

Arguing Biko: Evidence of the Body in the Politics of History, 1977 to the Present

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Dedication

This dissertation is dedicated to my family – my parents Robert and Cathy, my sister Katie, and my wife Heather.

Abstract

On September 12, 1977 Steve Biko - South Africa's most prominent anti-apartheid activist, intellectual, and leader of student politics - died in the custody of the apartheid government's security police. Both the security police and the apartheid state immediately denied any responsibility for Biko's death, and within weeks they had issued three different prepared accounts of how he died. A government sponsored inquest held in November of 1977 listened to further testimony from the security police who continued to deny that they had broken official protocol and harmed Biko. Despite an abundance of evidence showing that Biko was tortured and severely beaten, the legal system under apartheid never held the security police formally accountable for their actions. Over the last thirty years, the contested details of Biko's death have reemerged again and again in a broad variety of political contexts and historical moments, making Biko as famous and controversial a figure in death as he was in life.

Despite his importance, there has been little variety to the academic study of Steve Biko, and scholarly examinations largely place any discussion of Biko within broader political and social histories of the 1970s. In these accounts, Biko is seen as the founding intellectual behind the Black Consciousness Movement that developed and came to prominence in the late 1960s and 1970s, and his death has often stood as a closing moment for this period in which Black Consciousness thrived. My dissertation argues that it is possible to continue a study of Biko beyond the moments of his death and to take seriously the ways in which Biko continued to provoke significant political and social debate in the aftermath of his death. Instead of focusing on Biko's death as a passing moment on a timeline of events, I look at how the meaning of the event played out across multiple time periods, and figured into broader debates about apartheid's systems of power and repression over the last thirty years. My dissertation explores how differently positioned people – police officers, government employees, politicians, journalists, biographers, medical doctors, playwrights, religious leaders, political activists, museum curators, and many others – have revisited and detailed the event of Biko's death. For those commentators who took an interest in reconstructing, interpreting, and speculating about the conditions of Biko's death, the lack of trusted facts provided a critical space to formulate lasting critiques of the past and to imagine a new future – not only by shedding light on what the security police likely did to Biko, but also in using their reconstructions to make larger political and moral arguments about the apartheid project. The study makes two related arguments. The first argument is that the ways in which members of the apartheid state clung to the details of Biko's death was fundamentally linked to a unique historical context in the late-1970s when the apartheid state increasingly utilized detention, torture, and the concealment of information about the fates of detainees to suppress dissent. This combination of practices came as the apartheid state gave increased power to the security police forces in order to respond to new forms of political dissent and resistance. The second argument is that despite the apartheid state's best attempts to control knowledge of Biko's death, critics of many sorts closely combed over the available details to compose historical arguments that challenged the apartheid state's claims, histories that in turn opened up new avenues of political thought and action.

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Chapter 1 - Introduction

On September 12, 1977 Bantu Stephen Biko¹ - South Africa's most prominent anti-apartheid activist, intellectual, and leader of the Black Consciousness Movement - died in the custody of the apartheid government's security police. Both the security police and officials in the apartheid state immediately denied any responsibility for Biko's death, and within weeks they had issued three different prepared accounts of how he died. A day after Biko's death, the Minister of Justice, Police and Prisons, Jimmy Kruger, announced that Biko had been arrested on August 18th at a police roadblock in Grahamstown for taking part in activities related to rioting in Port Elizabeth, and that he later died from the effects of a self-induced hunger strike.² In addition to Kruger's claim about the hunger strike,³ the security police later argued that Biko had died from brain injuries after striking his own head,⁴ and that Biko had incurred his injuries after attacking the police and stumbling into a wall.⁵ A government sponsored inquest held in November of 1977 listened to further testimony from the security police who strove to offer a credible explanation for Biko's death. Despite an abundance of evidence showing that Biko was tortured, severely beaten, and

¹ Bantu Stephen Biko is Biko's full name, however, I will use the more commonly used name Steve Biko. Biko was born on December 18, 1946 and died on September 12, 1977.

² "Kruger tells of hunger strike" *The Argus* 14 September, 1977.

³ "Biko Died After Hunger Strike" *Cape Times* 14 September, 1977.

⁴ The story of Biko hitting his own head against a wall was developed in reaction to the revelation in early October, 1977 that Biko had died from brain injuries. An article published in the *Rand Daily Mail* on October 7 and written by Helen Zille claimed that Biko had not died from the effects of a hunger strike, but from brain injuries.

⁵ "Kruger has final report on Biko" *Daily Dispatch* 25 October, 1977; and "Biko: Brain Injuries, Says Kruger" *Cape Times* 10 November 1977.

denied medical care, the legal system of apartheid absolved the security police of any responsibility.⁶

Over the last thirty years, the details of Steve Biko's death have consistently reemerged in a broad variety of political contexts and historical moments, making Biko as famous and controversial a figure in death as he was in life. This interest was readily apparent in June of 2008 when Bongani Diko, a playwright and director from Grahamstown, South Africa, worked with actors on final preparations for performances of his play *Juda's Diary*.⁷ The play had debuted a year earlier, and based on strong audience support, was set for a restaging during the Grahamstown National Arts Festival, South Africa's premier cultural event in July, 2008.⁸ The plot of *Juda's Diary* dealt with competing histories of the August, 1977 arrest of Steve Biko at a roadblock in Grahamstown by the security police, an arrest that initiated a month long period of detention and torture culminating with Biko's death. In particular, *Juda's Diary* recreated the build-up to the 1986 murder of Mick Mphelo, a Grahamstown businessman accused of selling out Biko to the security police.

Rather than restaging a biographical account of Biko's life and death or focusing exclusively on Biko's political work, Bongani Diko offered what he called "the Grahamstown Biko story."⁹ Steve Biko's arrest and Mick Mphelo's murder, Diko argued, were part of a broader constellation of violence that shaped life in the 1980s,

⁶ Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978.

⁷ On one of the production's advertising posters, Juda is also spelled as Judah, a reference to the Biblical character who sold his brother. I use the spelling Juda (Juda's) that appears on the script. Written in the plural without the -h, Juda's also invokes Judas, and within the script, there is reference to both Judas and Judah.

⁸ Oral Interview: Bongani Diko, June 4, 2008

⁹ Oral Interview: Bongani Diko, June 4, 2008

violence that still affected the political and social outlooks of people in 2008. While conducting research for *Juda's Diary* in 2007 Diko realized, “everyone was talking about Biko,” but “this view was never looked at.”¹⁰ For Diko, the Grahamstown history “was a legacy, even though there’s a dark legacy” in need of further exploration.¹¹ As Diko rightfully noted, there was more to say about and with the history of Biko’s death. Diko is not alone in his thinking.

This dissertation examines a long line of people - politicians, lawyers, journalists, biographers, medical doctors, playwrights, religious leaders, and many others - that shared Bongani Diko’s interest in revisiting the history of Steve Biko’s death. The study makes two related arguments. The first argument is that the ways in which members of the apartheid state clung to the details of Biko’s death was fundamentally linked to a unique historical context in the late-1970s when the apartheid state increasingly utilized detention, torture, and the concealment of information about the fates of detainees to suppress dissent. This combination of practices came as the apartheid state gave increased power to the security police forces in order to respond to new forms of political dissent and resistance. Apartheid power was Janus-faced. While the state portrayed itself as legitimate and democratic, in practice it used extraordinary violence to suppress dissidents. The second argument is that despite the apartheid state’s best attempts to control knowledge of Biko’s death, critics of many sorts closely combed over the available details to compose historical arguments that challenged the

¹⁰ Oral Interview: Bongani Diko, June 4, 2008

¹¹ Oral Interview: Bongani Diko, June 4, 2008

apartheid state's claims, histories that in turn opened up new avenues of political thought and action.

There is an analytical purpose behind my focus on historical arguments, defined here as the ways in which people put together evidence to make claims about the past. Within the tightly controlled political and intellectual spaces under apartheid rule, critics of the state had to find new forums to express dissident thought. In courtroom hearings, newspaper articles, books, speeches, political pamphlets, eulogies, theater performances, and other locations, critics marshaled evidence of Biko's death to make new arguments about the past and present. Yet, staking claim to and analyzing aspects of Biko's death was not just about resisting a monolithic and oppressive state. By paying close attention to who decided to compose arguments about Biko, how they conceived them, and with what evidence, this study traces some of the ways in which people came to understand and call attention to the complex functions and interior mechanisms of the apartheid state itself.

Despite efforts by members of the apartheid state to control what was said about Biko, critics like Bongani Diko have picked out elements of the state's initial histories to open avenues of thought, not only about the specifics of Biko's death, but also about a variety of related political and social issues. Following Biko's death, reporters in the *Cape Times* dissected Jimmy Kruger's claim about Biko's hunger strike.¹² They quoted medical doctors and physiologists to describe the body's reaction to food and fluid deprivation, not only to press Kruger to improve his account of Biko's death, but to

¹² "Without fluids death comes soon," *Cape Times*, September 15, 1977.

critique a system of policing that forced detainees to possibly undertake such drastic actions. In analyzing why a dying Biko was driven from Port Elizabeth to Pretoria, political activists like Hilda Bernstein showed that the security police's stated concern for Biko's well-being were disingenuous and false.¹³ More than an attempt at escorting Biko to a hospital, the 700-mile journey to Pretoria indicated to Bernstein a systematic process of abuse and cover-up on the part of the police.¹⁴ And when Dr. Yosuf Veriava worked during the early-1980s to rethink aspects of the medical care offered Biko during his final weeks of life (chapter four), he opened a substantial dialogue about a corrupt and systematically biased South African medical system.¹⁵ By re-reading and recomposing the history of Biko's death, these critics brought particular insights to bear on numerous political issues, causes, and critiques. We have evidence, therefore, that carefully developed arguments about Biko's death, presented in a wide range of forums, left space to say a great deal else about the past and present.

Much of the evidence about Biko's death derived its origins from accounts first put forward by the members of the apartheid state who were responsible for his death. Thus, within this study, I consider how members of the apartheid state constructed arguments about the meaning of Biko's death, and how the evidence that these arguments both utilized and produced were in turn dissected by others. By analyzing these materials and by tracing how arguments about Biko were developed, by whom, and when, this study works towards a consideration of how the apartheid state was constructed. Although the apartheid state itself was not the primary topic of my

¹³ Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978. P.123.

¹⁴ Bernstein, *No. 46*, p.126.

¹⁵ Oral Interview: Yosuf Veriava, May 16, 2008

research, I hope that my dissertation will make a modest contribution to existent scholarship that has revealed the apartheid state as an internally complicated and layered system.¹⁶ Rather than seeing the state as a homogenous object, this dissertation attempts to identify some of the constituent parts of the state that were involved with and later implicated in Biko's death.

Within this dissertation, I focus on the intersecting themes of violence and state power to uncover a history of the apartheid state in the late-1970s. As the opening paragraphs of this chapter illuminated, histories of Biko's death were in part defined by various members of the state – government ministers, security policemen, medical doctors, and the judiciary, among others – who helped produce knowledge about the event itself. Their interaction with Biko and with each other, and the different types of expertise that each consulted, helped to clarify the implications of Biko's death while leaving critics with material to later analyze. There was never a single explanation for Biko's death proffered by the apartheid state, but rather a myriad of explanations that emerged, each of which points to the interior workings of the state itself.

The analysis of the apartheid state contained herein has benefited from the work of scholars like Clifton Crais who has described the apartheid state as “a modern state, informed by the most advanced technologies of the day,” whose officials “became obsessed with controlling labor and bodies, part of a complex “linking of bureaucracy to

¹⁶ Deborah Posel, *The Making of Apartheid, 1948-1961*. Oxford: Clarendon Press, 1991; Philip Bonner, Peter Delius, and Deborah Posel, *Apartheid's Genesis, 1935-1962*. Johannesburg: Witwatersrand University Press, 1993; Clifton Crais, *The Politics of Evil: Magic, State Power, and the Political Imagination in South Africa*. Cambridge: Cambridge University Press, 2002.

surveillance.”¹⁷ Crais’ analysis of the highly bureaucratic nature of an apartheid state that depended on expert knowledge to carry out its function, I think, substantiates my observations about the various origins within the state itself of knowledge production about Biko. Although I frequently refer within this dissertation to the ‘apartheid state,’ I understand this phrase to encompass the many agents and employees of the state who used their own position or expertise to mediate a relationship with Biko. Wherever possible, I will identify who these individuals were.

As histories of Biko’s death are vast in number, and topically broad, I narrow the focus of my inquiry to follow how critics used Biko’s body as it existed in life and in death to make their historical arguments. I have substantive, methodological, and theoretical reasons for using Biko’s body – thought of here as a composite of his corporeal form, person, intellect, and socially situated identities – as a point of entry into a broader analysis. In the apartheid context where definitions of culture and political belonging were often defined in reference to race, and where the state’s authority was so often enacted through corporeal violence, the body emerged as a highly symbolic location to contest arrangements of power. Using specific details about Biko’s body, in particular by showing how he was tortured (chapter three) and deprived of medical care (chapter four) while in detention, allowed the critics whose histories I examine to think about the political impulses and state structures that allowed such violence to take place. Biko’s abused and violated body, rendered as such by agents of the apartheid state and reanimated through historical accounts, offered a space from

¹⁷ Clifton Crais, *The Politics of Evil: Magic, State Power, and the Political Imagination in South Africa*. Cambridge, Cambridge University Press, 2002, pp.9-10.

which to critique, fundamentally, the types of power and forms of expert knowledge utilized by the state. This dissertation undertakes a study of the many Bikos that have come to exist out of discussions of his death and pays attention simultaneously to both the people – activist, intellectual, reconciler, resistor, father, victim, martyr, icon – and the multiple bodily conditions that helped to characterize these persons – black South African, subject of torture, prisoner, dying and dead body. Each of these Bikos and the bodily conditions that substantiated them have been read into histories of his death and rendered to make sense of a variety of analytical moments.

Articulating histories of Biko's body in its variety of forms makes a substantial contribution to a recently developed theoretical literature within African studies that has placed increased emphasis on the potential of bodies and body parts to carry important historical meaning. Scholars have studied the body as a site of disciplinary power,¹⁸ of changing cultural, economic, political, and social connections,¹⁹ as a principle location for notions of identity and personhood,²⁰ and as a point of entry into ideas about the relationship between the individual and society.²¹ Methodologically and theoretically, this scholarship has revealed the deep importance of understanding the body as a unique

¹⁸ Alexander Butchart, *The Anatomy of Power: European Constructions of the African Body*. London: Zed Books, 1998; Steven Pierce and Anupama Rao. *Discipline and the Other Body: Correction, Corporeality, Colonialism*. Durham: Duke University Press, 2006

¹⁹ Sandra Greene, *Sacred Sites and the Colonial Encounter: A History of Meaning and Memory in Ghana*. Bloomington: Indiana University Press, 2002; Timothy Burke, *Lifebuoy Men, Lux Women: Commodification, Consumption, and Cleanliness in Modern Zimbabwe*. Durham: Duke University Press, 1996; Nancy Rose Hunt, *A Colonial Lexicon: Of Birth Ritual, Medicalization, and Mobility in the Congo*. Durham: Duke University Press, 1999; Lynn M. Thomas, *Politics of the Womb: Women, Reproduction, and the State in Kenya*. Berkeley: University of California Press, 2003

²⁰ Hildi Hendrickson, ed. *Clothing and Difference: Embodied Identities in Colonial and Post-Colonial Africa*. Durham: Duke University Press, 1996; Julie Livingston, *Debility and the Moral Imagination in Botswana*. Bloomington: Indiana University, 2005;

²¹ Jean Comaroff, *Body of Power, Spirit of Resistance: The Culture and History of a South African People*, Chicago: The University of Chicago Press, 1985; Kathryn Linn Geurts. *Culture and the Senses: Bodily Ways of Knowing in an African Community*. Berkeley: University of California Press, 2002

form of evidence that researchers must place within shifting historical contexts.

Although this literature has carefully analyzed how various peoples talk about their own bodies within a variety of locales and historical moments, less attention is paid to the ways in which people talk about a single body that is not their own (in this instance Biko), in ways that changed over time. My dissertation also takes up a consideration of the relationship between Biko's living and dead body, both as a physical body, but also in notions of his identity and personhood developed after his death. Making sense of the connections between a living and dead Biko, and of his life after death, tries to respond to the urgent call that has recently come from history and anthropology about the essential necessity of exploring the political lives of the dead.²²

In addition to rethinking the evidence of bodies, this dissertation also builds upon and benefits from the insights of African historians that have placed an increased focus on the politics of knowledge production. Recently published books by Luise White,²³ and David Cohen and E.S. Atieno Odhiambo²⁴ have emphasized the importance of studying how knowledge is produced, how facts are constituted, and how pasts are articulated. White's book on Herbert Chitepo's death, for example, describes how narratives about the past come to produce and reproduce power, power that can be

²² See Katherine Verdery, *The Political Lives of Dead Bodies: Reburial and Postsocialist Change*. New York: Columbia University Press, 1999 for a discussion of the politics of the dead in postsocialist Eastern Europe, and David William Cohen and E.S. Atieno Odhiambo. *Burying SM: The Politics of Knowledge and the Sociology of Power in Africa*. Portsmouth: Heinemann, 1992.

²³ Luise White, *The Assassination of Herbert Chitepo: Texts and Politics in Zimbabwe*, Bloomington: Indiana University Press, 2003; and White, *Speaking With Vampires: Rumor and History in Colonial Africa*. Berkeley: University of California Press, 2000.

²⁴ David William Cohen and E.S. Atieno Odhiambo, *The Risks of Knowledge: Investigations into the Death of the Hon. Minister John Robert Ouko in Kenya, 1990*, Athens: Ohio University, 2005.

examined by historians.²⁵ For my own purposes, White's study is particularly useful for its research methods. Rather than pursuing the identity of Chitepo's killer(s), White instead studied the numerous texts in which people discussed the death, a method of analysis that permitted her to examine the political realities and debates that these texts additionally exposed. In a vein of related inquiry, Cohen and Odhiambo's book on the death of Robert Ouko examined what they call "the social history of knowledge production."²⁶ As in White's study of Chitepo, Cohen and Odhiambo refused to speculate about the identity of Ouko's killer, and instead they focused on how knowledge about Ouko's death came to be established, how some information related to the death was defined as facts, and how Kenya's publics invested authority in certain types of evidence.²⁷ Like the work of these scholars, my study of Biko's death also examines a history without readily available or clear-cut answers. The uncertainty related to how and why Biko died, the obfuscation of information by those responsible for the death, and the lingering presence of lies pose - as White, Cohen and Odhiambo have recognized - problems for historians seeking to recreate the past.

This murkiness of details, I argue, offers an important opportunity to study how people of many sorts have understood the surrounding conditions and fields of power related to Biko's death. As with the deaths of Chitepo and Ouko, Biko's death opens up a window of inquiry onto the institutions of power that shaped information and evidence about the death itself. Analyzing the political histories opened at the periphery of Biko's death, however, runs a particular risk of sliding into a relativist argument in

²⁵ White, *The Assassination of Herbert Chitepo*, p.2.

²⁶ Cohen and Odhiambo, *The Risks of Knowledge*, p.18.

²⁷ Cohen and Odhiambo, *The Risks of Knowledge*.

which all knowledge produced someone has equal footing and precedent. In this particular case, where agents of a repressive state used information about Biko's death for violent objectives, such an evaluation becomes troubling and problematic. It is important, therefore, to reaffirm that my purpose herein is not to treat the claims made by the members of the apartheid state who were responsible for Biko's death as somehow universally true. Rather, I include their production of knowledge about the death as integral and constituent parts of their violent actions. Their evidence, whether factual or not, was still inextricably connected to a set of political realities that were later dissected by some of the apartheid state's best critics.

