or near the place in which the violations had occurred. There were three types of public hearings in which victims'

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1 Some uneasiness was expressed by the commissioners with the use of the word 'victim', but they decided to use it because it was the term used in the act that established the TRC (TRC Report, volume I, 59)

testimonies were heard: the Victim Hearings, Event Hearings and Special Hearings (which dealt with violations to the rights of women and children.).

People who had accepted the invitation were invited to preparatory sessions in which trained briefers explained to them what would happen in the public hearings, and helped them to consider how they would describe what they had experienced or witnessed. The briefers' role was *not* to do the shaping of the story. (These briefers were also trained in ways of giving appropriate emotional support during the hearing and sat next to the testifiers while they gave their public testimony.)

Members of the Committee each took responsibility for becoming familiar with the initial statements of several witnesses prior to the public hearings. At the hearings, they gave the prompting that was needed to assist those witnesses to give their account of the violation(s).

## **2 THE REQUIREMENTS OF AN APPROPRIATE ANALYTICAL FRAMEWORK**

### **2.1 The aims of our research**

The framework must be suited to the purposes of our research. We have two practical aims and one more theoretical one.

Our aims are to produce an account of the TRC testimonies that will:

- alert future researchers studying the testimonies and the TRC report to the differences in understanding among testifiers and committee members of what it was they were doing at these public hearings
- produce evidence supportive of our belief that TRC hearings in other countries should be preceded by some training in critical discourse analysis for those responsible for eliciting and evaluating the testimonies

- test the Bakhtinian theory of the utterance and develop the tools of narrative analysis and critical discourse analysis so that due weight can be given to the unusual characteristics of this genre.

## **2.2 Accommodating the particular features of the TRC hearings**

The HRV hearings followed a common format of introduction, elicitation, narrative, questions and concluding remarks. While the narratives manifest many of the characteristics of personal narratives (cf. Labov 1972), both the narratives and the context of their telling have some unusual features which an analytic framework needs to be able to accommodate. In the three subsections below, we will briefly describe salient characteristics of the HRV hearings.

### *2.2.1 HRV narratives as tellings of “the truth”*

Agreement to present their narratives at public TRC hearings indicated people’s awareness that these narratives were concerned with truth. This awareness was focused by two familiar frames. Firstly, there was the title of the institution within which the hearings occurred, namely the Truth and Reconciliation Commission. Secondly, the tellers had to take an oath to tell the truth, either the oath traditionally taken in South African courts of law, or a non-religious oath using an accepted and binding formula. However, the nature of the truth that was to be told and/or sought was not conceived - by the commissioners at least - as simple.

As was acknowledged in the Final Report of the TRC, there are different notions of “truth”. These are described in the Report as “factual or forensic truth”, “personal or narrative truth”, “social truth”, “healing or restorative truth” (TRC Report, volume I, 110-114). In dealing with such different kinds of truth, the commissioners, facilitators and witnesses had to engage in different kinds of activity: for example, the establishment of “facts”; healing through the catharsis of telling; uncovering the history of the period. Obviously one testimony could have components of more than one kind of truth, and that possibility is increased by the complex motivations of the speakers at the hearings, which

we describe in the next section.

### *2.2.2 Multiple agendas/purposes of witnesses*

It is evident from the testimonies that testifying in a public hearing served more than one purpose for the witnesses. Firstly, within one testimony it is often possible to discern more than one agenda; for example the witness wants to articulate previously unanswered questions about the circumstances of someone's death, and also wants to present the life of that person in such a way that it will be properly valued. Secondly, there are striking differences among the overt agendas of different witnesses: wanting the listeners to see the senselessness of a killing; accusing named individuals of atrocities; vindicating themselves in the eyes of their peers. In other words, the function of the telling was not the same for everyone, so one is dealing with texts which have surface similarities yet are driven by different purposes. An analytic framework must be able to take account of these underlying differences.

### *2.2.3 Multi-layered nature of the public hearings*

The situational context of the public hearings is multi-layered, particularly in regard to audience.