In addition to engaging with studies of knowledge production, my examination of how historical arguments about Biko's death were made puts a premium on sorting through diverse sets of evidence and historical sources. Thus, my focus on historical arguments links to an additional theoretical and methodological literature within African historical studies that stresses the importance of analyzing histories that are composed outside of the formal academy.²⁸ This emphasis on the importance of non-academic histories has an additional resonance within South African historiography where scholars like Leslie Witz and Premesh Lalu have shown the importance of understanding broader conceptions of historical argument. Witz's study of tributes to Jan van Riebeeck, for example, articulates the ways in which historical representations took shape in numerous settings including festivals, monuments, museums,

²⁸ David William Cohen, *The Combing of History*. Chicago and London: The University of Chicago Press, 1994; Derek Peterson and Giacomo Macola, eds., *Recasting the Past: History Writing and Political Work in Modern Africa*. Athens: Ohio University Press, 2009.

photographs, performances, landscapes, newspapers and many other locations.²⁹ Lalu's study, which starts with Nicolas Gcaleka returning to South Africa with the skull of the Xhosa king Hintsa, ultimately traces the regimes of truth that shape the outcomes of historical argumentations in a variety of historical moments.³⁰ Both Witz and Lalu make an appeal to historians to carefully consider, not only the content of their sources, but also the arrangements of power and forms of political debate that appeared in the creation of these materials, an assessment that takes seriously the importance of public history and its connections to academic history.³¹

This dissertation examines a distinctive sample of historical arguments about Biko's death that are linked together by common genres of evidence. Chapter two examines accounts of Biko's political work and detention; chapter three examines histories of Biko's interrogation and torture and deals with ideas and images of Biko's naked body as evidence; chapter four studies histories of Biko's medical care and deals with scientific, medical, and forensic evidence; and chapter five which revisits historical arguments made with Biko's commentary on interrogation practices deals with evidence of Biko's own words. Each chapter shows how these sets of evidence were interpreted at various moments over the last three decades to debate the apartheid state's description of Biko and to rethink pressing issues including the state's use of torture, the

²⁹ Leslie Witz, *Apartheid's Festival: Contesting South Africa's National Pasts*. Bloomington: Indiana University Press, 2003.

³⁰ Premesh Lalu, *The Deaths of Hintsa: Postapartheid South Africa and the Shape of Recurring Pasts*. Cape Town: HSRC Press, 2009

³¹ See also Annie E. Coombes, *History After Apartheid: Visual Culture and Public Memory in a Democratic South Africa*. Durham and London: Duke University Press, 2003; Sarah Nuttall and Carli Coetzee, *Negotiating the Past: The Making of Memory in South Africa*. Oxford: Oxford University Press, 1998.

availability and ethics of medical care, and the politics of fear.³² The emphasis on genres of evidence and methods of presentation offers, I argue, an outlet for considering a broader political history. The strategy of my analysis, however, means that I have a unique relationship with the prior and vast literature on Steve Biko, a literature that my study both emerges from and makes analytical use of. It is therefore necessary to describe these prior trends and approaches to Biko, trends that had their own purposes, but that frequently made use of evidence in ways that link to my own interventions about the production of history.

Steve Biko in Life, Death, and Literature

By the time of his death at the age of thirty, Steve Biko had emerged as one of the most significant political leaders in South Africa, on nearly the same scale of importance as Nelson Mandela who was at that time imprisoned on Robben Island. Biko had started his political work as a student in the late 1960s when he and others theorized a movement known as Black Consciousness, an ideology which argued that liberation for black South Africans was both a psychological and physical process, and that blacks had to look upon themselves with a sense of pride before they could hope to participate in an egalitarian society not defined by categories of race.³³ In 1968, Biko and other students founded the South African Students' Organisation (SASO) after splitting from the National Union of South African Students (NUSAS), an organization

³² See a further discussion of the chapters below in the section, "Internal Architecture of the Dissertation"

³³ See further discussion in Gail Gerhart, *Black Power in South Africa: The Evolution of an Ideology*. Berkeley: University of California Press, 1978; Robert Fatton, *Black Consciousness in South Africa: The Dialectics of Ideological Resistance to White Supremacy*, Albany: State University of New York Press, 1986; Michael Lobban, *White Man's Justice: South African Political Trials in the Black Consciousness Era*. Oxford: Clarendon Press, 1996; Francis Meli, *South Africa Belongs to Us: A History of the ANC*, Bloomington: Indiana University Press, 1989; and William Beinart, *Twentieth-Century South Africa*, Oxford: Oxford University Press, 2001.

dominated by white liberals. The group defined 'black' as those people who were classified by the apartheid state as African, Coloured, and Indian. The recognition of self-identifying as 'black' as opposed to 'non-white' removed a fundamental negation set within conceptions of identity, and figured as a core principle of SASO's intention to establish a new mental outlook. In the SASO newsletter, Biko wrote a regular column expressing the theoretical project of Black Consciousness, and he argued that black South Africans needed to carve their own path to liberation, a path that could not be formed in political parties that invariably came to reflect the racial structures of the larger apartheid society.³⁴ From the beginning, the Black Consciousness Movement spread rapidly and into other spheres of political and cultural life.³⁵ At a time when the major opposition parties in South Africa were banned, and with a generation of black leaders prominent in the 1950s and 1960s either imprisoned or in exile, the Black Consciousness Movement provided an ideology that motivated a generation of young South Africans to oppose the apartheid state.

In 1972, the apartheid state issued Biko a banning order, a recognition of his immense power as a political leader, but also a cause for great repression. The order restricted Biko to live in his home district in the Eastern Cape, made it illegal for him to meet with more than two people at any time, and prevented him from speaking publicly, publishing any writings, or being quoted. Moreover, Biko was held under constant surveillance and was frequently detained by the police. Yet, by the mid-1970s, the ideas and ideals of Black Consciousness grew in their popularity among young black

³⁴ These columns were republished after Biko's death in the book *I Write What I Like*.

³⁵ Oral Interview: Achmat Dangor, May 19, 2008.

South Africans. Perhaps nowhere was this popularity more visible than in Soweto, the largest black township in South Africa, where many high and middle school students pored over the ideas of Black Consciousness.³⁶ Indeed, during the height of the Soweto uprising in 1976, a demand was sent by some of the young people that the future of South Africa be negotiated between the apartheid state, the imprisoned leaders Nelson Mandela and Robert Sobukwe,³⁷ and Steve Biko.

By the late-1970s Biko was the political and intellectual force behind the Black Consciousness Movement, a movement that steadily gained traction in the 1970s. Black Consciousness posed a unique way of thinking about the consequences of apartheid at a time when the major resistance organizations were otherwise suppressed. The philosophy of the Black Consciousness Movement emphasized that the sense of inferiority felt by blacks had to be overcome before anyone could expect larger political changes to take place. As Biko wrote in his 1970 article “Black Souls in White Skins?”- “the people forming the integrated complex have been extracted from various segregated societies with their inbuilt complexes of superiority and inferiority and these continue to manifest themselves in the “nonracial” set-up of the integrated complex.”³⁸ Biko’s reference to the “nonracial’ set-up” struck to the core of the ANC’s adoption of the Freedom Charter in 1959, a document which argued that South Africa belonged to all of the people who lived in it. The emphasis on undertaking mental change also included a critique of how the PAC carried out its political actions

³⁶ See further discussion in Helena Pohlandt-McCormick, *“I Saw a Nightmare”*; *Doing Violence To Memory: The Soweto Uprising, June 16, 1976*. New York: Columbia University Press, 2006.

³⁷ Robert Sobukwe was the first President of the Pan Africanist Congress, an organization that split from the ANC in 1959.

³⁸ Steve Biko, “Black Souls in White Skins?” Aelred Stubbs, ed. *I Write What I Like*. Chicago: The University of Chicago Press, 2002. P.20.

as the PAC, like the ANC, was not pressing its members to remove the bounds of psychological dehumanization caused by apartheid.

By the time of his death in 1977, Biko was a famous and highly symbolic figure in South Africa. The inspirational message of his political work and ideas had spurred many members of a generation into action, and his prominence as a leader was only matched by the most well-known figures of the resistance movements. As the academic literature on the Black Consciousness Movement reveals, political opposition to the apartheid state in the 1970s was largely defined by the emergence of Black Consciousness.³⁹ For the purposes of my study, it is important to briefly discuss the content of this literature, and to reveal some of the ways in which the literatures on Black Consciousness and Biko have changed over time. Primarily, this is important because in both academic and other literatures, Biko is invariably analyzed for his connections to Black Consciousness. This relationship helps to explain Biko's prominence, but it also points to the changing meaning of both Black Consciousness and Biko over the last three decades. Although the primary focus of my dissertation is on the shifting histories of Biko's death, his connection to Black Consciousness remains a consistent theme within this study.

³⁹ Gail M. Gerhart, *Black Power in South Africa: The Evolution of an Ideology*. Berkeley: University of California Press, 1978; Robert Fatton Jr., *Black Consciousness in South Africa: The Dialectics of Ideological Resistance to White Supremacy*. Albany: State University of New York Press, 1986; C.R.D. Halisi, *Black Political Thought in the Making of South African Democracy*. Bloomington and Indianapolis: Indiana University Press, 1999; Helena Pohlandt-McCormick. *'I Saw a Nightmare...': Doing Violence to Memory: The Soweto Uprising, June 16, 1976*. Gutenberg, Columbia University Press, 2005; Michael Lobban, *White Man's Justice: South African Political Trials in the Black Consciousness Era*. Oxford: Clarendon Press, 1996.

The earliest academic study of the Black Consciousness Movement was Gail Gerhart's 1978 book *Black Power in South Africa*.⁴⁰ Based on her dissertation research, the book placed Black Consciousness within a longer history of what she described as "African nationalism in South Africa over the three decades since the Second World War."⁴¹ In this way, Gerhart analyzed Black Consciousness in a comparative fashion, defining its relationship to prior political movements, organizations, and forms of nationalism, especially those created by the African National Congress (ANC) and the Pan Africanist Congress (PAC). For Gerhart, Black Consciousness, expressed through organizations like SASO, involved a further movement away from liberal politics and towards a "polarization of the struggle along Fanoneque lines, and has rejected all white-conceived evolutionary solutions."⁴² In a similar vein to Gerhart's study, Robert Fatton's 1986 book, *Black Consciousness in South Africa* conducted a further analysis of Black Consciousness that focused on the movement's ideological ambitions.⁴³ For Fatton, the movement had its own unique take on the movement toward liberation, one that involved a more radical resistance to white supremacy than that of prior movements. As Gerhart and Fatton both pointed out, Black Consciousness had an important role to play in filling the political vacuums of the 1960s that were created by the banning of the ANC and PAC. For both of these scholars, it was important to place Black Consciousness within an existent chronology of ideological change and to align its apparent novelty against that which had preceded it.

⁴⁰ Gail M. Gerhart, *Black Power in South Africa: The Evolution of an Ideology*. Berkeley: University of California Press, 1978.

⁴¹ Gerhart, *Black Power in South Africa*, p.vii

⁴² Gerhart, *Black Power in South Africa*, p.15

⁴³ Robert Fatton Jr., *Black Consciousness in South Africa: The Dialectics of Ideological Resistance to White Supremacy*. Albany: State University of New York Press, 1986.

More recent studies of Black Consciousness including Helena Pohlandt-McCormick's book, *"I Saw a Nightmare"* and Daniel Magaziner's dissertation and forthcoming book have presented clearer pictures of the effect that Black Consciousness had on broader, social, cultural, and political movements in the 1970s.⁴⁴ These social histories have focused less on examining comparative ideologies, and spent more time evaluating the effects that Black Consciousness had on the lived experiences of people in South Africa. Pohlandt-McCormick's careful examination of the Soweto uprising, for example, articulated the important, if often neglected, role played by the Black Consciousness ideology in shaping the outlooks of youth in Soweto.⁴⁵ All of these studies share a recognition of Steve Biko's critical impact on the development and emergence of Black Consciousness, and each recognizes the significant ways that the movement was altered by his death – not just because of the absence of his leadership, but also because his death immediately preceded the further banning of Black Consciousness organizations by the state in October, 1977.

Beyond the academic literature that primarily studied Black Consciousness, numerous books specifically about Biko were published immediately following his death. Hilda Bernstein's book, *No. 46 – Steve Biko*, was published in 1978.⁴⁶ Bernstein, a member of the ANC living in exile in England, put together a text that contained large swaths of the inquest testimony drawn from the reprints first published

⁴⁴ Daniel R. Magaziner, "From Students to Prophets: Writing a Political Faith in South Africa, 1968-1977" PhD Dissertation, University of Wisconsin, 2007. Magaziner's forthcoming book is titled *The Law and the Prophets: Faith, Hope, and Politics in South Africa, 1968-1977*, and will be published by Ohio University Press in 2010.

⁴⁵ Helena Pohlandt-McCormick. *'I Saw a Nightmare...' Doing Violence to Memory: The Soweto Uprising, June 16, 1976*. Gutenberg, Columbia University Press, 2005.

⁴⁶ Bernstein was heavily involved in South African politics in the 1950s and 1960s before going into exile in Botswana in 1963 where she worked in support of the African National Congress.

in the *Rand Daily Mail*.⁴⁷ To the inquest testimony, Bernstein added supplemental chapters that offered a brief biography of Biko's life and work in addition to a discussion of Black Consciousness. Bernstein's ambition was to assemble a text for distribution in North America and Europe that further revealed the violent political conditions in South Africa. In that same year, Donald Woods published *Biko*, a book that shared Bernstein's impulse of providing evidence from the inquest in addition to a biography of Biko's life and work.⁴⁸ Woods, the onetime editor of the East London *Daily Dispatch*, had been friends with Biko, and he used this position to detail his knowledge of Biko's life, and the implications of his death. In the month following Biko's death, Woods was issued a banning order by the apartheid state and as a result, Woods wrote the book in secret and, in 1978, left South Africa for London, England to publish the manuscript.⁴⁹ For Woods the publication of *Biko* meant to provide a clear picture of what life was like in South Africa, not only by offering discussion of Biko's work within Black Consciousness, but also by presenting a scathing depiction of the modes utilized by the apartheid state to cause and conceal Biko's death.⁵⁰ The relationship between Biko and Woods, couched as a microcosm for the liberal critique of apartheid, was later described in the 1987 novel and feature film that shared the title *Cry Freedom*.⁵¹

⁴⁷ Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978.

⁴⁸ Donald Woods, *Biko*. New York: Henry Holt and Company, 1987 (1978).

⁴⁹ Woods, *Biko*, 1987, p.9.

⁵⁰ Chapter three includes a more extensive discussion of *Biko*.

⁵¹ John Briley, *Cry Freedom*. New York: Berkeley Books, 1987. Richard Attenborough directed the film version which starred Kevin Kline as Donald Woods and Denzel Washington as Steve Biko.

Steve Biko's own original writings and speeches were also published in book form for the first time in 1978.⁵² The book *I Write What I Like* offered a collection of Biko's writings and speeches, most of which were produced for the SASO newsletter column "I Write What I Like" that Biko wrote under the pen name of Frank Talk. The book included a biographical sketch, and a tribute from Aelred Stubbs, the book's editor. Most of the text was made up of Biko's own analysis of Black Consciousness.⁵³ Also published in 1978 was *Steve Biko: Black Consciousness in South Africa*, a book that reprinted Biko's testimony given during the SASO/BPC trial in 1976.⁵⁴ Millard Arnold, editor of *Steve Biko: Black Consciousness in South Africa*, also pieced together the book, *Steve Biko: No Fears Expressed* in 1987.⁵⁵ Modeled after Mao's "Little Red Book," *No Fears Expressed* included quotations from Biko that were directed for use by young political activists.⁵⁶

In addition to books that documented Biko's life and death, there were other forums where careful documentation took place. In February of 1978, the Royal Shakespeare Company of London, England performed *A Miserable and Lonely Death*, a play that was later produced for British television audiences and then published in 1978 as *The Biko Inquest*.⁵⁷ The play restaged portions of the original inquest to reveal the security police's obvious concealment of Biko's death. A similar staging was created

⁵² See chapter five for an elaborated discussion of these texts.

⁵³ Aelred Stubbs, ed. *I Write What I Like*. London: The Bowderean Press, 1978. Additional versions were published in 1979 (Harper and Row), 1987 (Heinemann), 1996 (Ravan Press), and 2002 (University of Chicago Press).

⁵⁴ Millard Arnold, ed. *Steve Biko: Black Consciousness in South Africa*. New York: Vintage Books, 1978.

⁵⁵ Millard Arnold, ed. *Steve Biko: No Fears Expressed*. Johannesburg: Thorold's Africana Books, 1987.

⁵⁶ Oral Interview: Millard Arnold, May 12, 2008

⁵⁷ Jon Blair and Norman Fenton, *The Biko Inquest*. London: Rex Collings, 1978. The stage title, *A Miserable and Lonely Death*, was taken from a statement made by Sydney Kentridge, lawyer for the Biko family, during the 1977 inquest.

for South African audiences by Saira Essa who first directed the Blair and Fenton version of *The Biko Inquest* in 1985, and then created her own version along with Charles Pillai for South African audiences titled *Steve Biko: The Inquest* in 1987.⁵⁸ The Essa and Pillai version shared the same interest in re-presenting the 1977 inquest to reveal its inherent argumentative flaws.

In addition to these publications that directly considered Biko's life and subsequent death, there was also a significant extent to which political organizations in the 1980s worked to prove their own connections to Biko. Take, for example, the ways in which members of the ANC framed histories of Biko's death in the mid-1980s. In a report given in Lusaka, Zambia in 1985, Oliver Tambo, President of the ANC, described how just before his death Steve Biko had planned on leaving South Africa to meet with the leadership of the ANC, a plan foiled by his murder.⁵⁹ Tambo wrote that by 1976, Biko and other (unnamed) members of the Black Consciousness Movement had recognized that:

(a) the ANC is the leader of our revolution; (b) That the Black People's Convention should concentrate on mass mobilization; (c) That the BPC should function within the context of the broad strategy of our movement; and (d) That a meeting between the leadership of the BPC and ourselves was necessary.⁶⁰

Tambo's argument was part of a broader discussion that came to include what he saw as the limitations of Black Consciousness philosophy, limits that he claimed were apparent during the Soweto uprising. Tambo stated that "[t]he state responded [to Soweto] by banning most Black Consciousness organizations in 1977 and murdering one talented

⁵⁸ Saira Essa and Charles Pillai, *Steve Biko: The Inquest*. Durban: Upstairs Theatre, 1987.

⁵⁹ Adelaide Tambo, ed. *Preparing for Power: Oliver Tambo Speaks*. New York: George Braziller, 1988. P.126.

⁶⁰ A. Tambo, ed. *Preparing for Power*, p.126.

leader, Steve Biko. But the fact that the popular rebellion did not become an insurrection pointed up limitations in Black Consciousness ideology.”⁶¹ For Tambo in 1985, discussing the circumstances of Biko’s death provided an opportunity for the ANC to establish substantial connections to what they saw as Biko’s emerging political outlooks, while also making a historical claim to the limits and meanings of Soweto.⁶² In Tambo’s account, attachments to Biko’s allegedly shifting political ideas were made possible by a particular reading of his death. Biko’s death provided an opportunity for the ANC to bridge an ideological gap that existed between the ANC and the Black Consciousness Movement during the 1970s.

Taking a different tack than Tambo and other members of the ANC, Mosibudi Mangena, a leading member of the Azanian People’s Organization (AZAPO), discussed Biko’s arrest within a longer book about the Black Consciousness Movement that was first published in 1989.⁶³ AZAPO was formed in 1978 by members of the Black Consciousness Movement in the aftermath of Biko’s death and the banning of existent Black Consciousness organizations in October of 1977.⁶⁴ AZAPO augmented many of the original ideas behind the earlier conceptions of Black Consciousness with principles

⁶¹ A. Tambo, ed. *Preparing for Power*, p.114

⁶² For an exceptional reading of the ANC’s claims to and about Soweto, see Helena Pohlandt-McCormick. *‘I Saw a Nightmare...’ Doing Violence to Memory: The Soweto Uprising, June 16, 1976*. Gutenberg, Columbia University Press, 2005.

⁶³ Mosibudi Mangena, *On Your Own: Evolution of Black Consciousness in South Africa/Azania*. Florida Hills: Vivlia, 2002.

⁶⁴ The Black Consciousness Movement of Azania was a similar organization to AZAPO, but was founded and maintained in exile.

of class struggle.⁶⁵ AZAPO took up a more active approach to conscientization by committing to the mobilization of the black working class.⁶⁶

Starting in 1981, AZAPO published a journal titled *Frank Talk*, a name borrowed from Biko's original pen name in the SASO newsletter. AZAPO made Biko part of its organization by staking claims to Biko's ideas and actions.⁶⁷ Mosibudi Mangena's account of Biko's arrest and death further stressed the importance placed on accessing the meaning of Biko's life and death while also illuminating differences between the ways in which the ANC and AZAPO connected to Biko. Mangena argued that Biko's arrest in August of 1977 came after a series of failed meetings with members of the Unity Movement in Cape Town, and that his entanglement within the road block was caused by the increased presence of police in the region who were closely watching activities marking the one-year anniversary of uprisings in Port Elizabeth.⁶⁸ Unlike Tambo's argument that Biko's death came at a time when Biko was seeking closer connections to the ANC, Mangena contended that in late-1977, Biko was

⁶⁵ Fatton, *Black Consciousness in South Africa*, p.131.

⁶⁶ Anthony W. Marx, *Lessons of Struggle: South African Internal Opposition, 1960-1990*. New York and Oxford: Oxford University Press, 1992. P.86.

⁶⁷ *Frank Talk*, Vol. 1, No.5, November/December 1984 included an article written by Peter Jones titled "Biko – The Man." Jones and Biko were arrested together on August 18, 1977, and the article presents Biko's biography. A later issue - *Frank Talk*, Vol. 2, September, 1987 included an article, "Biko Lives!!!" which marked the ten year anniversary of Biko's death, and presented a call to action by inviting people to renew their connections to AZAPO.

⁶⁸ Mangena, *On Your Own*, p.144. Mangena's argument echoed that of Peter Jones, published in the AZAPO journal *Frank Talk*, Vol.1, No.5, November/December 1984. Jones and Biko were traveling together from Cape Town on August 18, 1977 and were arrested together at the roadblock. Jones, like Mangena, used discussion of Biko's death to chastise members of the Unity Movement in Cape Town, stating that "if it was not for treacherous behaviour of the Cape Town participants, we would never have been on the road on the 18th, the day that we should have known that there was due to be unrest in and around Port Elizabeth – it was on 18 August 1976 that PE's unrest started and it was on its anniversary that we hurriedly left Cape Town."

continuing the work of the broader Black Consciousness Movement that AZAPO later saw itself as also carrying on.

The early-1990s, a time when the political transition from apartheid was beginning, brought about the publication of new studies of Biko and the Black Consciousness Movement. The 1991 book, *Bounds of Possibility*, based on a conference held in Harare in June of 1990, worked to reaffirm the importance of Steve Biko and the broader Black Consciousness Movement to political change in the 1970s.⁶⁹ Although members of AZAPO and the Black Consciousness Movement of Azania did not attend the conference,⁷⁰ the meeting did produce a volume that not only provided a biographical account of Biko's life and death, but that showed the importance of Biko and Black Consciousness to the wider political changes taking place in the early-1990s.⁷¹

One of the editors of and authors in *Bounds of Possibility* was Mamphela Ramphele, a founding member of the Black Consciousness Movement. In *Bounds of Possibility*, Ramphele wrote two chapters, "Empowerment and Symbols of Hope: Black Consciousness and Community Development" and "The Dynamics of Gender Within Black Consciousness Organisations: A Personal View."⁷² The chapters pointed to important and frequently understated dimensions of the Black Consciousness Movement. Ramphele's discussion of community programs, for example, included discussion of her own involvement with medical outreach programs at the Zanempilo

⁶⁹ Pityana, Ramphele, Mpumlwana, and Wilson, eds. *Bounds of Possibility: The Legacy of Steve Biko and Black Consciousness*. Cape Town: David Philip, 1991.

⁷⁰ Pityana, et.al.. *Bounds of Possibility*, p.3.

⁷¹ Pityana, et.al.,. *Bounds of Possibility*, p.3-5.

⁷² Pityana, et.al.,. *Bounds of Possibility*.

Community Health Centre in King Williams Town.⁷³ The chapter on gender drew further on her experiences to present an analysis of how some women came to participate in and shape the Black Consciousness Movement.⁷⁴ These analytical themes emphasized by Ramphele through personal narrative took on new meaning in 1995 when she published *Mamphela Ramphela – A Life*.⁷⁵ Among a great many other issues, Ramphele discussed her own ongoing personal relationship with Steve Biko during the 1970s, including their one-time plans for marriage, and the children that they had together while Biko was married to Ntsiki Biko.⁷⁶ In her biography, Ramphele showed her own important connections to Biko and to the activities of the Black Consciousness Movement, connections pushed aside in accounts of Biko that paid more attention to the ideological components of Black Consciousness, or that saw Ntsiki as the only woman rightfully speaking to Biko's legacy. Ramphele elaborated on this latter point in a 1996 article published in *Daedalus* in which she analyzed the meaning of political widowhood in South Africa.⁷⁷

In the mid-1990s, the debate over the meaning and history of Biko's death became an essential part of South Africa's Truth and Reconciliation Commission (TRC). The TRC was formed through a mandate described by the Promotion of

⁷³ Ramphele, "Empowerment and Symbols of Hope: Black Consciousness and Community Development." Pityana, et.al., *Bounds of Possibility*. P.164.

⁷⁴ Ramphele, "The Dynamics of Gender Within Black Consciousness Organisations: A Personal View." Pityana, et.al., *Bounds of Possibility*. P.214-227.

⁷⁵ Published in the United States as Mamphela Ramphela, *Across Boundaries: The Journey of a South African Woman Leader*. New York: The Feminist Press, 1996.

⁷⁶ This is primarily discussed in chapter four and five of Ramphele, *Across Boundaries*.

⁷⁷ Mamphela Ramphela, "Political Widowhood in South Africa: The Embodiment of Ambiguity." *Daedalus* (125:1), Winter, 1996, p.99-117. Ramphele also debated issues of representing Biko with a member of AZAPO, Itumeleng Mosala, in an exchange published over two different weeks in the *Weekly Mail and Guardian*. See Mamphela Ramphela, "Can the Dead Act as Arbitrators," *Weekly Mail and Guardian*, September 8, 1995; and Itumeleng Mosala, "A Poor Tribute," *Weekly Mail and Guardian*, September 15, 1995.

National Unity and Reconciliation Act 34 of 1995. The act established a commission that would investigate and listen to testimony about human rights violations that occurred between 1960 and 1994. The TRC had three separate sections: the Human Rights Violations Committee which heard testimony from victims, the Reparations and Rehabilitation Committee which had the power to offer reparations, and the Amnesty Committee that heard applications for amnesty from people who committed human rights violations. In the amnesty section of the TRC, amnesty from future prosecution could be earned if applicants provided factual accounts of their past actions. Hearings were conducted throughout South Africa between 1995 and 2000.

Discussion of Steve Biko's connection to the TRC began before many of the hearings could even get underway. In a case filed in the South African Constitutional Court in April of 1996, AZAPO, Nontsikelelo Margaret Biko, Churchill Mhleli Mxenge, and Chris Ribeiro jointly sought to challenge the constitutionality of the Amnesty Committee.⁷⁸ They argued that the procedures of amnesty – that could absolve those responsible for killing Biko and others – violated their constitutional rights “to insist that wrongdoers should be properly prosecuted before a court of law and punished accordingly.”⁷⁹ The Constitutional Court rejected the arguments of

⁷⁸ The case is known as Azanian People's Organization (AZAPO) and Others v President of the Republic of South Africa and Others (CCT 17/96). Biko, Mxenge, and Ribeiro were all surviving family members of people killed by the apartheid state.

⁷⁹ Richard A. Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*. Cambridge: Cambridge University Press, 2001. P.168.

AZAPO and Others, and stated that the ‘National Unity and Reconciliation’ conditions stipulated in the constitution “limited the right of access to justice of victims.”⁸⁰

Despite objections by the Biko family, led by Biko’s wife Ntsiki, the amnesty hearings of the TRC were permitted to continue. This continuance provided a space for five of the security police officers who caused Biko’s death to apply for amnesty in 1997. Harold Snyman, Daniel Siebert, Ruben Marx, Jacobus Beneke, and Gideon Niewoudt claimed that they were responsible for Biko’s death in detention. Despite the requirement that they tell the full version of what happened to Biko in August and September of 1977, the security policemen largely stuck to their original version of events first presented during the 1977 inquest.⁸¹ They alleged that Biko injured his head after attacking the security police, that the injuries were accidental, and that any other mistreatments of Biko were not their fault. The five security policemen were denied amnesty after the amnesty committee determined that the injuries to Biko’s body admitted to by the security police were only caused when the police attempted to restrain Biko from attacking them.⁸² As the intention behind the injuries was merely to restrain Biko, the committee found that there was no evidence of a political motive behind their actions.⁸³ Moreover, the amnesty committee stated that the security police offered an account so “improbable and contrary that it has to be rejected as false,” and

⁸⁰ Richard A. Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*. Cambridge: Cambridge University Press, 2001. P.168.

⁸¹ George Bizos, *No One to Blame?: In Pursuit of Justice in South Africa*. Cape Town: David Philip Publishers, 1998.

⁸² “Amnesty Decision, Snyman, Siebert, Beneke, Marx, AC/99/0020”
http://www.justice.gov.za/trc/decisions/1999/99_snyman.html

⁸³ “Amnesty Decision, Snyman, Siebert, Beneke, Marx, AC/99/0020”
http://www.justice.gov.za/trc/decisions/1999/99_snyman.html

that the security polices' treatment was evidence of "ill-will or spite towards Biko."⁸⁴

The Promotion of National Unity and Reconciliation Bill, No.30 of 1995 which established the provisions for amnesty, required that the security police needed to show that there was both a political purpose sought in causing Biko's death and that the people responsible for the death did not act for personal reasons.

In addition to the TRC's connections to the history of Biko, the ANC controlled government of the post-apartheid period also worked to further establish Biko as a central figure of nationalist history. Almost at the same time that the TRC convened in September of 1997 to hear testimony from the security police applying for amnesty for Biko's death, Nelson Mandela travelled around the Eastern Cape to commemorate Biko's life and death in a series of activities that indicate in microcosm the ANC's approach to Biko.

On September 12, 1997, then South African President Nelson Mandela visited sites in the Eastern Cape dedicated to Steve Biko. In King Williams Town, Mandela helped rededicate the cemetery where Biko is buried as the 'Steve Biko Garden of Remembrance.' At the home where Biko lived in the Ginsberg Township, Mandela unveiled a bust of Biko's head placed for display in the front yard. Later in the day, Mandela arrived in East London where he gave an address commemorating Biko's life while unveiling a statue of Biko that stood in front of the City Hall. Finally, Mandela

⁸⁴ "Amnesty Decision, Snyman, Siebert, Beneke, Marx, AC/99/0020"
http://www.justice.gov.za/trc/decisions/1999/99_snyman.html

revealed a plaque that renamed the John Vorster Bridge that led across the Buffalo River in East London as the ‘Steve Biko Bridge.’⁸⁵

Mandela’s journey through these sites was filled with political symbolism. The plaque that helped dedicate the graveyard as the ‘Steve Biko Garden of Remembrance’ was inscribed with a quotation from Biko: “It is better to die for an idea that will live than live for an idea that will die.” The quotation from Biko seemed to echo one given by Mandela during the Rivonia Trial in 1964:

During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

From the entrance to his own graveyard, the quotation asked Biko to speak about the importance of his own death in a tone that closely resembled that of South Africa’s most prominent political leader.

Mandela’s dedication of the statue in East London drew even greater attention.⁸⁶

In his dedication speech, Mandela called Biko:

a giant bequeathed to our land by a region that has down the centuries spawned men and women of outstanding qualities, leaders who have proved themselves in the most testing conditions. It has nurtured a tradition of uncompromising

⁸⁵ Mandela’s visit is also discussed in Ciraj Rassool, “The Individual, Auto/Biography and South African History.” PhD Thesis, University of the Western Cape, 2004.

⁸⁶ Financial support for the statue came from a group who had risen to prominence in the 1980s while attempting to sustain awareness outside of South Africa about the fates of detainees like Biko. Money was given by Denzel Washington, Richard Attenborough, Kevin Kline, Peter Gabriel, and Ken Follett. Follett is a British novelist who wrote, among other books, *Eye of the Needle* in 1978. In 1984, he married Daphne Barbara Broer. Broer was, in 1963, Broer married to Rick Turner, a prominent South African intellectual and friend of Steve Biko. Turner’s book, *The Eye of the Needle: Towards Participatory Democracy in South Africa* was published in 1972, six years before he was assassinated at his home.

struggle unbroken from the days of Hintsa; through Enoch Sontonga, Vuyisile Mini, Matthew Goniwe, Ford [sic] Calata, Sparrow Mkhonto; to Griffiths and Victoria Mxenge – to name but a few. Many of them were butchered with a cold disregard for life by agents of a doomed regime.⁸⁷

The heroes to which Mandela connected Biko were among a long line of individuals who not only died young, but who figured prominently in challenges to apartheid.⁸⁸

The remainder of Mandela's speech continued to affirm Biko's political importance to South Africa. It emphasized the core contributions of Black Consciousness to the broader liberation struggle, and argued that the ANC worked in the 1970s to welcome members of the Black Consciousness Movement. The links that Mandela fostered with Biko erased prior differences between Biko and the ANC, and helped animate a new nationalist history. He connected Biko to the present nationalist moment, placed him within the pantheon of struggle heroes, and established that Biko had a critical part to play in the unraveling of apartheid.

Commemoration of Steve Biko has continued in other capacities in the post-apartheid period. A year after Mandela unveiled the Biko statue to mark the twentieth anniversary of Biko's death, Biko's son Nkosinathi founded the Steve Biko Foundation (SBF).⁸⁹ The idea of forming a foundation dedicated to Biko's legacy first took hold

⁸⁷ Nelson Mandela, "Address by President Nelson Mandela at the Commemoration of the 20th Anniversary of Steve Biko's Death," September 12, 1997.

http://db.nelsonmandela.org/speeches/pub_view.asp?pg=item&ItemID=NMS501&txtstr=biko

⁸⁸ Many of them were also representative of a contemporary interest in thinking about the dead. In February of 1996, Nicholas Gcaleka announced that he had recovered 'Hinta's skull' from Scotland, stirring national conversation about the artifacts of the dead, See Lalu, *The Deaths of Hintsa*, p.1. In September of 1996 Mandela helped declare and reveal a national monument at Sontonga's recently rediscovered and excavated grave. Sontonga, who wrote the song *Nkosi Sikelel' I Afrika* in 1897, had been buried in Johannesburg in 1905, and was only located after an extensive search. Vuyisile Mini, an early member of uMkhonto we Sizwe, had been buried after his execution in 1964, only to be reburied in 1998 (a year after this speech). Goniwe, Mkhonto, and Calata were members of the so-called 'Cradock Four' and along with the Mxenge's had been violently killed by the security police in the 1980s.

⁸⁹ Oral Interview: Nkosinathi Biko, May 19, 2008.

during the September 1997 commemoration events, and Nkosingithi created the foundation to organize “international and local interests in the legacy of Steve Biko into some kind of channel for community upliftment and for promoting social cohesion.”⁹⁰ Since 2000, the foundation has supported the annual Steve Biko Memorial Lecture during which prominent thinkers and political leaders have presented on Biko’s ongoing legacies.⁹¹

The thirtieth anniversary of Biko’s death in September of 2007 stimulated a new wave of attention towards Biko’s historical legacy. The book *We Write What We Like* brought together a collection of writers who worked to celebrate “the man whose legacy is the freedom to think and say and write what we like.”⁹² The chapters reflected the individual effects of Biko’s work and ideas on the authors who included Thabo Mbeki, Mosibudi Mangena, Achille Mbembe, and others. Another recent book, *Biko Lives!* marked the anniversary of Biko’s death by rethinking Biko’s connections to contemporary South Africa.⁹³ The assertion in the collection’s title that Biko lives traces to a deeper interest in shepherding interpretations of Biko’s philosophy into the post-apartheid present, a time that the editors argue remains marked by “the material

⁹⁰ Oral Interview: Nkosingithi Biko, May 19, 2008.

⁹¹ Since 2000, the speakers have included, in order: Njabulo Ndebele, Zakes Mda, Chinua Achebe, Ngũgĩ wa Thiong’o, Nelson Mandela, Mamphela Ramphele, Desmond Tutu, Thabo Mbeki, Trevor Manuel, and Tito Mboweni. Lectures given between 2000 and 2008 were published in *The Steve Biko Memorial Lectures 2000-2008*. Johannesburg: The Steve Biko Foundation and Pan Macmillan, 2009.

⁹² Chris van Wyk, ed. *We Write What We Like: Celebrating Steve Biko*. Johannesburg: Wits University Press, 2007. P. xv.

⁹³ Andile Mngxitama, Amanda Alexander, and Nigel C. Gibson, eds. *Biko Lives!: Contesting the Legacies of Steve Biko*. New York: Palgrave Macmillan, 2008.

outcomes of colonialism, segregation, apartheid and – most recently – neo-liberal economic policies.”⁹⁴

This vast literature on Steve Biko and Black Consciousness reveals a number of issues that are pertinent to my study. Primarily, it shows that over the last three decades, discussion of Biko and Black Consciousness have been invariably connected, not only by scholars, but also by political activists, organizers, and critics. Part of this connection owes to Biko’s own crucial contributions to the formation of Black Consciousness philosophy in the late-1960s and early-1970s - a time that preceded sweeping changes in the movement’s structure following Biko’s death. As the review above suggests, it is crucial to note the many claims made to and about Black Consciousness since 1977 by, among others, an apartheid state bent on destroying it, an exiled ANC wanting to attach to a popular and widespread ideology, the newly formed AZAPO that wanted to pick up Biko’s legacy within new formations of Black Consciousness praxis, and a post-apartheid state that looked to codify a history of liberation. Built into all of these considerations was the dual recognition of the importance of Black Consciousness and of Biko’s emblematic presence in developing the movement itself.