In the inner circle of face-to-face interlocutors were the chairperson, the witness, the facilitator and other commissioners. The interpreters sometimes had to mediate this face-to-face dialogue and were therefore part of the inner circle. The chairperson welcomed the witness, invited him or her to take the oath, and then introduced the commissioner who was to act as facilitator. The facilitator then introduced the topic which was central to the narrative, and often set it in the context of other political events at the time of the focal event. He or she then invited the witness to speak. The other commissioners did not always address the witness, but could do so after the main narrative if there was something they wanted clarified. The chairperson drew the testimony to a close by commenting on it.

The audience included members of the public who were present in the hall. For the benefit of the local audience, the proceedings were interpreted into the relevant regional languages. The English version was the one that was relayed beyond the confines of the hall through the media.

Representatives of the press, radio and television constituted the conduit to the third layer of audience, namely South Africans and the rest of the world. Through the media coverage, not only spatial but also temporal boundaries of audience were expanded. Representations of the moment were caught for all time.

It is evident from body language and eye gaze of the witnesses, and from textual features of some narratives that the tellings were shaped by the knowledge that the audience was multi-layered.

### **2.3 Recognising the possibilities and limitations of the available data**

The HRV hearings data are very rich. Unfortunately we cannot have access to two components in the chain of narrative culminating in the public hearings. The first is the summaries made by the statement taker when the testifier first told his or her story to the TRC. The second is testimonies in languages other than English. Testimonies given in English are fully available in that language. But all other testimonies were interpreted into English and the English version was the only one that was placed on record. This was the version that was transcribed, and it is the most audible in the audio and video recordings. (Sometimes it is possible to hear the original language on the audio and video recordings, but it is not as clear as the English interpretation.) For the purposes of this phase of the research, we have selected testimonies given in English because they are the least mediated.

The data from the hearings that we have used for this paper are videotapes and transcripts, not audiotapes. The videotapes are of good quality - they were made by the state television's camera operators. The camera focuses mostly on the speaker (witness or committee member); there are some close-ups, some middle and some longer shots which

show other people sitting with the speaker. There are occasional cuts to members of the audience in the body of the hall.

The transcripts - typed by TRC staff - are reasonably accurate in capturing the words used. However, they do not always indicate who is speaking. They have been punctuated to suggest sentence boundaries. Voiced hesitations are seldom, and pauses never, indicated. Thus many transcripts give a misleading impression of speaker fluency and confidence.

To supplement the data for this paper we draw on background information from interviews with one commissioner and two briefers. We have also drawn on the six-volume Final Report of the TRC, published in 1998 (after the HRV hearings were complete, but before the conclusion of the Amnesty hearings and before the completion of the work of the Reparation and Rehabilitation Committee).

### **3 THEORETICAL APPROACH AND FRAMEWORKS FOR ANALYSIS**

We have situated our descriptive framework for the analysis of both the larger structural components of narrative and the linguistic details within Mikhail Bakhtin's broad philosophical view of the nature of language in use.

#### **3.1 Bakhtin: the dialogical nature of language**

The TRC recognises different kinds of truth and hence, implicitly, that different accounts of events will be to some degree limited and partial. The concept of linguistic relativity is at the core of Mikhail Bakhtin's philosophy of language. Bakhtin favours a 'Galilean' perception of language in which all social and individual languages or 'voices' are seen as "equally capable of being 'languages of truth,' but ... all of which are equally relative, reified and limited, as they are merely the languages of social groups, professions and other cross-sections of everyday life" (1981: 367). In other words, any speaker's utterance represents a point of view, an evaluation of the world and events that is shaped by his or her social background and experience.

Equally relevant to our analysis of the discourse of the TRC hearings is Bakhtin's insistence that every instance of language use is a two-sided event involving a speaker/writer and an addressee. The speaker's anticipation of the response of the addressee(s) plays a major role in shaping his or her utterance:

To some extent primacy belongs to the response, as the activating principle: it creates the ground for understanding, it prepares the ground for an active and engaged understanding. Understanding comes to fruition only in the response. Understanding and response are dialectically merged and mutually condition each other; one is impossible without the other (1981:282).