The point of this dissertation is not to argue that it is incorrect to maintain a link between Biko’s life and death with histories of the Black Consciousness Movement. I fully recognize that Black Consciousness philosophy is an essential subject that demands the full attention of historians and political activists alike. What my study

⁹⁴ Mngxitama, et.al., *Biko Lives!*, p.2.

suggests, however, is that alongside these debates about Biko and Black Consciousness, there are also analyses of the violence that caused Biko's death, violence that was physical and epistemological, and that was intrinsically connected to a history of apartheid. Rather than speaking around violence, of using it as a place-holder to identify a moment in the history of Black Consciousness or Biko's life, I want to chart out a method for pursuing its traces and to directly address its history. In this way, my own study of Steve Biko takes a different organizational structure than the above works have offered, while simultaneously making use of this prior literature as source material. By reading across prior histories of Biko's death, including some of those described above, and asking how these histories speak to a broad spectrum of political and social issues, my study considers the history of Biko's death within changing political and social contexts, and emphasizes the ways in which histories of Biko's death pointed to critiques of elements of the broader apartheid system. Rather than treating Biko's death exclusively as a passing moment upon which new formations of Black Consciousness can be founded, I argue that it is also necessary to unpack the meaning of the death itself as a site of contested power.

Sources Consulted and Methods of Analysis

In its earliest stages, this dissertation project began by examining representations of Steve Biko in life and in death, and intended to show the significant continuities in how people thought about the qualities of Biko's leadership and political philosophies. I was pursuing, I thought, documentation proving that Biko's continued relevance in the period after his death stemmed exclusively from his importance and actions in life.

While reading archival materials, biographies, lectures, newspapers and many other materials about Biko, however, I quickly realized that there was a great deal being said about the death itself, and that the meaning and analytical utility of Biko's death seemed to change significantly over time. Rather than discovering a unified set of representations, I instead was confronted with vastly different arrangements of similar sets of evidence about Biko's death, material that was put to varying and often competing uses. As a result, my research rapidly changed course to pursue some of these different genres of evidence related to Biko's death and the divergent methods through which this evidence was analyzed. Rather than speaking around the violence of Biko's death, of using death as a place-holder to identify an otherwise abbreviated moment in the history of Biko's life and afterlife, I began to interpret those accounts where the violence itself was squarely addressed. As such, my research worked to follow genres of evidence and methods of presentation more than a strictly linear discussion of the changing roles of Steve Biko in South Africa's political history.

Searching for continuities in how common pieces of evidence about Biko's death have been used shaped how I looked for and analyzed materials. Although I utilized sources that discussed the development and elaboration of the Black Consciousness Movement in the 1960s and 1970s,⁹⁵ I focused the majority of my research effort to finding materials produced in the period after Biko's death. For convenience, I approached this task chronologically. At the Mayibuye Archives at the University of the Western Cape, for example, I worked through collections of

⁹⁵ Including archival materials located at the University of Cape Town and the University of the Witwatersrand

newspaper clippings that described Biko's death, his funeral, and the judicial inquest into the causes of death. The collection also contained an extensive photographic record of Biko's funeral. What I was looking for in these sources were responses to the overlapping sets of evidence about Biko's death. By reading the press reports, I was able to first piece together a time-line of how members of the apartheid state initially explained Biko's death, realizing that their explanations shifted to incorporate new evidence about the causes of death.⁹⁶ Although the Minister of Justice, Police and Prisons, Jimmy Kruger, initially claimed that Biko had died from a hunger strike, his account of the death later changed to incorporate information about Biko's brain injuries. In interviews and press releases, Kruger argued about the causes and meaning of Biko's death, constantly returning to an explanation that removed all traces of responsibility from employees of the apartheid state. The newspaper clippings also contained coverage of how Biko was immediately commemorated and eulogized, responses that often worked in a critical tandem with the state's explanations, and that also shifted to account for fresh explanations of Biko's death. These sources pursued the same evidence as Kruger had - the possibility of a hunger strike, and the appearance of brain injuries – but they took different argumentative angles, showing instead that the police had murdered Biko and made him a political martyr. Even the photographic collection that documented Biko's funeral fit into these cycles of explanation. Many of these photos, some of which were published in newspapers and magazines, emphasized the superficial wounds to Biko's body, and functioned to account for the actual causes of death. In their composition, the photographs encouraged viewers to focus attention

⁹⁶ This unfolding timeline forms the opening paragraphs of this chapter.

on the destruction of Biko's body and the system of government that permitted such abuse to take place.

My methodology for analyzing source materials emerged as I read and re-read these and other discussions of Biko's death. By uncovering the overlapping references to the conditions of Biko's death, I was able to trace how competing historical arguments about the same genres of evidence were formed, and after I located recurring evidentiary strands, my next task was to then unpack both the larger argument about Biko's death that the authors were making, and how the evidence fit into this argument. This method of analysis was compelling because it allowed me to align comparisons between otherwise divergent types of arguments and methods of presentation. A significant breakthrough in my approach to materials on Biko came while I conducted research in a collection of materials known as the 'Biko Doctors Case Collection' at the University of Cape Town. These materials, which I analyze extensively in chapter four, were assembled over a roughly two decade period between Biko's death in 1977 and the late-1990s. The collection documented efforts by some members of the South African medical profession to reinterpret the deficient medical care offered to Biko during the final weeks of his life by government employed doctors. Their medical case histories analyzed Biko's final days of life and speculated about the causes of Biko's death and the possibilities where treatment should have been offered. Before me were running conversations about the implications of Biko's death – an event that that supplied useable material for concerned medicos to mount a rising critique of how medical care in South Africa was distributed and practiced. Here, lingering dissatisfactions with the South African medical system were interwoven with debate about Biko's death,

arguments that I could read by returning to the archival collections. Importantly, the presence of these arguments helped to confirm my approach to tracing the overlap between existent political concerns and the event of Biko's death.

Treating these and other archival materials as elements of running debate about the meaning of Biko's death also shaped my role as a historian. Instead of being an objective observer, I felt as if my analysis of these documents brought me into debates that were in many ways ongoing. Arguments about Biko were composed to provoke a response, to stand as rallying points for further political and intellectual organization. Thus, the analysis of the materials contained in this dissertation incorporates my reaction to and assessment of the arguments contained in the sources.⁹⁷

My position as a researcher was further marked by skepticism about my connections to the content of the research project. I frequently encountered concern that my project involved the construction of a biography about Biko, concern that was underwritten by a doubt that a foreign, white academic was the correct person to pursue such an important task. This skepticism, I hope, is embedded within the content of this dissertation as it emphasizes the argument contained herein about Biko's continued relevancy to South African political life and the connections that people have made and continue to make with Biko's life. While I reassured people that my research was not a biography, I used this concern as a starting point for further discussion about why the meaning of Biko's life and death carries such great importance.

⁹⁷ This approach to reading the archival materials related to Biko's death shares a great deal with the work of Derek Peterson whose study of Gikuyu intellectual history was developed by reading archives as both "evidence and as politically creative practice." Derek Peterson, *Creative Writing: Translation, Bookkeeping, and the Work of Imagination in Colonial Kenya*. Portsmouth: Heinemann, 2004, p.21. Emphasis in original.

As a complement to the archival materials, I also conducted approximately twenty-five formal and informal interviews with people who knew Biko or had an important role in shaping conversations about his death. This meant speaking with people who were involved with Biko through the Black Consciousness Movement or other forms of political work and student activism, but also meant interviewing those presently engaged in stimulating political and cultural debate about Biko in contemporary South Africa. This latter group included people involved with the Steve Biko Foundation in addition to museum curators, historians, and artists who work to sustain dialogue about Biko in present-day South Africa.

A primary interest in locating interviewees was to meet with some of the people that had produced the archival materials that I had read. In this way, the oral interview offered an opportunity to further discuss, retrospectively, the politics and other interests that stood behind their earlier analyses of Biko's death. Whenever establishing this connection was possible, the interviews proved to be highly compelling. Although I recognized that people's political perspectives and connections to the event of Biko's death had changed over time, discussing their earlier approaches to the material still revealed a great deal about the context of how they arrived at their arguments, where they acquired their evidence, and who they worked with to make new claims.

In an interview that I conducted with Francis Wilson, for example, I brought an issue of the *South African Outlook*, a liberal Christian periodical, of which Wilson served as editor in the 1970s. The issue was published in September of 1977 and was dedicated to describing Biko's death in detention. Together we looked through the

issue and discussed the reasons why Wilson, in 1977, had helped put together such documentation. Wilson informed me that he had planned on circulating an issue that month to discuss the growing trend of detainees dying in detention.⁹⁸ Biko's death only added to this tragic set of events, and provided further evidence for Wilson and others to critique a set of state practices. A similar interview method was at play when I met with Nkosinathi Biko, Biko's son and the Chief Executive Officer of the Steve Biko Foundation. Since 2000, the foundation has hosted annual Steve Biko Memorial lectures. Prior to the interview, I had read transcripts of these interviews, and during the course of the conversation with Nkosinathi Biko, I drew upon these texts to discuss how the foundation was involved in enhancing conversation about Steve Biko.

A similar method for discussion was repeated when I met with museum curators, medical doctors, and lawyers who at different times helped sustain political debate about Biko's death. I also met informally with people who knew Biko in the 1970s, and with archivists who were involved in collecting materials about the South African past. From the archivists, I learned a great deal about how the overlaps in materials that people drew upon to discuss Biko circulated at previous moments over the last three decades. In discussions with people who knew or worked with Biko I often found it difficult to ask probing questions about the implications of Biko's death as I found this type of questioning to be highly personal. Most often, our conversations began by speaking about the experiences of violence and death in comparative terms. One important starting point for these conversations was discussion of earlier research work that I had done in Tanzania on the violent death of Chief Mkwawa during a period

⁹⁸ Oral Interview: Francis Wilson, April 15, 2008.

of German colonial invasion in 1898. Discussing this topic started our conversation by speaking broadly about why some authoritarian states committed violence against dissident leaders, a discussion that had important counterparts in the history of South Africa generally, and with Biko specifically. Often, this provided a starting point and a comparative vocabulary for discussing Biko's death that made the interview less restricted to eulogistic terms and more open to a conversation about the political meaning of violence.

The last group of sources that I looked closely at included some sites of memorialization for Steve Biko, both in events dedicated to his death like the annual Steve Biko memorial lectures, but also in sites dedicated to his life. Visiting these sites included spending time at Biko's grave, at his former home where a monument presently stands, and in the police station and office building where he was detained and tortured. I also attended an exhibit marking the thirtieth anniversary of Biko's death that was held at the Apartheid Museum in Johannesburg.⁹⁹ Each of these locations, monuments, events, and exhibits had their own context and meaning that shaped how they posed claims about the history of Biko's death. The monuments at Biko's grave, for example, were rededicated by Nelson Mandela in 1997 and were used to make connections between Biko's life and death and the history of the ANC. Like the archival materials, I read these locations for the ways in which they made unique historical claims about the meaning of Biko's death.

⁹⁹ The exhibit was titled, "Biko: The Quest for a True Humanity: An Exhibition Commemorating the 30th Anniversary of the Death of Bantu Stephen Biko."

Internal Architecture of the Dissertation

The chapters of this dissertation revolve around how histories of Biko's death have been composed with particular types of evidence. In all of the dissertation chapters Biko's death and its composite of conditions provides a starting point for my inquiry. Yet, for commentators who thought about the meaning of Biko's death and formulated analyses of the event, the death itself was merely a starting point from which to say much more about the realms of political life that they occupied.

Chapter two places Steve Biko's death at the confluence of two historical trends that helped shape political practices in the 1970s – the emergence of the Black Consciousness Movement and the development of new forms of police power for dealing with political dissidents. The chapter argues that Biko's death generated a massive response because it stood as a metaphor for these larger trends. The subsequent chapters build on chapter two by examining how critics of many sorts reassembled details of Biko's death. Chapter three centers on the evidence that Biko was kept naked during the course of his detention. For the security police, Biko's nakedness and its suggestion of torture was something to hide and they argued that Biko was kept naked to prevent him from committing suicide. The chapter traces how critics – including lawyers representing the Biko family, Biko's friend Donald Woods, and lecturers speaking during the Steve Biko Memorial Lectures – revisited this evidence to prove that the security police used nakedness to humiliate and torture Biko. The chapter argues that the approaches to writing a history of nakedness has shifted over the last three decades as critics used a discussion of Biko's torture in ways that changed

over time. Whereas critics of apartheid writing in the 1970s and 1980s used the evidence of nakedness to critique the apartheid state's use of torture, commentators in the post-apartheid period used the same references to call attention to the entire composite of the apartheid past in a way that emphasized Biko's own personal sacrifices.

Chapter four examines how a group of South African medical doctors, disgusted by the lack of medical treatment that a detained Biko was offered, formulated histories of Biko's death that appealed to questions of ethical medical care and practice. In the early 1980s these medical practitioners, who were members of the same professional organizations as those doctors who had visited yet failed to treat a dying Biko, expressed outrage at the conditions of Biko's care. They called on their medical organization to remove the unethical doctors who treated Biko from the membership. To prove how unethical Biko's doctors were, they detailed histories of Biko's death in detention, showing avenues of care Biko's doctors should have followed. Using evidence of Biko's ailing body within their histories challenged the constructions of Biko's death defended in the state's denials, and instead theorized a history in which no denial could be sustained. The chapter also argues that talk of Biko's medical care created space to raise additional questions about the role of medical care in South Africa, about unequal access to healing based on race and class, and about defining ethical relationships among professionals operating under the unethical system of apartheid.¹⁰⁰

¹⁰⁰ Oral Interview: Yosuf Veriava, May 16, 2008

Chapter five marks a shift from thinking directly about the conditions of Biko's detention to looking at how considerations of Biko's death influenced readings of Biko's intellectual work. The last chapter of Biko's book *I Write What I Like*, published posthumously in 1978, is a reprinted interview Biko gave before his death titled 'On Death'. 'On Death' included Biko speaking about past encounters with the police, and has been interpreted as Biko's prediction and projection of how his death would come. Reading and interpreting Biko's interview as a prophecy of death helped people find material needed to interpret and historicize the conditions of his detention and death. Biko's voice made present and real to describe conditions of detention, figured into histories of his death that challenged the police's denials that abuse of detainees regularly took place.

In addition to reading 'On Death' for the ways that it linked to a project well underway of making Biko a martyr, chapter five also includes a reading of the original interview from which 'On Death' was drawn. 'On Death' was edited from a longer interview given by Biko and published in *The New Republic* as 'Biko on Death'.¹⁰¹ In addition to showing how the dominant analysis of 'On Death' was set up as a critique of the apartheid state's history, I argue that it is necessary to read 'Biko on Death' as Biko's history of the broader network of police power. 'Biko on Death' analyzed apartheid's project of fear and intimidation, not just a death scene as in 'On Death'. Contained in 'Biko on Death' is Biko's broader analysis of the politics of fear and death and its relation to the transformative project of Black Consciousness.

¹⁰¹ *New Republic*, January 7, 1978

Chapter Two: Steve Biko's Death in Context

This chapter describes the political conditions and context that helped provide the background for historical arguments about Steve Biko's death in detention. It argues that Biko's death in detention sat at the confluence of shifting practices of politics in South Africa under apartheid in the 1960s and 1970s. There were two larger historical and political trends that came together at the moment of Biko's death that made it such an important event. The first was Biko's own connections to the development and elaboration of the Black Consciousness Movement. As a founding member of the Black Consciousness Movement, Biko helped to formulate an analysis of the culture of power in South Africa that presented a new method for critiquing both apartheid and colonial rule. In the late 1960s and into the 1970s, Black Consciousness provided a new intellectual and political outlook at a moment when most other major dissident political parties including the African National Congress (ANC) and the Pan African Congress (PAC) were banned by the apartheid state and forced into exile. The two years surrounding Biko's death left a clear picture of the importance Black Consciousness had in South Africa. The 1976 youth uprisings in Soweto and other parts of South Africa emerged in part from astute readings of the theoretical concepts of Black Consciousness, and in the immediate aftermath of killing the most symbolic leader of Black Consciousness philosophy, the apartheid state banned all Black Consciousness organizations in October, 1977.

The second important historical theme of the 1960s and 1970s was the rise of new forms of state power, and in particular police power, that emerged through

legislative, judicial, and executive restructurings. In the early-1960s in the immediate aftermath of the Treason Trial (1956-1961) and around the time of the Rivonia Trial (1963-1964), the apartheid state changed its methods for dealing with political dissidents. Laws were passed to permit extensive periods of detention without trial, massive amounts of money and training went into the development of a security police force, and the state itself extended the use of censorship to limit access to the details of what happened to political dissidents and detainees.¹ The conditions and causes related to Biko's death – banning orders, repeated arrests, torture and death in detention, inquest investigation with obscured details – can be seen as examples of a series of increasingly destructive interactions between the security apparatus of the apartheid state and political dissidents.

In the first part of this chapter, I offer a brief discussion of the emergence of Black Consciousness as a political and cultural philosophy in the 1960s and 1970s, pointing out Biko's own important connections to these developments. In the second part I trace some of the shifting practices of state security practices in the 1960s and 1970s. Although I refer to the importance of these larger historical themes, this chapter is not an attempt to show that the state was always successful in utilizing its techniques of power, or in showing that Black Consciousness was the only expression of political thought in the 1960s and 1970s. Instead, it uses these two themes to present a broader background that figured into how historical arguments about Biko's death were materialized and developed over the subsequent three decades. My intention in this

¹ Christopher Merrett, *A Culture of Censorship: Secrecy and Intellectual Repression in South Africa*. Cape Town: David Philip, 1994.

chapter is to offer a cursory explanation of Biko's connections to the Black Consciousness Movement and to point out that his death in detention was not a spontaneous event, but one linked to changing state practices for dealing with political dissidents. To conduct this analysis, I have chosen a relatively small but important sample of secondary and primary sources that discuss these two historical themes. In the discussion of the changing state practices related to the enhancement of the security police, I use studies that were written contemporaneously with the legislative changes,² that are specifically about the South African police forces,³ or that reflect on the techniques and practices of torture that were used by the security police.⁴

Steve Biko and the Black Consciousness Movement

In the mid- to late-1960s, Steve Biko became deeply immersed in student politics while studying medicine at Natal University. In addition to taking part in campus activism in Natal, he was also involved with the National Union of South African Students (NUSAS), a liberal student organization that pressed an agenda of non-racialism. NUSAS, although able to provide a significant political outlet for political organization, was dominated by white liberals who, Biko and others thought, came to speak on behalf of the interests of the organization's black membership. In 1968 and 1969, Steve Biko helped to facilitate a split from NUSAS by initiating the foundation of the South African Student's Organization (SASO), an organization that brought together and represented the interests of black students.

² Including Albie Sachs, *Justice in South Africa*, Berkeley and Los Angeles: University of California Press, 1973

³ John D. Brewer, *Black and Blue: Policing in South Africa*. Oxford: Clarendon Press, 1994

⁴ Don Foster, et.al., *Detention and Torture in South Africa: Psychological, Legal, and Historical Studies*. Cape Town and Johannesburg: David Philip, 1987; Bizos, *No One To Blame?*

Upon its formation, Biko travelled to campuses around the country organizing on behalf of SASO, and the organization quickly grew into one the most important forums for political and social opposition in South Africa.⁵ Biko served as SASO President in 1969 and was replaced in the position in 1970 by his friend and colleague Barney Pityana. At the same time, Biko began writing under the pseudonym 'Frank Talk' in a column titled 'I Write What I Like' in the SASO newsletter. In this forum, Biko articulated many of the core arguments of Black Consciousness, pieces that were later featured in Biko's posthumously published book *I Write What I Like*. In addition to working on campuses, SASO also actively engaged in community work and development projects in order to expand its message of change beyond the confines of student life.⁶

In 1972, Biko was expelled from Natal University for his political work, and soon after he assisted in establishing the Black People's Convention (BPC), an organization that brought together black political and cultural groups working around the ideas of Black Consciousness.⁷ In that same year Biko became a staff member at the Black Community Programmes in Durban where he completed community outreach programs including working with young people on leadership training and conscientization.⁸ In 1973, the apartheid state issued Biko a banning order and sent him to live in his designated home district of King Williams Town. The banning order made it illegal for Biko to be quoted, for him to speak publicly, or to meet with more than one

⁵ C.R.D. Halisi, *Black Political Thought in the Making of South African Democracy*. Bloomington and Indianapolis: Indiana University Press, 1999, p.105.

⁶ Michael Lobban, *White Man's Justice: South African Political Trials in the Black Consciousness Era*. Oxford: Clarendon Press, 1996, p.24

⁷ Bernstein, p.8

⁸ Wilson, p.34

person at a time. In a sense, the banning order attempted to create a type of intellectual and social death for political dissidents.⁹ Despite his order, Biko remained politically active, and helped to form community programs that embraced the Black Consciousness Movement's interest in public engagement and education. In the Ginsberg Township that neighbored King Williams Town, for example, Biko helped to establish the Zanempilo Clinic that offered medical care to the surrounding community.¹⁰

In 1974, members of SASO and BPC organized rallies that celebrated the successes achieved by the Liberation Front of Mozambique (FRELIMO) in liberating Mozambique from Portuguese colonial rule. Shortly after the two rallies were held on September 25, 1974, police arrested twenty-nine leaders from SASO and BPC.¹¹ Nine of those arrested were held for trial that, while superficially was about convening pro-FRELIMO rallies, was in effect a trial of the broader Black Consciousness Movement.¹² The lawyer for the defendants, David Soggot, called on Biko to provide testimony for the defendants, and under the pressure of speaking on a witness stand, Biko gave an extended explanation and defense of Black Consciousness.¹³ The use of a political trial by the apartheid state amounted to a deeper recognition of Black Consciousness' growing importance. Although all of the defendants were found guilty and sentenced to

⁹ "In the Land of a Banned Man," Reverend David Russell, August 8, 1973. BC 1092 – Noel Robb Papers – Black Sash Monitoring, University of Cape Town Manuscripts and Archives.

¹⁰ See further discussion of these projects in Mamphela Ramphele, "Community Life in King." *Across Boundaries: The Journey of a South African Woman Leader*. New York: The Feminist Press, 1995.

¹¹ Michael Lobban, *White Man's Justice: South African Political Trials in the Black Consciousness Era*. Oxford: Clarendon Press, 1996, p.22.

¹² Lobban, p.22

¹³ Biko's testimony was published after his death in Millard Arnold, ed. *Steve Biko: Black Consciousness in South Africa*. New York: Vintage Books, 1978.

five or six years on Robben Island,¹⁴ the trial did reveal in greater detail elements of the Black Consciousness project and Biko's own critical role in shaping and articulating its ideas.

The aftermath of the Soweto and other uprisings that emerged in South Africa in 1976 and 1977 further enhanced the importance of Black Consciousness. The Cillie Commission, convened in July of 1976 to investigate the Soweto uprising, for example, acknowledged the importance of Black Consciousness and its composite of organizations in creating a mental outlook that prepared young people to challenge the state.¹⁵ The commission's well-publicized hearings only elaborated the importance of Black Consciousness, and affirmed the movement's growing importance. In addition to the banning orders issued to people like Biko, the forums provided by the SASO/BPC trial and the Cillie Commission further raised the importance and recognition of Black Consciousness.

Soon after the Soweto uprising in August 1976, and at a moment when massive demonstrations were ongoing throughout the country, Biko was arrested.¹⁶ He was held for 101 days in solitary confinement and eventually released without being charged. Repeat arrests occurred on two separate occasions in the first part of 1977, and at the

¹⁴ Arnold, ed., p. xxxvi

¹⁵ See Part 1: "Commission of Inquiry (Cillie) of Chapter 3, "Official Stories" in Helena Pohlandt McCormick, "I Saw a Nightmare..." *Doing Violence to Memory: The Soweto Uprising, June 16, 1976*. Gutenberg E-Book, Columbia University Press, 2005. <http://www.gutenberg-e.org/pohlandt-mccormick/PM.ack.html>

¹⁶ Bernstein, p. 9

time of his arrest on August 18, 1977, charges against him stemming from the prior arrests were still pending.¹⁷

By the time of his death on September 12, 1977, Biko was widely seen as the well-known leader of the broader Black Consciousness Movement. In January 1977, the BPC had named Biko its Honorary President. This title was widely used to describe Biko in the months before his death. An article published in the *Daily Dispatch* in April of 1977 that detailed Biko's decision to reject a grant permitting him to travel in the United States referred to Biko as the "banned honorary president of the Black People's Convention."¹⁸ Another article published in the *Daily Dispatch* later that year after Biko, Mamphela Ramphele, and Thenjiwe Mtintso were arrested, referred to the trio as "black consciousness leaders."¹⁹

Biko's well known political importance as a leader of the Black Consciousness Movement also featured in eulogies circulated immediately following his death. An article published in *The Argus* two days after his death called Biko "the presiding genius of the black consciousness movement and honorary president of the Black People's Convention (BPC) until his banning."²⁰ To express the gravity of his death the article further offered the following:

Why did so many politically aware people catch their breath when told: 'Steve Biko is dead?' Some called him an intellectual giant, a young Mandela and the bright particular hope of black South Africa. What is certain is that he was something special – it is impossible to speak to those who knew him without becoming aware of that.²¹

¹⁷ Bernstein, p.10

¹⁸ "Biko No to Tour," *Daily Dispatch*, April 14, 1977.

¹⁹ "Trio face Read Act charges," *Daily Dispatch*, July 7, 1977.

²⁰ "'Something Special' about Biko," *The Argus* 14 September, 1977.

²¹ "'Something Special' about Biko," *The Argus* 14 September, 1977.

Quotations from Biko's wife Ntsiki in the days following his death also recognized Biko's connections to broader political movements.²² She stated that "I accept and believe that one has to expect casualties and more casualties to come as black consciousness progresses."²³ And in ceremonies of mourning convened immediately following Biko's death, he was referred to as the "the dead spiritual father of black awareness."²⁴

Connections between Biko and the Black Consciousness Movement were also made by members of the Nationalist Party. An article published in the *Sunday Express* on September 18, 1977 described reactions within the Nationalist Party to Minister of Justice Jimmy Kruger's famous comment that Biko's death "left him cold."²⁵ The article quoted an unnamed Member of Parliament from the Transvaal who said that:

Jim has really made a mess of things this time. He's trying to smear the Black Consciousness movement with the same brush as Black Power. Doesn't he realise that Black Consciousness is virtually the cornerstone of separate development, and that in this sense it is as important as White Consciousness.²⁶

Despite this misreading of the content of Black Consciousness as a core project of separate development, it did signal a cognizance of Biko's larger connections to the Black Consciousness Movement.

Steve Biko's important connections to the broader actions and ambitions of the Black Consciousness Movement were created throughout the 1960s and 1970s and then

²² See the discussion in Chapter one about the relationship between Steve and Ntsiki Biko.

²³ "My husband Steve – by Mrs Ntsiki Biko," *Daily Dispatch* 15 (?) September, 1977.

²⁴ "Day of Mourning for Biko," *The World*, September 21, 1977.

²⁵ See discussion of Kruger's remarks in Donald Woods, *Biko*, p.214.

²⁶ Hugh Murray, "Nats angry over Kruger" *Sunday Express* September 18, 1977.

continuously affirmed following his death in detention. The unique political, social, and cultural importance of the Black Consciousness Movement helped to bring about significant change in the 1970s, and by the time of Biko's death, there was a broadening sense of the movement's unique challenges to apartheid. Although other political activists had been killed in the custody of the security police, none had the same status as Biko. Biko's scale of importance made discussion of his death an important reference point for evaluating the extent to which the apartheid state would go to crush dissent. In addition to Biko's deep importance to the Black Consciousness Movement, his death also pointed to the shifting forms of police power that were considered to have caused Biko's death.

Changing Forms of Police Power in the 1960s

Steve Biko's death in detention and the subsequent investigation into the causes of death were both indicative of a broader history of changing forms of police power and judicial procedure in South Africa. Changing legislation around issues of detention practices in the 1960s signaled a much broader shift in the importance placed on the state security apparatus, and an increase in the power of the security police. In the early 1960s John Vorster, Minister of Justice, Police and Prisons restructured the national police forces, and especially the security branch. Vorster's decision was in part a reaction to the failed investigations leading up to the Treason Trial of 1961,²⁷ but also connected to a growing formation of power that sought to recognize and control perceived internal and external threats to the apartheid state. After the ANC announced

²⁷ Padraig O'Malley, *Shades of Difference: Mac Maharaj and the Struggle for South Africa*. New York: Penguin Books, 2007, p.118.

the beginning of armed struggle in late-1961, new legislation passed that drastically altered practices of detention. The new legislation came to include the Sabotage Act of 1962 which permitted the use of house arrest, the 90-day detention law of 1963 that allowed the police to hold detainees without access to the outside court system, and in 1965 an extension of the 90-day law to a detention period of up to 180 days.²⁸ Detention laws were amended again in 1967 with the introduction of section 6 of the Terrorism Act that permitted unlimited detention without trial.

The changes in legislation during the 1960s brought about a new period in which the torture of detainees became commonplace during long periods of imprisonment without trial. Under Vorster's administration as Minister of Justice and later as Prime Minister, the power of the security police increased after he made his friend H.J. van den Bergh head of the Security Branch.²⁹ During this time, the Security Branch transitioned from operating as a detective service to a central fixture of secret policing. Members of the security forces skilled at extracting confessions were sent to France and Portugal where they studied techniques of torture.³⁰ In 1968, van den Bergh was named head of the recently formed Bureau of State Security (BOSS), an organization that coordinated internal and external security, reported directly to the Prime Minister (at that time Vorster), and was able to function without having to report on its activities or finances.³¹ BOSS coordinated intelligence gathering between the

²⁸ Bizos, p.3

²⁹ Albie Sachs, *Justice in South Africa*, Berkeley and Los Angeles: University of California Press, 1973, p.242. Sachs notes in his discussion of the security police that Vorster and van den Bergh had come under investigation by the special branch during World War II for their role in pro-German Afrikaner sabotage and insurrectionary movements, p.242.

³⁰ O'Malley, p.118

³¹ Sachs, p.243

Security Branch and the military, and operated separately from the Security Branch.³² 54

Soon after the formation of BOSS, the Official Secrets Act of 1956 was updated to make it illegal “for any person to possess without authorisation any information relating to any military, police, or security matter,” laws that prevented “publication in the press or mention in court of any activity of the security police or the Bureau of State Security; thus an ex-detainee could be prevented from giving evidence of alleged torture or other irregularities.”³³

In addition to the passage of legislation regarding detention practices and the reorganization of the police services to grant further power to the security police, the judiciary also began to make decisions that further supported the security police’s actions.³⁴ Albie Sachs’ study of the justice system in South Africa noted that the South African Judiciary had been, before 1963, praised by lawyers within and outside South Africa for its decisions regarding executive power.³⁵ Although the judiciary had created a favorable outcome on behalf of the accused during the 1961 Treason Trial, starting in 1963 the Judiciary began to make a series of rulings which “suspended habeas corpus and drastically curtailed the rights of individuals” while ruling in favor of the security police’s practices.³⁶ The judicial decisions came at the same time as the implementation of the above-mentioned security laws that enabled the use of detention for extensive periods of time.

³² John D. Brewer, *Black and Blue: Policing in South Africa*. Oxford: Clarendon Press, 1994, p.253.

³³ Sachs, p.243

³⁴ Sachs, p.250

³⁵ Sachs, p.243

³⁶ Sachs, p.243

The early 1960s were a time when the South African state readjusted its techniques for responding to perceived expressions of dissent. Executive reorganization, legislative adjustments, and judicial endorsement for new laws combined to provide the institutional precedent for reacting to political dissent. This progression of state power, and particularly police power, helped to enhance the apartheid project as it continued to take shape in the 1960s. Controlling power during the early moments of apartheid in the 1950s succeeded by filling the state bureaucracies with Afrikaners sympathetic to the Nationalist Party and adjusting parliamentary seats and voting participation to ensure reelection.³⁷ These actions in tandem with the broader implementation of apartheid policies helped to sustain the power of the NP, but they lacked the same interior power of police enforcement that developed in the early-1960s. The Treason Trial, first undertaken after the arrests of 156 opponents of apartheid in 1956, ended with an acquittal in 1961. The Rivonia Trial of 1963 ended in finding nine defendants guilty, and eight of them were sentenced to life imprisonment on Robben Island. Although the trials posed a manifestation of state power, they also left space for the expression of political dissent.³⁸

Under the new security legislation of the 1960s, a larger shift was undertaken that made state control over dissent more surreptitious and covert. Detainees began dying in detention with increased frequency, often in instances where torture was used.³⁹ In 1963, 1964, and 1965 two detainees held under security legislation died in

³⁷ Beinart, pp.142-43.

³⁸ Catherine M. Cole, *Performing South Africa's Truth Commission: Stages of Transition*. Bloomington and Indianapolis: Indiana University Press, 2010, p.58

³⁹ It is more difficult to quantify the number of detainees who were brought in for interrogation without trial during the 1960s, see Don Foster, et.al., *Detention and Torture in South Africa: Psychological*,

each year; in 1966 there were four deaths; in 1967 and 1968 there was one death in each year; in 1969 there were eight; and in 1971 there was one death. One of the first deaths in detention under the changed security laws was that of Looksmart Solwandle Ngudle a commander in Umkhonto weSizwe (MK) who was detained in 1963. An inquest – a legal requirement to investigate unnatural deaths – was held to define the causes of Ngudle’s death. During the inquest, the security police alleged that Ngudle committed suicide in his prison cell after giving statements that incriminated his colleagues.⁴⁰ The argument rendered during the Ngudle inquest – that suicide was the outcome of betrayal – was recycled during subsequent inquests into the deaths of other detainees.⁴¹

In the 1970s, the security police used raids and arrests of political dissidents in increasing numbers. During and after the Soweto uprising of 1976, arrests and subsequent deaths of detainees continued to grow in number. In 1976 alone there were twelve deaths of detainees, eleven of which came after the June uprising. Steve Biko’s death in detention in September of 1977 was the eleventh of that year.⁴² Biko’s detention and death emerged out of a longer history of changing forms of state power under apartheid. Biko was arrested by members of the security police and held under Section 6 of the Terrorism Act which permitted him to be detained without the filing of

Legal, and Historical Studies. Cape Town and Johannesburg: David Philip, 1987. O’Malley has written that “[b]etween 1960 and 1990, the systematic and extensive use of detention without trial became commonplace. During that period approximately eighty thousand people were detained, of whom about ten thousand were women and fifteen thousand were children and youths under the age of eighteen.”, O’Malley, p.119.

⁴⁰ Bizo, p.11

⁴¹ Bizo, p.13

⁴² These deaths were documented by organizations like the South African Institute of Race Relations. In a press statement released in October of 1977, the Institute called for a judicial commission of enquiry to examine the deaths of detainees. Their statement referenced eight different detainees or who had died in police custody, and posed what were seen as the unanswered questions about the conditions of these deaths. “Press Statement – Deaths in Detention,” BC1148 HW van der Merwe Papers, Box 12, File C, Death of Steve Biko, Obituaries and Comment, University of Cape Town Manuscripts and Archives.

charges. Like others before him, Biko was subjected to torture, and his death was explained through an inquest in which the responsible security police offered fabricated details of the causes. Thus, while Biko's importance as a political leader may have exceeded that of other political dissidents who died in detention, the methods through which the death occurred were consistent with new techniques of police power.

The Biko Inquest

The inquest into Biko's death was convened through the same judicial procedures as the other inquests described above. Like these earlier inquests, it came at a time when information, and particularly information about detainees arrested under the security legislation, was difficult to uncover. The inquest provided a space for the police to offer their history of Biko's arrest and death, and although many knew that the police would utilize the space of the inquest to offer fabricated details, it did offer a moment to challenge both the claims and actions of the state.⁴³ The police witnesses who offered testimony during the inquest included members of both the security police and regular policemen who held Biko at the Walmer Police Station. Members of the security police included the Chief of the Security Police in the Eastern Cape Colonel Pieter Goosen in addition to Major Harold Snyman, Captain Daniel Siebert, Warrant Officer Rubin Marx, Warrant Officer Jacobus Beneke, Detective Sergeant Gideon Nieuwoudt, and Lieutenant Eric Wilken.⁴⁴ The policemen from Walmer included Warrant Officer Fouché and Sergeant P.J. Van Vuuren.

⁴³ Oral Interview: George Bizos, May 13, 2008

⁴⁴ These are the ranks of the officers at the time of the inquest.

According to the police's version of events, Biko was arrested on August 18, 1977 while returning by car from Cape Town along with his friend and colleague Peter Jones at a roadblock in Grahamstown. Their vehicle was stopped by Lieutenant Oosthuizen of the security police, and both Jones and Biko were arrested. Biko was taken to the Walmer Police Station in Port Elizabeth on the 19th where he was held under Section 6 of the Terrorism Act.⁴⁵ Biko was kept in the cells at Walmer between the 19th of August and the 6th of September when he was removed to the headquarters of the security police in the Sanlam Building in downtown Port Elizabeth. Biko was kept in room 619 overnight, and on the morning of the 7th, Snyman, Siebert, Marx, Beneke, and Nieuwoudt arrived to begin an interrogation. According to testimony given by Goosen during the inquest, Biko threw a chair at and attacked Beneke. The other members of the police, he claimed, rushed to Beneke's defense and used force to subdue Biko and replace his handcuffs and leg irons.⁴⁶ Later that day, one of the District Surgeons, Dr. Ivor Lang, was summoned by the security police to exam Biko. He signed a medical certificate stating that he could not find evidence of physical abnormality.⁴⁷ Lang returned on September 8th, and requested the consultation of the lead District Surgeon, Dr. Benjamin Tucker. Biko was transferred to a prison hospital and was examined by a consulting physician Dr. Colin Hersch who requested that a lumbar puncture be performed on the following morning.⁴⁸ On the night of September 8th, Biko was repeatedly found by a prison warder, Coetzee,⁴⁹ to exhibit erratic behavior

⁴⁵ Bernstein, p.31

⁴⁶ Wilson, p.73

⁴⁷ Bernstein, p.32

⁴⁸ Bernstein, p.32

⁴⁹ Coetzee is named in Woods, *Biko*, p.272.