The questions that interest us with regard to the TRC hearings concern (a) the elicitation of the narratives as an interactive process between facilitators and witnesses, and (b) ways in which features of the stories told reflect participants' understanding of the kind of activity they were engaged in and their focus and purposes in telling these stories. Both the elicitation and the narratives are interactive speech events. The elicitation and concluding section of each hearing involves overt dialogue between facilitators and witnesses. The view that telling a narrative is itself a cooperative event with the audience playing a vital role as co-author has been emphasised in recent work by Duranti (1986) and Ochs (1997). Duranti's contention that "every act of speaking is directed to and must be ratified by an audience" (1986:243) underlines Bakhtin's emphasis on the role played by the listener and provides an important insight into the processes of the TRC hearings. In the immediate context of the HRV hearings the witnesses were assured of a sympathetic reception, which encouraged them to speak freely.

### **3.2 The structure of the narratives**

For the purposes of our textual analysis, Bakhtin's overarching and suggestive theory of language needs to be supplemented by approaches that give greater attention to the systematic analysis of text structure and linguistic features. In the next two subsections we introduce the approaches we have chosen.

### 3.2.1 Labov: narratives of personal experience

Labov's description of the components of narratives has helped us to chart what is happening at the level of narrative structure in the hearings. Labov defines narrative as a method of "recapitulating past experience by matching a verbal sequence of clauses to the sequence of events which (it is inferred) actually occurred" (1972: 361-2). A 'fully-formed narrative' may contain the elements described below, of which only the complicating action and the evaluation are obligatory (363).

- The *abstract* signals that the story is about to begin and encapsulates the main point.
- The *orientation* helps the listener to identify the time, place, persons involved, the activity and the situation.
- The *complicating action* is the main narrative component; it answers the question 'What happened?'
- The *resolution* recapitulates the final events and tells what 'finally happened'.
- The *coda* formally signals the end of the narrative.
- The *evaluation* (placed 4<sup>th</sup> on the list by Labov) is "the means used by the narrator to indicate the point of the narrative," (366). The evaluation is, in some ways, is the most important element, the *raison d'être*, of the narrative. Indications of evaluation do not occur at any fixed point; they may be dispersed throughout the narrative.

Though the setting of the HRV hearings is more august and the speakers are telling their stories under oath, the psychological conditions under which the HRV narratives are told in some ways similar to those experienced by the story-tellers used by Labov in developing his theory. Both the format and the strength of the emotions and experience, Labov suggests, seem to allow the speaker to "undergo a partial reliving of that experience", which influences the way the story is told (355). The same could be true of speakers at the HRV hearings.

Of particular interest in the structure of the HRV narratives are the overtly dialogic nature of the abstracts and orientation; the realisation of the abstract at more than one point of the narrative; the relationship of the resolution component to the rest of the narrative; and the differences among witnesses in the way in which evaluation is realised.

### **3.3 A framework for critical discourse analysis**

For the close analysis of linguistic details of the texts we draw on the three-dimensional model of critical discourse analysis (CDA) developed by Fairclough (1989, 1992)

CDA examines discourse at three levels. Analysis of lexical and syntactic features at the surface level of the text is grounded in the form-functional language theory of MAK Halliday (1985) At a deeper level linguistic choices are seen as determined by the speaker / writer's intentions, expectations of listener response, and the base of shared knowledge between participants. At a wider level choices are shaped by the 'discourse' of the social institution within which the utterance is framed. Since a 'discourse' constrains what can acceptably be said, it 'positions' speakers and addressees relative to a specific way of thinking and by extension to certain ways of acting and conceiving of the action (Kress, 1985:7).

Critical discourse analysis specifically aims to read through the linguistic surface of the text so as to uncover and enable the reader to resist the assumptions and naturalised ideological positions behind the utterance. We see the analytical tools of CDA as a useful aid to uncovering attitudes and expectations that are not always overtly formulated by speakers and as a way towards interpreting silences. It is not necessarily our concern in this research to challenge the assumptions and attitudes that we find.