– twice Biko was found lying in a bathtub fully clothed, the first time with water in the tub, the second time it was empty.⁵⁰ The lumbar puncture was performed on the morning of the 9th and the sample was sent for testing under the name of ‘Stephen Njelo’. The results issued on the 10th showed the presence of blood cells in the cerebro-spinal fluid, and a consulted neuro-surgeon, Dr. Keeley, suggested over the phone that Biko be kept under observation.⁵¹ On September 11th, Biko was transferred from the prison hospital back to the Walmer Police station where he was left in a prison cell. Soon after, a prison warder found Biko with foam at his mouth, and Goosen was contacted.⁵² That afternoon, Tucker again examined Biko, and agreed to Goosen’s plan to transport Biko to a prison hospital in Pretoria. Biko was put into the back of a Land Rover and transported 740 miles to Pretoria where he died soon after arriving on September 12th.⁵³

Despite a massive amount of holes in their argument – arguments that are examined in subsequent chapters of this dissertation– the Presiding Magistrate for the inquest, Marthinus Prins, found that “[t]he cause or likely cause of Mr. Biko’s death was a head injury, followed by extensive brain injury and other complications including renal failure. The head injury was probably sustained on the morning of 7 September during a scuffle with Security Police in Port Elizabeth. The available evidence does not

⁵⁰ Bernstein, p.32

⁵¹ Bernstein, p.32

⁵² Bernstein, p.33

⁵³ Bernstein, p.33

prove that death was brought about by an act or omission involving an offence by any person.”⁵⁴

The State’s Reactions to Biko’s Death – Detention and Death in the 1980s

Although Biko’s death brought the state under heavy criticism, it did not end the combined practice of killing detainees and subsequently utilizing judicial procedure to evade responsibility for the deaths. The conditions of detention revealed during the Biko inquest directed rising levels of criticism to state practices, and as a result a commission of inquiry called the Rabie Commission was formed to investigate detention practices.⁵⁵ This commission of inquiry, like the Biko and other inquests, was held to allow the state to make a claim to its own legitimacy.⁵⁶ The pressure to reveal details about what was taking place behind the closed doors of the security branch also came at a moment when the apartheid government as a whole was coming under pressure in the fallout from the Information Scandal.⁵⁷ In 1978, John Vorster retired as Prime Minister, and a year later resigned from his position as State President after it was revealed that he had used government money to support propaganda campaigns. In the wake of Soweto, Biko’s death, and the Information Scandal, the apartheid state was under increased pressure to provide further details about their activities. The Prime

⁵⁴ Quoted in Bernstein, p.115

⁵⁵ Foster, p.30

⁵⁶ For a similar discussion, see Helena Pohlandt-McCormick. *‘I Saw a Nightmare...’ Doing Violence to Memory: The Soweto Uprising, June 16, 1976*. Gutenberg, Columbia University Press, 2005. See also, Adam Ashforth, *The Politics of Official Discourse in Twentieth-Century South Africa*. Oxford: Clarendon Press, 1990.

⁵⁷ Bizos, p.102

Minister who took over for Vorster, P.W. Botha, recognized some of this and pressed for superficial reforms in state practices.⁵⁸

Included in Botha's reforms was the convening of a commission to investigate detention practices. Chaired by Justice P.J. Rabie in 1982, the Rabie Commission created a report that responded to what it considered to be pressing critiques of detention practices. Its conclusions were farcical. In hearings that were held *in camera*, the Commission heard testimony from supporters of the state's methods of detention including magistrates, policemen, and inspectors.⁵⁹ No detainees, current or former, offered testimony, and the Commission concluded in its report that detention practices, including Section 6 of the Terrorism Act were acceptable forms of state security practice.⁶⁰ Critics of the report argued that no recommendations were made that created safeguards for interrogated detainees, nor were actual techniques of interrogation and questions of evidence obtained from detainees held in solitary confinement discussed.⁶¹

Two days after the Rabie Commission's report was published, Dr. Neil Aggett, a medical doctor and trade union activist,⁶² was found dead in his prison cell after spending seventy days in detention. Aggett was the first white South African to die while held under the security laws.⁶³ At the end of 1981, Aggett was arrested and subjected to torture. His death was ruled a suicide, and lawyers representing the Aggett family during the subsequent inquest strategically decided to accept this as the cause of

⁵⁸ Foster, p.30

⁵⁹ Bizos, p.102-103

⁶⁰ Foster, p.32

⁶¹ Foster, p.32

⁶² In the Transvaal Food and Canning Worker's Union

⁶³ The close proximity of the report's publication and the death of Aggett is noted by both Bizos and Foster.

death in order to prove that police torture had caused Aggett's actions.⁶⁴ The details of torture and abuse revealed during the inquest into Aggett's death, and the subsequent and unsurprising decision to clear the security apparatus of fault in causing the death exposed in clear terms the limits of the Rabie Commission and its recommendations. The backlash against Aggett's death, and the continued agitation around explanations for Biko's death, caused the apartheid state bad publicity at a moment when the state tried to maintain claims to legitimacy.

In the aftermath of Aggett's death, the apartheid state's tactics for dealing with political detainees shifted so that dissidents were more frequently killed in secret, and subsequently 'disappeared' through secret burials and other forms of corporeal destruction. This method of dealing with dissidents took hold in the 1980s, and eliminated, from the perspective of the state, the difficult details that emerged through formal inquests.⁶⁵ The shifting approaches in dealing with political dissidents also stemmed from a broader change in state doctrine towards countering real and imagined resistance to the South African state. Implemented under Prime Minister P.W. Botha, the 'total strategy' was a state policy that worked to respond to the threat of internal and external challenges to apartheid.⁶⁶ The 'total strategy,' first implemented in 1978, claimed that South Africa was in a state of war against external and internal insurrection.⁶⁷ The emergence of independent states on South Africa's borders in the late-1970s and the rise of internal challenges throughout the 1970s led to these new

⁶⁴ Bizos, p.105

⁶⁵ Bizos, p.132

⁶⁶ Ashforth, *The Politics of Official Discourse*, p.202.

⁶⁷ William Beinart, "Political and Collective Violence in South African Historiography." *Journal of Southern African Studies*. Vol. 18, No.3, 1992. 455-486.

strategies, which were both militarily and politically based, for ensuring the maintenance of the apartheid state.⁶⁸ Mobilizing around the sense that apartheid was under increased pressure from threats of destruction, detention practice within South Africa increasingly utilized patterns of secrecy and violence, further extending the forms of abuse witnessed during Biko's death.

Conclusion

In many regards Biko's death, both in terms of the causal factors and the procedures through which the state concealed its culpability, was similar to experiences of other detainees. The great notoriety that Biko's treatment gained emerged from the scale of his political importance, and out of the distinct moment in which his death occurred. In this way, the combination of events surrounding Biko's death stood as a reference for a broader composite of violent state practices that shaped historical arguments about the 1970s.

⁶⁸ Robert Davies and Dan O'Meara, "Total Strategy in Southern Africa: An Analysis of South African Regional Policy Since 1978." *Journal of Southern African Studies*. Vol.11, No.2, 1985. 183-211.

Chapter 3: Nakedness and the Reconstruction of Steve Biko's Death

On the first day of the inquest into Steve Biko's death, a lawyer representing the Biko family referenced a report filed on September 2, 1977 by a government magistrate who had visited Biko at the Walmer Police Station.¹ The magistrate asked if the prisoner had any complaints and Biko responded, "I ask for water to wash myself with and also soap, a washing cloth and a comb. I want to be allowed to buy food. I live on bread only here. Is it compulsory for me to be naked? I am naked since I came here."² When questioned about Biko's nakedness, the security police stated that they had never interrogated Biko while he was naked, denied that nakedness was a form of torture, and claimed instead that Biko was kept naked to prevent him from using his clothing to commit suicide. Unlike the security police the Biko family's lawyer, Sydney Kentridge, argued that Biko's nakedness proved that torture and humiliation had occurred, that this torture led to Biko's death, and that the police were accountable for these actions. A line of argument - substantiated by evidence of Biko's body - was opened that disputed the denials of the security police and defined a reconstruction of events in which a politically illegitimate apartheid state permitted the torture of detainees to the point of death.

¹ Biko was held in a cell at the Walmer Police Station just outside of Port Elizabeth, and was interrogated in the Sanlam Building, an office building that housed the headquarters of the Eastern Cape Branch of the security police, in downtown Port Elizabeth. Biko was held under Section 6 of the Terrorism Act of 1967 which permitted detainees to be held without charges. The act also stipulated that a Magistrate would visit detainees every two weeks - September 2 was two weeks after Biko's arrest on the night of August 18, 1977.

² Originally recorded by a magistrate who visited Biko at Walmer police station on September 2, 1977, the quote has been frequently repeated in a variety of works. Reference to Biko's nakedness was also included in the initial legal appeals contesting the circumstances of his death. See A 1931 – Ernie Wentzel Papers – University of the Witwatersrand Historical Papers, FA 3.2.1 – Counsel's Submissions on Behalf of the Biko Family.

On September 12, 2007, exactly thirty years after Biko's death, South Africa's then president, Thabo Mbeki, delivered the eighth annual Steve Biko Memorial Lecture at the University of Cape Town.³ In his lecture Mbeki commemorated Biko's contributions to the struggle for liberation and contextualized Biko's political philosophies within the broader calls to dismantle apartheid. While describing Biko's sacrifices, Mbeki reconstructed a history of Biko's detention that interpreted the meaning of nakedness. Mbeki stated that:

Steve is reported as having said to his killers: "I ask for water to wash myself with and also soap, a washing cloth and a comb. I want to be allowed to buy food. I live on bread only here. Is it compulsory for me to be naked? I am naked since I came here." These few and simple words which speak to the most basic human needs, tell everything that needs to be told about why Steve Biko was right to dedicate his life to the defeat of the criminal ideology of racism, to liberate our country from the clutches of racist fanatics to whom the souls of black folk meant nothing.⁴

Within a lecture that claimed Biko as a founding member of the post-apartheid nation, Mbeki defined for listeners what he saw as a brutal system that Biko both experienced and helped to dismantle. Here, for Mbeki, evidence of nakedness supported claims about the depth of Biko's sacrifices.

This chapter analyzes the ways in which the evidence of nakedness has been utilized in histories of Biko's death developed over the last three decades. It argues that the evidence of nakedness, a physical condition specifically linked to acts of torture and

³ I turn to a more extensive discussion of these lectures, including the one given by Mbeki, below.

⁴ Thabo Mbeki, "Steve Biko Memorial Lecture", 12 September 2007. Mbeki drew the reference from the work of Wendy Orr. In the prior sentence that opens this quote, Mbeki said "Dr Wendy Orr has written in the *Sunday Independent* that in the Steve Biko file kept at the headquarters of the Department of Justice, Steve is reported as having said..." Orr also drew on the original Magistrate's report during the special health sector hearings of the TRC on June 17, 1997. She noted that "I have had access to Steve Biko's files in the Department of Justice in Pretoria and I'd like to read, just very briefly, from a magistrate's report." After this, she read the quotation from Biko. Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

humiliation, provided an important point of access to consider the conditions and meaning of Biko's death in detention. The different interpretations of Biko's nakedness – the security police's claims that they were helping Biko, Kentridge's allegations of torture, and Mbeki's metaphors for apartheid – were each affixed to particular strands of political thought and action. By attempting to deny the harmful nature of Biko's nakedness the security police argued that apartheid was a just form of government; by proving that nakedness amounted to a form of torture Kentridge showed that the apartheid state was illegitimate; and by talking about Biko's mistreatment Mbeki imagined a pantheon of anti-apartheid heroes that included Biko and the broader Black Consciousness Movement. This chapter pursues these and other references of Biko's nakedness to advance the larger argument of the dissertation, namely, that historical arguments about Biko's death permitted people to couple analyses of the meaning and practices of violence under apartheid with their own political causes.

This chapter examines how different commentators – the security police, journalists, biographers, politicians, theologians, novelists, and others – have used the evidence of Biko's nakedness to reconstruct histories of his death. Knowledge of Biko's nakedness originated in his own voice, and as evidence conveniently had both a defined starting (Biko's imprisonment) and ending point (Biko's death).⁵ Although autopsy images showing Biko's unclothed corpse were widely disseminated after his

⁵ The difference between 'naked' and 'nude' is a topic of continued analysis and debate. In his widely cited study from 1953, Kenneth Clark opened by stating that "To be naked is to be deprived of our clothes, and the word implies some of the embarrassment most of us feel in that condition. The word 'nude,' on the other hand, carries, in educated usage, no uncomfortable overtone." Clark, *The Nude: A Study in Ideal Form*. Princeton: Princeton University Press, 1953, p.3. For a more recent study, see Ruth Barcan, *Nudity: A Cultural Anatomy*. Oxford and New York: Berg, 2004.

death,⁶ these offered images of a dead, not a naked body.⁷ Whereas the autopsy photos showed the absence of life through the presence of a dead body, Biko's nakedness invoked a living body defined through the absence of clothes and the presence of torture, forcing a consideration of both Biko's physical condition and mental status. I am interested in how commentators have interpreted Biko's enforced nakedness, and in particular, how their consideration of nakedness also depended upon an analysis of the particular strategies used by the security police to torture detainees like Biko.⁸ In this, Biko's nakedness as a condition and as an idea shared a great deal with other incidents of this most basic and widely used form of torture and humiliation.⁹

⁶ Notably, these photos along with other materials related to Biko's death produced by the apartheid state were destroyed during the period of 1990-1994. Shannen Hill read these autopsy images in her article "Iconic Autopsy: Postmortem Portraits of Bantu Stephen Biko," *African Arts*, Autumn 2005, pp. 14-25 and 92-93. At one point, the autopsy photos were available at the Mayibuye Archives at the University of the Western Cape, but have since been removed. The images were also utilized in Krista Blair, "'In the House of My Father': Samora Biko, and the Burden of Memory. The TRC, Trauma, and the Representational Limit in Post-Apartheid South Africa." M.A. Thesis, University of the Western Cape, 2002.

⁷ See also, Elizabeth Klaver, *Sites of Autopsy in Contemporary Culture*. Albany: State University of New York Press, 2005.

⁸ There are other forms of nakedness that come to invert the subjectivity of nakedness in which the naked person gains power over those who gaze at them. Misty Bastian discusses this, among other topics, with her reference both to the Igbo Women's War of 1929 and the more recent protests against ChevronTexaco in 2002 in her chapter "The Naked and the Nude: Historically Multiple Meanings of *Oto* (Undress) in Southeastern Nigeria," in *Dirt, Undress, and Difference: Critical Perspectives on the Body's Surface*. Bloomington: Indiana University Press, 2005.

⁹ The examples are too numerous to list, but often occur(ed) in highly visible ways under periods of authoritarian rule. From Nazi concentration camps, to the torture of members of the Algerian national liberation movement, to torture in various parts of Latin America, to recent examples at Abu Ghraib and Guantanamo, forced nakedness has been central to practices of torturing detainees, see William F. Schulz, ed. *The Phenomenon of Torture: Readings and Commentary*. Philadelphia: University of Pennsylvania Press, 2007. In the context of colonial Africa, imperial rulers used reference to the 'nakedness' of subject populations to legitimate colonial power, see Philippa Levine, "States of Undress: Nakedness and the Colonial Imagination," in *Victorian Studies*, Vol. 50, No.2, Winter 2008, pp.189-219. Steve Biko also made reference to the humiliation of nakedness while giving testimony during the SASO/BPC trial. He offered that "you are made in some instances to stand naked in front of some doctors supposed to be running pus off you, because you may be bringing syphilis to the town he tells you. Now it is inhuman the way it is done. Three people are lined up in front of him, all naked, and he has just got to look at all of you. Now I must feel that I am being treated as an animal, and as you enter the room where this is done in Durban there is a big notice saying: "Beware – Natives in a state of undress". Now one must feel that you know, it is not just the application of a good law; somehow there seems to be a certain infringement – calculation, you know, they are trying to put you in your place. I

In the first section of this chapter, I look at how the security police made sense of and confronted the evidence of Biko's naked body in their reconstructions of his death. I argue that they denied that nakedness was a form of torture, following a strand of argument that substantiated the political claims of a larger apartheid state that the security police claimed was democratic, legitimate, and unwilling to use torture and other abuses. In this section, I primarily analyze statements recorded during and immediately following Biko's detention given by members of the security police who were involved with the case,¹⁰ inquest testimony given by members of the security police, and a photo that depicted Biko's detention prepared by the security police in advance of the inquest. In these materials, the security police worked to develop explanations for keeping Biko naked that concealed their roles as perpetrators of torture. Thus, when I sorted through their explanations, I worked from the initial understanding that their analysis contained this interest in concealment, and analyzed the sources to uncover how they went about accomplishing that task. The second section looks at the arguments made by critics of both the security police and the apartheid state who revisited the history of Biko's death in the 1970s and 1980s to define 'what really happened'. In addition to the lawyers representing the Biko family at the inquest, these critics included Biko's friend Donald Woods who authored the book *Biko* in 1978. In this book, which I analyze extensively below, Woods argued that Biko was subjected to torture by the security police, and that the broader apartheid state that employed the

mean this is the problem, one does not want to argue always against the law as such; sometimes application counts a lot, and to whom it is applied. If it is applied equally, then fine." Biko, P.111, *I Write What I Like*.

¹⁰ These reports form part of the Ernie Wentzel Papers at the University of the Witwatersrand Historical Papers. Specific citations are listed below.

police was both privy to these acts of torture and illegitimate. In *Biko*, a widely distributed book that was intended for international audiences, Woods elaborated a politically liberal critique of apartheid that emphasized the system's inherent inequalities. To sustain his argument, Woods needed a history of Biko's tortured body, not only to expose the injustice of apartheid, but to also affirm Biko's new role as a political martyr.

The third section of this chapter looks at discussions of Biko's nakedness that took place during the amnesty hearings of the Truth and Reconciliation Commission. In a context where the requirements for amnesty demanded that the security police take responsibility for the conditions of Biko's detention, their failures to again explain Biko's nakedness as a form of torture, or to convince the amnesty committee of the political purposes that Biko's treatment served, factored in to their being denied amnesty. In this section, I make use of the transcripts from the amnesty hearings that were later published on the South African Department of Justice website. The fourth section examines recent reconstructions of Biko's death produced in the annual Steve Biko Memorial Lectures.¹¹ In these lectures, the presenters discussed Biko's nakedness in broadly metaphorical terms so that Biko's nakedness was made to stand in for the larger conditions of abuse permitted by the apartheid state. More than thinking about nakedness as a form of torture carried out by individual security policemen, these lectures developed a critique in which all aspects of apartheid were viewed holistically. By considering and critiquing the entire system of apartheid, these arguments intended to open up conversation about the imagination of a new national future.

¹¹ I acquired copies of these lectures from the African Studies Library at the University of Cape Town.

The Security Police and Denials of Culpability

In the weeks following Steve Biko's death in detention, the security police used multiple venues to formulate reconstructions of the event. First, while operating behind closed doors the security police worked over the evidence of Biko's imprisonment, cooperated on writing their official reports, and picked through a trail of evidence to substantiate an argument that they never harmed Biko. Second, during the inquest the security police again offered their rendition of events, often in ways that contradicted their original reports. In all of their depictions of Biko's death, the security police argued that Biko had been arrested and held for questioning, that during interrogation Biko attacked them, and that, during the scuffle that ensued, Biko hit his head. That the police strove to deny that they caused Biko's death was hardly a surprise. As I described in chapter two, the practices of the security police in the 1970s were characterized by grossly abusing detainees and managing the evidence of death to evade any accusations of responsibility. On the first day of the inquest, multiple members of the security police were asked to clarify elements of their story, and they eventually admitted that they kept Biko naked during his detention. Although a majority of their paperwork did not mention Biko's nakedness, the security police argued during the inquest that they kept Biko naked to prevent him from committing suicide with his clothing.¹²

¹² An exception comes in David Dorfling's mention of Biko's nakedness in 'David Zacharia Dorfling' FA3.2.6 – Exhibits: Statements by District Surgeons, Police Officers, Warders (Folder 1 of 2, B) in A 1931 – Ernie Wentzel Papers – University of the Witwatersrand Historical Papers. This report was issued by David Zacharia Dorfling, Lieutenant-Colonel for the Pretoria prison department. Dorfling was informed by the security police that Biko was to be kept naked to prevent suicide attempts after Biko arrived in Pretoria, naked, in the custody of the security police. Dorfling, however, was not a member of the security police and his statement reflects arguments about Biko's nakedness that were given to him rather than arguments he created on his own.