## **4 ANALYSIS OF ONE NARRATIVE**

In this section we draw on the work of Bakhtin, Labov and Fairclough to analyse features of one testimony. A transcript of the testimony is given in Appendix A. For our purposes the narrative can be broken into two parts: what we refer to as the main narrative, the long unbroken uninterrupted chunk (27) and what we call the additional narrative which is given in response to the facilitator's questions (28-54) Our analysis is based on evidence in the transcript itself. However, in our concluding section, we shall draw attention to important non-verbal elements of the narrative, which a framework for further analyses should be able to incorporate.

The narrative that we have chosen to analyse, told by Ms Cupido about the death of her son, was not a high-profile or politically prominent story. Clive Cupido was a student who was caught in the crossfire of the recurrent shootings and eruptions of politically motivated violence that were part of life in the Cape Flats in the 1980s. At the inquest into his death the policeman who shot him admitted that he had fired at ‘the wrong person’.

The telling of the narrative follows the pattern typical of the hearings, showing interaction between the chairperson, facilitator and witness, and the sharing of some stages of the narrative between these participants, as the next three paragraphs show.

The abstract is given in the chairperson’s opening words to Ms Cupido: You have come to tell us about your son Clive who was shot in 1985 (1). The orientation is begun by the facilitator, Ms Mary Burton, whose questions lead the witness through the background to the focal event.

Ms Burton’s questions, which reveal her knowledge of details of Ms Cupido’s family, reflect earlier phases of the TRC process, namely the narrative elicited by the statement taker and/or briefers. The fact that Ms Burton already has the answers to her questions indicates that the present telling is intended for a wider audience.

The cooperative nature of the interaction between the facilitator and witness is evident in a number of linguistic features of this extract: Ms Burton’s questions take the form of statements, sometimes tagged by a request for confirmation: ‘is that right?’ (10), (14). Three times she underlines Ms Cupido’s agreement (12), (16), (18). Her modal expressions - ‘were probably a bit worried’ - are not assertive, which in this context seems to imply sympathy and reluctance to push the witness. Her evaluations - ‘that was a very tense time’ and ‘so you were probably a bit worried about all the young people at that time’ (20) - show sensitivity to the feelings and experience of the witness. Ms Burton is doing all she can to put the witness at ease. Her last question leads Ms Cupido into giving her account of the focal event, the complicating action of the narrative.

After the initial 'Hello and thank you very much for hearing me' (9), Ms Cupido's interaction with the commissioners during the first phase of her hearing is limited to very short answers to the facilitator's questions: 'yes', 'no', 'that's right'.

To the reader of the transcript, her main narrative (27) initially seems unemotional. She begins with a further orientation, setting the scene. She adds quite specific details about the date and time of the event. Her precision in this regard seems to indicate a sense of what might be required in a legal testimony, as does the causal clause which both serves as a temporal indicator and explains their anticipation of possible trouble:

I was sitting and me and my husband was sitting waiting for Clive to come home.  
Because that's the day that Boesak and Tutu had the march in Cape Town.

There are three other such clauses beginning with 'because' in (27); otherwise the syntax is largely paratactic, relying on the typical narrative syntax of coordinate clauses linked with 'and', 'then' and 'and then'. These syntactic forms foreground the temporal sequence, without highlighting any particular event of the narrative.

However, although there is little syntactic foregrounding, there are markers of emphasis in the text. At times repetition serves this purpose. Twice she breaks the characteristic syntactic pattern with 'Little knowing that ...'. 'Little knowing that he is going to be killed'; 'little knowing it was my child'.

Other instances are:

'he said he could of smelled the death, he could of smelled the death';  
'my husband recognised my son's hair ... he just saw the hair'.

In each case what is emphasised is a perception, a feeling, a heightened awareness (or lack of awareness). Each of these emphases has evaluative force - focusing on an aspect of the narrative that is salient for her.

There are other markers of emphasis: her use of the deictic in 'that certain ambulance';

and the deictic combined with the proper name in ‘this Lawrence Davids’. The last example is particularly important for it is only after the narrative has been closed with the coda ‘that’s all’ and the facilitator asks further questions that Mrs Cupido comes to the point of her evaluation: the reason why she is telling her story which she gives in turn 33:

And so they blamed my son Clive Cupido that’s the one that kept the policeman but in the meantime it was Lawrence you see. Now Lawrence is still in that hospital all these years and I would like Lawrence to lead a normal life, he must come out of there and he must tell the truth of what happened that night.

Emphatic devices multiply in this passage: the adversative ‘but’ introducing the third clause; the repetition of Lawrence’s name; the emphatic ‘now’ and the intensifiers in ‘all these years’; the modals expressing her wish and the obligation on Lawrence; and the climactic final clause. Later in the hearing she reiterates her wish for Lawrence Davids to ‘come out’ and ‘tell the truth’ because ‘people should know that it wasn’t my son that kept the policeman’ (50). (From the context it seems that by ‘kept’ she means ‘obstructed’).

From our analysis of the extract from turn 33, it might seem that the truth that Ms Cupido is chiefly concerned with is forensic truth: the identity of the person who according to her caused the incident that she feels her son is being blamed for. She wants the record to be set straight, and not just for an official or legal audience - for it had been established at the inquest that the policeman had “shot the wrong person”.

## **5 CONCLUSION**

For readers of this paper who encounter Ms Cupido’s testimony only in written form we need to say that there are other important dimensions to the data: namely body language, tone of voice and eye gaze. These non-verbal components of the testimony add significance to some of the details which in the purely linguistic context of the narrative could seem unimportant.

The impression of fluency and confidence during much of the main narrative, as represented by the transcript, is belied by what we see and hear. As she tells her story in

the main narrative she seems to withdraw into herself: her gaze is focused on the table in front of her and her tone of voice is quite flat. However there are signs of emotional stress, such as biting her lips and frowning. As she reaches the point of her evaluation (in 33), her tone of voice becomes stronger and she looks more frequently across at the facilitator. These signs endorse the impression of greater energy that we have noted in the analysis of linguistic features such as repetition and the use of deictics, thus suggesting that the locus of her main agenda is indeed here..

Paradoxically the main part of her narrative gives the viewer no visual clues as to who she is directing her story at, since she does not look at the camera or the people in the hall, and only occasionally glances towards the facilitator near the end of her main narrative. Neither does she mention her audience at this stage of the narrative. Thus in order to understand who she is dialogically engaging with, we have to return to the transcript to search for clues as to who the 'they' are who blamed her son, and who the 'people' are who 'should know it wasn't my son that kept the policeman' (50). The audience Ms Cupido seems to be telling her story for, and whose evaluation she wishes to influence, is her immediate community. That she has them in mind is made clearer later in the testimony (47) in her allusions to the street names and other features of the site where the shooting of her son took place. She takes for granted that her audience would be familiar with these places.

From our comments on the verbal and visual aspects of two parts of the testimony, it is clear that there is not a simple relationship between verbal and visual - they do not always mirror each other. Our framework needs to be developed so that it can deal with the both verbal and non-verbal features in an integrated way.

## **REFERENCES**

- Bakhtin, M. M. 1981. *The Dialogic Imagination*. Ed. Michael Holquist. Trans. Caryl Emerson and Michael Holquist. Austin: University of Texas Press.
- Duranti, Alessandro. 1986. *The Audience as Co-author: An introduction*. *Text*, 6(3):239-247.

- Duranti, Alessandro & Charles Goodwin. 1992. Rethinking Context: Language as an Interactive Phenomenon. Cambridge: Cambridge University Press.
- Fairclough, Norman. 1989. Language and Power. London: Longman.
- Fairclough, Norman. 1992. Discourse and Social Change. Cambridge: Polity Press.
- Fowler, Roger et al, eds. 1979. Language and Control. London: Routledge and Kegan Paul.
- Halliday, M A K. 1985. An Introduction to Functional Grammar. London: Edward Arnold.
- Kress, Gunther. 1997. Linguistic Processes in Sociocultural Practice. Deakin University Press
- Labov, William. 1972. Language in the Inner City: Studies in the Black English Vernacular. Philadelphia: University of Philadelphia Press.
- Ochs, Eleanor. 1997. Narrative in Teun A van Dijk, ed. Discourse as Structure and Process, Volume 2 of Discourse Studies: A Multidisciplinary Introduction. Sage Publications, pages 185-207.
- Truth and Reconciliation of South Africa Report, Volume I. 1998. Cape Town: TRC Commission (distributed by Juta and Co Ltd).