To unpack how the security police made sense of and historicized Biko's nakedness, I start my analysis with an image (Figure 1) in which Biko is fully dressed. This image, produced by the security police as a visual record of Biko's detention in advance of the inquest, reflected the mode of theorizing and manufacturing evidence that dominated their reconstructions of Biko's death. The photograph depicted a scene from Biko's detention – September 7, 1977 at 7:30 a.m. - when Colonel Goosen entered room 619 of the Sanlam Building in Port Elizabeth and found Biko on the floor, manacled to a grate and struggling against his handcuffs. The image was staged after the event of Biko's death with an actor (who is unnamed) playing the part of Biko, and was submitted during the inquest among a collection that depicted the security police's offices in the Sanlam Building.¹³ Like the written statements of the officers composed before the inquest, the image corroborated the denial that the security police interrogated Biko while he was naked.¹⁴ However, reading the photo against the composite of inquest testimony provided by the police shows that the conditions expressed in the image likely never existed as it depicted Biko clothed and uninjured.

In a report produced on behalf of The Association of Law Societies in South Africa, Sir David Napley, an observer of the inquest, summarized the security police's inquest testimony and official reports. Included in their depiction of events was the following information:

Mr. Biko was detained on the 18 August, 1977. His interrogation was commenced on the 6 September, 1977... He was deprived of his clothes; he was

¹³ In addition to being shown during the inquest, many of the photos were reprinted in newspapers including the *Daily Dispatch* and the *Rand Daily Mail* in these papers' coverage of the inquest.

¹⁴ See, for example, Snyman's statement in FA3.2.6 – Exhibits: Statements by District Surgeons, Police Officers, Warders (Folder 2 of 2), 'Majoor Harold Snyman' in A 1931 – Ernie Wentzel Papers – University of the Witwatersrand Historical Papers.

refused access to food of his own choice at his own expense. He was denied normal exercise. On the 6 of September he was interrogated, with a mid-term break, from 10.40 hours to 1800 hours according to the affidavit of Major Snyman, the Officer in charge of the interrogation. Five officers were allocated to the interrogation so that while Mr. Biko could not rest they could be working in shifts. That night he was left naked in an office as his cell, with a mat on which to sleep, with his hands handcuffed and one foot manacled to an iron grille.¹⁵

Security police testimony given at the inquest confirmed that on the night of September 6th, Biko was kept naked and in chains in security police offices at the Sanlam Building.¹⁶ Biko spent that night under the watch of a night team, including Lieutenant Winston Eric Wilken who admitted that he frequently entered the room in which Biko was chained (and naked), to look at Biko.¹⁷ When asked by Kentridge to prove that he was not in the room to interrogate and abuse Biko, Wilken responded, “I don’t know if that is an insinuation, but nothing happened. Biko was never assaulted while under my care.”¹⁸

On the morning of the 7th (when the staged picture was ‘taken’) Harold Snyman, leader of the interrogation team, returned to duty and ordered that Biko’s manacles and handcuffs be removed, after which Biko attacked the police and had to be forcibly subdued.¹⁹ Snyman stated that “[h]e jumped up immediately like a possessed man.”²⁰

¹⁵ ‘Report by Napley as independent observer’ Folder B4 of BC822 Biko Doctors Case Collection, University of Cape Town Manuscripts and Archives; also published as Sir David Napley, “Stephen Biko Inquest” in Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978, p.141.

¹⁶ The Sanlam Building is an office building in downtown Port Elizabeth where the Eastern Cape branch of the security police maintained their headquarters in the late-1970s.

¹⁷ Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978, pp.41-42.

¹⁸ Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978, pp.44.

¹⁹ That is, according to the security police’s testimony.

The police again restrained Biko with manacles and handcuffs, and stopped all interaction with Biko.²¹ At 7:30 a.m., the commanding officer Colonel Pieter Goosen arrived and found Biko with a swollen upper lip, fighting against his restraints, and talking in an incoherent and slurred voice.²² The injury to the lip was incurred during Biko's alleged attack. There was no indication in the security police's testimony that Biko was ever offered a chance to put clothes on. They admitted that Biko was naked during the night, and their testimony which stated that Biko attacked them after the removal of his restraints suggested that Biko attacked them without any clothes on.²³ Moreover, the security police account established that Biko was immediately restrained after attacking the police, and just as promptly handcuffed and manacled. There is no indication of when Biko would have been re-clothed.

In spite of the incongruities inscribed into the events, or perhaps because of the incongruities and in an attempt to cover their tracks, the police staged the photo of a clothed Biko to define the moment when Goosen arrived in room 619. According to the photograph, at 7:30 a.m. on September 7th, Biko was fully dressed in trousers, horizontally striped socks, leather shoes, a dark-colored dress shirt with collar, a patterned tie, and a vertically striped blazer. What does this photograph tell us about the relationship between the production of history and the evidence of Biko's naked

²⁰ Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978, pp.45.

²¹ Sir David Napley, "Stephen Biko Inquest" reprinted in Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978, p.141

²² FA3.2.6 – Exhibits: Statements by District Surgeons, Police Officers, Warders (Folder 2 of 2), 'Majoor Harold Snyman' in A 1931 – Ernie Wentzel Papers – University of the Witwatersrand Historical Papers; and Hilda Bernstein, *No.46: Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978, p.45.

²³ That is, if Biko attacked them at all. I am following the police's rendition of events to examine the content of their arguments.

body? Most obviously it shows how the security police concealed evidence by displaying scenarios from Biko's detention whose very likelihood was later contradicted in their inquest testimony. Although it described events that never existed the image offers insight into how they desired to have the event of Biko's death be seen. Their image foresaw how critics would later respond to their treatment of Biko, and anticipated accusations of cruelty by articulating a visual record of denial.

Perhaps as important as the security police's denial, with this constructed image, that Biko was kept naked to torture him was the desire to claim that the security police were never in Biko's presence when he was naked. During their testimony given at the inquest, the police continuously emphasized that Biko was kept naked mostly at the Walmer Police Station – a small police station manned by lower ranking police officers. While questioning Goosen during the inquest, Kentridge stated, “[w]e have been told Mr. Biko was kept naked at the police cells at Walmer. Can you confirm that? It has also been said this was by your order.”²⁴ Goosen replied, “[t]hat is so.”²⁵ Locating nakedness at Walmer not only worked to confirm a history of events in which the police did not torture Biko (nakedness was to preserve Biko), it also created physical space between themselves and Biko's naked body. The factor of space between a naked black male and a group of white Afrikaner security policemen should not be understated. Crucial to the apartheid project were notions of limiting intimate contact between races and sexes. To admit ones presence in close proximity to Biko's naked body would have been to admit to breaching a fundamental taboo of apartheid's project. In this way,

²⁴ Donald Woods, *Biko*, p.260.

²⁵ Donald Woods, *Biko*, p.260.

their attempts at composing and photographing a history of Biko's detention in which Biko was never naked made political and cultural sense. The security police needed to marshal evidence towards a denial of their own cruelty, to preserve the apartheid system and their own place within it.

Staging the photograph stipulated a visual reconstruction in which the torture and humiliation of nakedness was an impossibility. Yet, there was something greater at stake in legitimating their violence. The caption stating that "the deceased" was "shaking his fists to try and get rid of the handcuffs" established, for the security police, a supplemental account of their interactions with Biko by further defining Biko as an aggressor. Arguing that Biko initiated the violence allowed the security police to articulate an excuse for their supposed actions of self-defense. Framing a history in which Biko fought back eliminated the likelihood that he could have been a victim of the security police's violence. As such, Biko remained in their reconstructions the only participant capable of initiating violence.

By denying their involvement in torture and by reframing Biko as the aggressor, the security police used the photograph to stage a grotesque expression of their power. By assembling this image with an actor, the security police also made a more universal claim about the extent of their power in which any black male subject could be forcibly entered into the space of interrogation and violence. The specific identity of Biko's personhood, inasmuch as it connected to the presence of his body, was displaced and cast aside as irrelevant by a formulation of police power. Devoid of his own identity, the actor in this image recreated Biko's torture, meaning that the consuming violent

power of the police operated without regard for the humanity of the subject. Something similar would have been at play in the very acts of torture and humiliation during which the security police kept Biko forcibly naked. In the context of torture, Biko was stripped of his identity, reduced to a body devoid of any humanity. The act of torturing Biko and the act of staging a photograph in which an actor was clothed but anonymous played similar roles in separating the detainee's body away from its personhood and humanity.

Creating an image in which Biko wore so many clothes including a perfectly made tie after spending a night in handcuffs and leg irons was absurd. Yet, the image functioned to tell a history, a history in which the commanding officer Goosen arrived to find, not a naked Biko covered in blood and bruises, but a fully and neatly dressed Biko. The denial of nakedness as a fundamental condition of the interrogation process defined this image. The image was edited to serve a history devoid of blame, and operated within a reconstruction of events in which the security police never tortured Biko. That the "Biko" depicted in the photograph was so carefully dressed defined a process of denial, but it also made interrogation seem a largely innocuous procedure, and blamed Biko's death on his violent behavior. The interest in concealing and denying linked directly to the broader mechanics of the security police who killed detainees inside office buildings located in the middle of major cities, and then denied that any abuses took place. That the police were forthright in describing Biko's detention while eschewing any sense of personal involvement for his death echoes the core reality of apartheid in the late-1970s as a state structure clinging to a self-conscious sense of legitimacy despite its evidently illegitimate means of controlling dissent.

Biko's Nakedness in Contestations of the Security Police's Narratives

At the same time that the police built their history of Biko's detention, a group of commentators also interpreted, theorized, and made use of the evidence of nakedness within reconstructions of Biko's death. In this section, I examine the work of Donald Woods, the onetime editor of the East London *Daily Dispatch* and author of *Biko*, whose histories of Biko's death were built in reaction to the arguments of the security police. Although the security police had an ability to offer the first word on the event of Biko's death, theirs was certainly not the last. Commentators like Woods sifted through the evidence to pin responsibility for Biko's death both on the security police who directly caused Biko's death and on a more broadly conceived apartheid system that permitted such violence to take place.²⁶

Unlike the security police who denied that Biko was kept naked to humiliate him and who denied that they had ever been in close proximity to Biko's naked body, commentators like Woods who challenged the police's version of events drew close attention to the meaning of nakedness as an act of humiliation and worked to show that the police stayed in close proximity to Biko's naked body to torture him. In this regard, the shame that accompanied nakedness was analyzed by Woods within two experiential categories – first by showing the humiliation that Biko must have felt and second by

²⁶ In the submission given by lawyers for the Biko family, it was stated that “[t]he admitted assaults on [Biko's] dignity under the direction of Colonel Goosen are evidence of a callous disregard for his legal and human rights and are highly relevant in assessing the evidence of those who abused him: He was left in solitary confinement from the 19th August to the 6th September...His clothes were removed and he was left naked in his cell; he was not taken out for the minimum period of exercise in the open air; he was not allowed to purchase any food; he was not allowed proper washing facilities. His complaints to the magistrate on the 2nd September were a dead letter. The complaints did not even come to the notice of those against whom they were made.” From pages 11-12 of A 1931 – Ernie Wentzel Papers, FA 3.2.1 Counsel's Submissions on behalf of the Biko Family.

shaming those security police who took an active part in creating the humiliation.²⁷

This historical work substantiated broader political action – by espousing arguments that showed what was happening to detainees in South Africa Woods attempted to rally political support against apartheid.²⁸ Moreover, by expressing in great detail what had happened to Biko’s naked, tortured body, Woods further established Biko as a political martyr, a process that began immediately after Biko’s death.²⁹

In her study of the making of martyrs in late medieval England, Danna Pirovansky has argued that public knowledge of how martyrs actually died went far in enhancing their status.³⁰ Something similar was at stake in the aftermath of Biko’s death when he was immediately referred to as a martyr who died for the cause of liberation in South Africa and the ideals of Black Consciousness. Importantly, the presence of Biko’s battered body played a central role in defining his martyrdom.³¹ Biko’s funeral was dominated by the presence of his open casket which clearly revealed an abused and beaten body (figure 2).³² And once closed, the casket itself had a carved

²⁷ In this, I am influenced by Misty Bastian’s analysis of nakedness in “The Naked and the Nude: Historically Multiple Meanings of *Oto* (Undress) in Southeastern Nigeria,” in *Dirt, Undress, and Difference: Critical Perspectives on the Body’s Surface*. Bloomington: Indiana University Press, 2005.

²⁸ Indeed, Biko’s death and the massive reaction it incurred was cause for new international support against apartheid, and came barely a year after the Soweto uprising. The time period between the two events was marked by extraordinary upheaval, and increased detentions and deaths of dissidents. See chapter two of this dissertation.

²⁹ See, for example, coverage of Biko memorial services held in Soweto two weeks after his death when he was referred to as “the martyr of our liberation,” in “Soweto says farewell...” *The World*, September, 26 1977.

³⁰ Danna Pirovansky, *Martyrs in the Making: Political Martyrdom in Late Medieval England*. New York: Palgrave Macmillan, 2008.

³¹ Defining the battered condition of Biko’s body also occurred immediately after Biko’s death when Donald Woods accompanied Biko’s wife Ntsiki to see Biko’s body. Woods stated to reporters that he was ‘shocked and angered’ by the appearance of Biko’s body. He mentioned the extraordinary swelling of Biko’s forehead, something that was also vividly apparent during the open-casket funeral, while stating that it was unclear if the swelling was caused by injuries or by the post-mortem exam. See “Woods ‘shocked by appearance of body’” *Cape Times* September, 1977.

³² Many of the funeral images were printed in a special issue of *Drum* magazine, November, 1977.

image of Biko's head, looking proud and very alive (figure 3). The juxtaposition of images offered during the funeral demanded a comparison between the idealized living man of the past and the violated dead man of the present, a comparison that underscored the defining qualities of Biko's sacrifice. Yet, more than just showing the corpse, it was also necessary to create knowledge of how Biko had actually died to further develop his place as a martyr. Explicit references to nakedness – with all that it implied – helped establish the analytical substance for affirming his martyrdom and growing political importance.³³

Donald Woods' *Biko* worked through these questions. Woods' text was by no means the only book to discuss and sort through the details of Biko's death, nor was his critique of the apartheid state's practices by any means exclusive.³⁴ However, *Biko* was distributed widely, especially outside of South Africa, and Woods emerged as a leading advocate and spokesperson for exposing what had happened to Biko during his detention and challenging the police's version of events. *Biko* attempted to show readers a vision of life under apartheid that the South African state otherwise denied. Within the text, Woods emphasized how the security police tortured and humiliated Biko, specifically by referencing Biko's naked body.

The majority of the book's second half described Biko's final weeks of life. The chapter titled "The Inquest" discussed the Biko inquest by sorting over the available evidence about Biko's detention and making frequent reference to Biko's naked body. The historical arguments Woods constructed in relation to the evidence of Biko's naked

³³ Reference to Biko's martyrdom was also a recurring theme in interviews that I conducted, including Oral Interview: Francis Wilson and Oral Interview: Achmat Dangor.

³⁴ See Chapter one of this dissertation.

body followed a similar trajectory to those of other commentators including the lawyers who represented the Biko family. Using the paperwork related to Biko's death created by the security police, the lawyers crafted an argument to show that the police had intended to humiliate Biko within a larger practice of torture – conditions that ultimately led to Biko's death. By the time of the inquest in late 1977, Donald Woods had already been banned by the apartheid government. As a result, he was not permitted to attend the actual inquest proceedings held in Pretoria. Donald's wife, Wendy Woods, attended the inquest to write about the event and its testimonial contents. Her writing provided much of the substance for "The Inquest" chapter.

Wendy Woods opened the chapter by explaining her own disbelief in having to attend an event dedicated to Biko's death. To express the moment at which she realized that Biko was actually dead, Wendy Woods referred almost immediately to the fact of Biko's nakedness, and used Biko's voice to substantiate this knowledge:

At this stage I am not at times entirely convinced that Steve is dead and that we are all sitting here because of his death. I feel someone is going to pop his head around the doorway, smile and announce cheerfully that it has all been a good joke but it has gone far enough, and wave us all out of the courtroom. And then on that same day we heard that Steve has been kept naked in his cell for several days. We heard that when visited by a magistrate who asked him if he had any complaints, he asked for water and soap, a washcloth and a comb and said, "Is it compulsory to be kept naked? I am naked since I have been here."³⁵

Here, Biko's self-described naked body provided the evidence with which Wendy Woods explained the conditions of police violence and Biko's place within it. By joining together a history of Biko's death and its composite conditions with an exploration of how the death scene was described, Wendy Woods considered the life of

³⁵ Woods, *Biko*, p.227

detainees under apartheid. The revelation that the security police kept Biko naked to torture him pushed Wendy Woods to translate her disbelief, or desire not to believe, into an acknowledgement that Biko was actually dead. The reality of picturing Biko naked and understanding the specific methods of torture that figured into Biko's eventual death proved to be the vital transitional moment between denial and acceptance. As such, her history of the event was conditioned by her usage of the evidence of Biko's naked body. By thinking through this evidence, Wendy Woods considered both the broader conditions and methodologies of torture that the police had otherwise denied while pointing out the shocking conditions that apartheid permitted.

Wendy Woods further elaborated on this usage of evidence by linking her perspective on the deprivation associated with nakedness to a larger sentiment contained in her biographical knowledge of Biko. Speaking about the recently learned knowledge of Biko's nakedness, she wrote:

Again the blocking out process played havoc with this information. Steve drank beer, smoked cigarettes, got in and out of cars, and told people what to do. He could never have been in a position which would have caused him to utter those words. We all knew that the Security Police had killed Steve and that they would concoct a story to match the brain injuries, so the varying accounts of the alleged scuffle did not surprise us. What we were not prepared for were the admissions by Security Police that Steve had been kept at different times naked and in chains – admissions delivered from the witness stand with bureaucratic smugness and with a veneer of the defensiveness of a civil servant who admits he has filched a dozen ballpoint pens from the office. In retrospect I suppose this was the shock: that throughout the inquest we were subjected to fact after fact and we had to piece together for ourselves a cohesive story and hang on to it, knowing that the truth was there in the minds of these people, knowing that we would never hear it from them, and, knowing that, hearing them deliver their evidence with all the self-containment of men who knew that the System will never let them down.³⁶

³⁶ Woods, *Biko*, pp.227-228

In this passage, Wendy Woods offered a crucial engagement with the police's methods of manipulating evidence. She revealed what "[w]e all knew" – that the police manipulated the evidence of Biko's death to deny culpability – and showed how this knowledge of the police's methods created a demand for alternative uses of historical evidence. This passage articulated the security police's methods of interpreting both the event of Biko's death to deny complicity, and a recognition of how the police interpreted evidence. Wendy Woods showed that the police took the evidence of Biko's naked body and transformed it to meet the criteria of their arguments, showing how they utilized a "bureaucratic smugness" that made Biko's torture as basic a transgression as stealing office supplies. Wendy Woods also revealed how witnesses at the inquest like herself took the shocking evidence of Biko's body and reworked it to produce new, more cohesive versions of what happened. In this part of *Biko*, Wendy and Donald Woods structured an analysis of Biko's nakedness to contest the security police's history, but to also show more broadly that apartheid permitted a bureaucracy of concealment that went hand in hand with the increasing use of violence. Biko's nakedness, interpreted as a condition of torture, pointed out that the police were both intent on humiliating Biko and in concealing their actions.