Appendix A follows on the next page.

## TRUTH AND RECONCILIATION COMMISSION

### UWC HEARING - DAY 1 - MONDAY 5 AUGUST 1996

**CASE NO:** CT/00222  
**VICTIM:** CLIVE CUPIDO [son]  
**NATURE OF VIOLENCE:** SHOT AND KILLED BY POLICE  
**TESTIMONY FROM:** MAUREEN CUPIDO [mother]

- (1) **CHAIRPERSON:** ... who was shot in 1985.
- (2) **MS CUPIDO:** That's right.
- (3) **CHAIRPERSON:** Shot and killed. In a moment I am going to ask one of our Commissioners to assist you, but before that would you please stand for the taking of the oath.
- (4) **MAUREEN CUPIDO** Duly sworn states
- (5) **CHAIRPERSON:** Thank you very much, will you please be seated.
- (6) --- Thank you.
- (7) Ms Burton is going to take over from me now and she - I will pass the mic on to her.
- (8) **MS BURTON:** Thank you Chairperson, hello Ms Cupido and welcome again.
- (9) Hello and thank you very much for hearing me.
- (10) Ms Cupido your son Clive was at school at Kasselsvlei Senior Secondary School in 1985, is that right? (11) --- That's right.
- (12) Right, and in the evenings after school he use to go and study with a friend at the friend's house. (13) --- That's right.
- (14) Is that right, that friend was Albert van der Berg, is that right? (15) --- That's right.
- (16) Yes, and so on that night of the 29th of August he was with his friend studying. (17) --- That's right.
- (18) That's right, okay, so you weren't surprised when he didn't come home in the early part of the evening because you knew that he was with his friend.
- (19) That's right.
- (20) But that was a very tense time, August 1985 in the areas around Cape Town. There was the planning for the Pollsmoor march and there were - there were riots and there were a number of things going on. So you probably were a bit worried about all the young people at that time.
- (21) Yes.
- (22) And was Clive involved in student movements or student organizations? (23) No.
- (24) Not that you know of? (25) --- No.
- (26) Now how did you hear then what had happened to him on that night?
- (27) Well I was sitting, and me and my husband was sitting waiting for Clive to come home. Because that's the day that Boesak and Tutu had the march in Cape Town. Clive came home early - eleven o'clock the morning and then he told me this march is going to have a lot of trouble. Little knowing that he is going to be killed and then he went to this friend and he sat - he first then have supper and then he went to his friend, and that was early hours, early. And then we - we wait for Clive to come home, because my husband never sits, wait for his children, I am the

only one. And then suddenly I just fell asleep and then I stood up and I went to my bedroom and as I went to my bedroom to get onto my bed, I heard the shots, because before the shots, I heard three - three thumps, I just - my heart just went you know. And then I asked God if it's my child, take him away, I don't want him to be paralyzed. Little knowing it was my child. And just after the shots, this chap, this children running to our house and all they said, Ms Cupido is Clive here. I told them no. But they didn't want to say anything, they just asked and I - I couldn't go, it was say past eleven and then my husband and my daughter, they took the car and they went out with the car to the hospital. Because apparently they didn't come tell us our son was shot, no-one came to tell us. They came to fetch the body already, but now my husband went straight to the hospital, Tygerberg. Apparently when he came there, he and my daughter - so when they saw him, so he asked one of the porters if here - a body came in here, they didn't want to answer him. But he said he could of smelled the death, he could of smelled the death when he passed that certain ambulance. And then they pushed the ambulance through the door and then the nurses came out and they all barricaded the ambulance so that this people in the car couldn't see which - who is in the ambulance. But my husband recognized my son's hair, because he's got - he had lovely black hair, he just saw the hair. And apparently when he went inside, this Lawrence Davids was sitting there, he was so shocked to see my husband and he asked what happened. And my husband didn't answer him. And it's only afterwards when the body went into the hospital that they said, the next morning they said he was dead. So we had to go to Salt River Mortuary to identify my husband - my sons body, that's all.

- (28) Thank you Ms Cupido. Now you told us that there was somebody else there when your son was killed, Errol van Rensburg.
- (29) Errol van Rensburg.
- (30) Was he a friend of your son's?
- (31) Not actually, but he as there, he is the key witness. And this chap that sat at the hospital, Lawrence Davids.
- (32) So Errol was with Clive when they were - was Errol also injured?
- (33) Errol wasn't injured. But I believe Lawrence Davids he was injured, because he kept the policeman, they all ran onto a roof, and he kept the policeman - he sort of grab him and with this struggle the policeman's gun fell. And he called for **versterkings** and then Lawrence jumped off the building. So Lawrence was totally out of the case, but Lawrence is sitting in a psychiatrist hospital in Mitchell's Plain from that time onwards till today. On so they blamed my son Clive Cupido that's the one that kept the policeman, but in the meantime it was Lawrence you see. Now Lawrence is still in that hospital all these years and I would like Lawrence to lead a normal life, he must come out of there and he must tell the truth of what happened that night.
- (34) Thank you, thank you Ms Cupido. There were - after - after Clive's death there was an inquest.
- (35) That's right.
- (36) And we have followed up the inquest report and the Magistrate found that the cause of death was a gunshot wound on the chest and that no-one can be held responsible for the cause of death. You know the name of the person who shot Clive, don't you?

- (37) Yes.
- (38) Who was that - don't worry - don't worry if you have to look it up in your
- (39)--- No it's Cloete.
- (40) Okay, and he made a statement at the inquest in which he admitted that he had fired the shot.
- (41) --- That's right.
- (42) But then he was asked whether it was necessary to do so, and he obviously believed that, that he was in a situation where he had to shoot.
- (43) Ja dead men tells no tales.
- (44) There was somebody else who made a statement and that was Brian Daniels, do you know Brian Daniels?
- (45) I don't know Brian Daniels, it's the first time I'm heard of Brian Daniels now.
- (46) The statement that he made was really just to explain the riots and the tension and the unrest that there had been in the area at the time. And he talked about some burning tires and barricades in front of Smart Cleaners, was that somewhere near where Clive was killed?
- (47) Smart Cleaners is in Modderdam Road and we stay in De Wet Street, and Quick Foods is also in Modderdam Road, but it's further up just passed the bridge. So I don't see how if it's burning down there and Clive was on the other side how he - they can shoot him. As I say Lawrence - Lawrence Davids he is in a psychiatric hospital from that incident that night. He's eleven years now and he must come out, he must tell the truth because he was also with. He kept the policeman and the policeman's gun fell. He is the one and Clive was with, he was with and Errol van Rensburg.
- (48) All right, it is a very-very heavy price to have paid for you to have lost your son and for Lawrence Davids also to have been so seriously affected over such a long time.
- (49) That's right.
- (50) What is it that you would like the Truth Commission to do? --- As you know Clive wasn't - I haven't got such brilliant children, but his whole aim was that he, he wanted to go and work, he was frustrated, he wanted to make his ten finished and then he told me, mommy you can't afford to sent me to a varsity, but I'll go and work and I'll do part-time, I'll do part-time varsity, so I am going to work to help you, you see. That was his aim, he just wanted to finish up his standard ten. And I mean I - I feel that the truth must come out, people should know that it wasn't my son that kept the policeman, it was Lawrence Davids, but seeing that it was a State of Emergency that's why his parents didn't want him to come and testify, so the truth must come out, it must come out, he must be - they must see to him and he must give a statement and - and Errol van Rensburg.
- (51) Thank you very much Ms Cupido.
- (52) Thank you.
- (53) I know it hasn't been easy for you to come and tell the story and it must of been hanging over you and now you have been very brave and done it, so thank you very much indeed.
- (54) Thank you very much.