Yet, it also invited a comparison between a vibrant, living Biko who "smoked cigarettes, got in and out of cars, and told people what to do" with a man who was forced to ask why he was being kept naked. Implicit in Wendy Woods' analysis was a positioning of the idealized Biko of the past with a Biko who was violently harmed through torture. The process of torture, in Wendy Woods' analysis, defined the transition from life to death, man to martyr. Here, the dehumanizing effects of

nakedness and torture were cast against a more humanized Biko who took part in life's daily activities.

In addition to exposing apartheid by showing that the security police produced a history of Biko's death filled with false interpretations of evidence, Donald Woods also looked in *Biko* to prove that the security police would have been in the presence of a naked Biko. Placing the security police in the presence of a naked Biko extensively refuted their denials of culpability and shamed their actions. It also changed the terms of debate to restore a sense of responsibility to the security police who otherwise denied their connections to Biko's death. Appended to the text of *Biko* was a chapter in which Peter Jones, the man who was arrested along with Steve Biko in August of 1977, described the conditions of their arrest and his own treatment at the hands of the very same security police who interrogated Biko.

Jones and Biko were returning to King Williams Town by car from Cape Town when they were stopped at a police road block in Grahamstown. Jones had worked alongside Biko in the Black People's Convention, and the two had been in Cape Town to hold a series of meetings. Although Jones did not die in police custody, the similarity between his and Biko's experiences (arrest, detention) was reworked by Woods to illuminate a set of conditions that Biko likely endured. Donald Woods included a copy of Jones' statement about detention as a type of discursive substitution for what Biko would have experienced. Since the two men underwent interrogations by the same police, the reader was asked to think through Jones' statements to access an

implied history of Biko.³⁷ As Woods wrote at the end of the passage, “[t]his account by Peter Jones, viewed in conjunction with the inquest evidence, clearly suggests how Steve Biko could have received the blows that caused his fatal brain injuries.”³⁸

The use of Peter Jones’ description of detention practices as a stand in for Biko’s experiences was not an analytical device limited to Woods’ *Biko*. While preparing for the Biko inquest, lawyers for the Biko family similarly compiled statements from other political dissidents who had been interrogated by the same security police in Port Elizabeth that caused Biko’s death. In their preparation for the inquest these lawyers, including Ernie Wentzel, George Bizos, and Sydney Kentridge, read statements from former detainees Moki Cekisani, Lizo Pityana, and Dennis Siwisa, statements that detailed interrogation and torture methods used by the security police.³⁹ The lawyers used this information to create a sense of the precedents for treating detainees that preceded Biko’s arrest and death. Woods’ use of Jones’ statement must be read as a part of a broader inquiry into the forms of police abuse that were otherwise concealed and that forced critics to compile information about detention practices from whatever sources possible.

The statement from Jones further expanded the attempt to clarify the methods of interrogation deployed by the security police, and to prove the fundamental practices

³⁷ This analytical substitution continued during the TRC when Jones testified during the amnesty hearings. The testimony of Jones was used to refute the conditions described by the security police. During the TRC, Harold Snyman of the security police confirmed that Biko and Jones were treated in an identical fashion, a statement that confirmed the reliability and importance of Jones’ prior statements.

³⁸ Woods, *Biko*, p.399

³⁹ “FA 3.2.6 – Exhibits: Folder 1 of 2,” A 1931 – Ernie Wentzel Papers, University of the Witwatersrand Historical Papers.

of torture carried out by the apartheid state.⁴⁰ For Jones, as with Biko, detention and interrogation also meant enforced nakedness, a topic that reappeared throughout his narrative. Significantly, Jones contended that nakedness was used to humiliate, not to prevent suicide as the security police argued. Moreover, much of Jones' testimony carefully refuted the arguments of the security police about where the security police kept prisoners like Biko naked. During the inquest, the police stated that Biko was mostly kept naked at the Walmer Police Station and not in their own presence. Yet in an early description of his naked body, Jones showed that the security police were in close contact with naked detainees:

Another carload of Security Police arrived and I was subjected to another search in the charge office by Nieuwoudt, who then slapped me around. Later I was taken, handcuffed, to the cells. The Security Police, six of them, threw the blanket and mats outside, except for one blanket and one mat. I was unhandcuffed and stripped naked. Immediately the six policemen began shouting abuse and hitting me, before forcing me into a shower where the cold water had been turned on full force. As I stumbled into the shower (still being beaten) I turned and grabbed the hand of Nieuwoudt and pulled him with me into the shower. This led to more severe beatings. I stood in that cold shower capable of nothing but hating them as I looked at them laughing at me. After this I was locked up in the cell. This treatment (cold showers, beatings, abuse) became routine for the next five days.⁴¹

Here Jones revealed that the security police, and in particular Nieuwoudt, were in close contact with naked detainees.

A further quote from Jones showed that nakedness was not limited to the confines of local police stations but that it was also a feature of the experience at the

⁴⁰ And also of the bureaucracy of detention – Jones, like Biko, was visited by a Magistrate on September 2, 1977. It is likely that the same Magistrate visited both men. And at the time of the visit, Jones was also being kept naked in a prison cell.

⁴¹ Woods, *Biko*, p.381-382

headquarters of the security police in the Sanlam Building in Port Elizabeth, where the security police interrogated Biko:

That night Captain Siebert entered my cell accompanied by a “Colored” Security Policeman. I was thrown my jeans and a black polo-neck T-shirt/sweater (some of the clothes I had originally had on). I put these on and was handcuffed at the back. My request for my shoes was ignored. It was very cold and both of them had thick coats on. I was taken to a car parked outside the charge office and pushed into the back. We drove at high speed to Sanlam building, where I was taken to a small office and found Major Snyman and some other Security Police there. Immediately when I entered the room I was held by several police while one of my hands was freed and my clothes taken off. I was made to sit naked on a chair with my left hand chained with the handcuff to the chair. Snyman and Siebert occupied chairs at desks respectively to the left and right of me.⁴²

This statement showed that detainees were not automatically given shirts and trousers to wear in the interrogation rooms of the Sanlam building as Snyman had suggested during the Biko inquest. It revealed nakedness, not as an innocuous condition, but as something that was intrinsic to police interrogations. In addition to being kept forcibly naked in the offices of the security police, Jones was also forced to endure continued interrogation:

Siebert had by now grabbed the “green power” hosepipe and applied it viciously to my abdomen and buttocks, and twice kicked me with his knee in my genitals – my hands were still handcuffed at the back and I was standing naked.⁴³

The statement by Peter Jones worked to further elaborate and establish as plausible the conditions and methods of detention and interrogation, and he made it possible to approximate broader conditions that Biko would have been subjected to. Here, Jones’ naked body stood in for Biko’s as comparable and interchangeable bodies, and their parallel experiences proved that the police attempted to humiliate and torture

⁴² Woods, *Biko*, p.384

⁴³ Woods, *Biko*, p.390

some detainees. Jones further challenged the police's version of Biko's death by revealing that it was the interrogating security police, and not just lower ranking policemen at police stations, who stayed in the presence of naked detainees. As I discussed in the last section, the use of historical argument by the police repudiated the notion that the security police were ever in the actual presence of a naked Biko. Not only did the police want to argue that they never humiliated detainees, but they also denied the interplay of repressed and unrepressed desires that figured into their close contact with a naked black man. The statements from Jones helped to illuminate the processes used by the security police, and used a first-person account to suggest a new history of Biko's death.

Critics like Donald and Wendy Woods, writing in the immediate and near aftermath of Biko's death, challenged the ways in which the security police reconstructed the events of Biko's death. They also adjoined their histories of Biko's death to ongoing critiques of the apartheid state while further establishing Biko as a martyr. Biko was the 46th person to die in detention after 1963, and there was an ongoing awareness among critics in both South Africa and abroad that attention had to be paid to these deaths. Indeed, in the week that Biko died, the editors of the *South African Outlook*, a liberal Christian periodical, had planned to publish a special issue dedicated to describing the deaths of detainees.⁴⁴ When news of Biko's death was announced by Jimmy Kruger, the issue was shifted to incorporate analysis of what was only the most recent death.⁴⁵ And the reaction to Biko's death did effectively extend

⁴⁴ Oral Interview: Francis Wilson, April 15, 2008.

⁴⁵ *South African Outlook*, September 1977.

beyond South Africa, both in critiques of apartheid and in thinking about Biko as a martyr. In October, 1977, the United Nations Centre Against Apartheid issued a special issue of notes and documents related to Biko's death.⁴⁶ Included in their documentation were frequent references to Biko's martyrdom. On the day after Biko died, the United States Representative to the United Nations, Andrew Young, compared Biko to John F. Kennedy, Martin Luther King Jr., and Robert F. Kennedy, while American Senator Dick Clark called Biko a martyr. A week later, Leslie O. Harriman, Chairman of the Special Committee against apartheid spoke about Biko, stating that "[h]e has joined the great martyrs of the African renaissance and revolution in this generation – men like Amilcar Cabral, Eduardo Mondlane and many others."⁴⁷ And on September 21, the government of the Republic of Ghana issued a statement offering "condolences to the martyr's family."⁴⁸ The text of *Biko* further emphasized Biko's martyrdom by revealing details of his death not present in the police's accounts. By composing a historical argument whose broader intent was to expose the security police's methods of treating detainees, commentators like Woods read through the evidence of Biko's naked body in ways that offered new ways of thinking about his death.

Biko's Nakedness during the Truth and Reconciliation Commission

In this section, I transition the discussion to examine how evidence of Biko's nakedness reappeared during the Truth and Reconciliation Commission. Although the

⁴⁶ "Steve Biko: Fighter Against Apartheid and Apostle of Black Consciousness" in BC 1148: HW van der Merwe Papers, Box 12, File C: Death of Steve, Biko, Obituaries and Comment, University of Cape Town Manuscripts and Archives.

⁴⁷ "Steve Biko: Fighter Against Apartheid and Apostle of Black Consciousness" in BC 1148: HW van der Merwe Papers, Box 12, File C: Death of Steve, Biko, Obituaries and Comment, University of Cape Town Manuscripts and Archives.

⁴⁸ "Steve Biko: Fighter Against Apartheid and Apostle of Black Consciousness" in BC 1148: HW van der Merwe Papers, Box 12, File C: Death of Steve, Biko, Obituaries and Comment, University of Cape Town Manuscripts and Archives.

testimony presented around Biko's death during the Truth and Reconciliation Commission (TRC) did little to provide new evidence about Biko's death, it did provide a venue to roundly critique the historical arguments originally put forward by the security police in 1977. In their application for amnesty, the security police claimed responsibility for causing Biko's death, and offered that their methods of treating Biko had a political purpose. The lawyer for the Biko family, George Bizos, worked to discount the arguments of the police. He showed that the content of the police's arguments constituted erroneous history, and articulated a counter narrative that effectively prevented the security police from receiving amnesty. During the amnesty hearings, the security police acknowledged that keeping Biko naked was an act of humiliation, however, they failed to either take responsibility for such an action, or to explain how nakedness served a broader political purpose.

In the following exchange between Harold Snyman and Bizos, Snyman was asked to explain how nakedness as a method of interrogation served a political or moral purpose:

Mr Bizos: On page 2 of your application, you claim to have done this in the interest of the National Party Government. Could you name anyone in the National Party who advised publicly or even privately that a detainee was not entitled to sit on a chair?

Mr Snyman: No, your Honour.

Mr Bizos: You also say that you acted faithfully in accordance of the principles of your church. Can you quote anybody in your church that advocated that a detainee was not entitled to sit on a chair?

Mr Snyman: No, your Honour.

Mr Bizos: Can you quote anyone in the National Party who suggested to you that a detainee was to be kept naked in his cell and whilst he was being interrogated?

Mr Snyman: Yes, your Honour, this was an instruction which we received through our commanding officer from our head office.

Mr Bizos: Can you please tell me whether anyone in the National Party told you, or suggested to you that detainees were to be kept naked in their cell and naked whilst they were being interrogated by a team of security policemen.

Mr Snyman: No, your Honour.

Mr Bizos: Did anyone in your church suggest that you might do that?

Mr Snyman: No, your Honour.⁴⁹

Bizos' reference to the conditions of Biko's detention forced attention on the core of the security police's arguments about Biko's death. Snyman's inability to connect the act of keeping Biko naked to any suggestion or action officially sanctioned by the Nationalist Party or the Dutch Reformed Church (a requirement of the amnesty process included showing the larger political objective of one's actions) discounted the idea that the security police were free of any blame for Biko's death. Rather, Bizos suggested that the security police were active participants in an act of torture, a torture that the police failed to admit. Perhaps more importantly, Bizos effectively pursued a line of inquiry related to Biko's detention that met the requirements of how historical arguments could be cast during the TRC.

Later in the hearing, Bizos returned to the evidence of Biko's nakedness to again prove that Harold Snyman was not free of blame in Biko's mistreatment:

Mr Bizos: Now let us go into that interrogation room of yours in Sanlam Building. Was Mr Biko brought to that room naked?

Mr Snyman: No, your Honour.

Mr Bizos: What was he wearing?

Mr Snyman: He wore clothes.

Mr Bizos: Did he have his clothes on?

Mr Snyman: That is correct, your Honour.

Mr Bizos: Who supervised his detention at the police station?

Mr Snyman: That would have been the station commander and his staff.

⁴⁹ Amnesty Hearing of Harold Snyman, held on September 10 and 11, 1997 in New Brighton, Port Elizabeth. Case number: 3918/96. <http://www.justice.gov.za/trc/amntrans/pe/snyman.htm>

Mr Bizos: Did they take instructions from the security police that as to how Mr Biko as a detainee should be treated?

Mr Snyman: That is correct, your Honour.

Mr Bizos: Were there any instructions given to the police officers as to whether he should be kept clothed or naked?

Mr Snyman: That is correct, your Honour. There had been an instruction due to a suicide in a cell. The instruction was that these detainees had to be detained naked.

Mr Bizos: Why was he not given a very brief pair of underpants to wear?

Mr Snyman: I do not know to what you are referring; at what point is this?

Mr Bizos: At the police station of which your security police had control.

Mr Snyman: I had nothing to do with this. The instruction came from our headquarters that they had to be detained naked and that is in fact what was done at that time.

Mr Bizos: Did you question why, for a person's dignity that you should at least have a pair of underpants.

Mr Snyman: That was not my instruction, I had nothing to do with this instruction, that was a head office instruction.

Mr Bizos: Did you ever question the humanity of that instruction?

Mr Snyman: I realise that this was inhumane, but as I have mentioned this was a head office instruction against which I could not protest.

Mr Bizos: And were you prepared to behave in an inhuman manner, because an order came from someone else?

Mr Snyman: No, your Honour.

Mr Bizos: Well, why didn't you as the person in charge of the late Mr Biko's detention not accord him the dignity of a pair of underpants?

Mr Snyman: It was not possible for me, since this had been an instruction from our head office.

Mr Bizos: Were your orders as to how Mr Biko was to be treated the same as your orders as to how this Mr Peter Jones ...

Mr Snyman: Your Honour, these instructions were the same. As far as I can recall, he was also detained naked.

Mr Bizos: And generally, as to whether he was allowed to sleep or not or what food he should or should not get, the number of blankets and mats that he was entitled to, was the same? Correct?

Mr Snyman: I had no control over that which occurred in the cells. That was a police station.⁵⁰

Through this question and answer, Bizos asked Snyman to admit, at least partially, to the inhumanity of enforcing Biko's nakedness. Yet, Snyman worked equally hard to

⁵⁰ Amnesty Hearing of Harold Snyman, held on September 10 and 11, 1997 in New Brighton, Port Elizabeth. Case number: 3918/96. <http://www.justice.gov.za/trc/amntrans/pe/snyman.htm>

defer responsibility up an endless ladder of culpability. This exchange surrounding Biko's nakedness struck to the core of tension between the police's continued denials of individual blame, and the demand of the TRC to accurately document prior actions. The obvious humiliation of enforced nakedness proved, in summary terms, the conditions of Biko's detention as a period of torture. Against the idea put forward by the security police that interrogation and detention were innocuous and devoid of purposeful violence, Bizos posited Biko's naked body to propose a sense of deeper culpability.

Steve Biko Memorial Lectures

References to Biko's naked body have also prominently featured within the substantive content of the annual Steve Biko Memorial Lectures, a popular venue for articulating histories of Biko in the post-apartheid, post-TRC period. The lectures first started in 2000 under the auspices of the Steve Biko Foundation and are held annually on or near September 12th, the day of Biko's death. The lectures have been given by well-known figures, both from South Africa and other countries on the African continent, and were grouped together in three to four year blocks of similar speakers. According to the foundation's Chief Executive Officer, Biko's son Nkosinathi Biko, the first four lectures were given by literary figures, the novelists Njabulo Ndebele, Zakes Mda, Chinua Achebe, and Ngugi wa Thiong'o, the next three were given by "universal leaders" Desmond Tutu, Nelson Mandela, and Mamphela Ramphele, and the most recent given by current political leaders Thabo Mbeki, Trevor Manuel, and Tito

Mboweni.⁵¹ The lecturers not only work to build on Steve Biko's larger legacy to South Africa, but to also speak about and consider contemporary issues.⁵² In a time of the construction of a new nationalist history, they also seek to make Biko's life and work relevant to the contemporary moment.

Of the nine lectures given to date, four have dealt directly with the evidence of Biko's naked body. These lectures also dealt extensively with analyzing and presenting Biko's biography and included discussions of the conditions of his detention as a key biographical moment.⁵³ The five lectures that did not make any reference to Biko's nakedness also provided no biographical details, and only made reference to Biko by way of examining his philosophy of Black Consciousness.⁵⁴ There has been, then, a direct relationship within the lectures between uncovering Biko's biography and detailing the conditions of his torture and death, and another separate relationship between utilizing notions of Black Consciousness in broader analytical terms detached from Biko's biography.

An examination of how the biographical lectures made sense of Biko's naked body clarifies the shifting methods of reading Biko's death. Briefly, I should note that speaking about Biko as a theorist detached from his own biography has been a mode of interpretation that helped link the broader Black Consciousness movement to the formation of a national identity through the subject of Biko. In Nelson Mandela's 2004

⁵¹ Oral Interview: Nkosinathi Biko, May 19, 2008. Mboweni's recent lecture is not discussed here.

⁵² Oral Interview: Nkosinathi Biko, May 19, 2008

⁵³ These include the lectures given by Ndebele, Achebe, Tutu, and Mbeki.

⁵⁴ These include the lectures given by Mda, wa Thiong'o, Mandela, Ramphela, and Manuel.

lecture, for example, Biko's ideas of Black Consciousness were reformatted to be relevant to the project of the ANC in the post-apartheid period. As Mandela stated:

[t]he driving thrust of black consciousness was to forge pride and unity amongst all the oppressed, to foil the strategy of divide-and-rule, to engender pride amongst the mass of our people and confidence in their ability to throw off their oppression.⁵⁵

For Mandela the ideas of Black Consciousness, bookmarked through reference to a founding member of the philosophy in the person of Biko, found accommodation to the post-apartheid message of the new ANC government. Biko stood here as reference point to a past and present of unity, a figure whose philosophical contribution was interpreted within a message of reconciliation.

The metaphorical value of Biko's death was carefully deployed in lectures that made reference to the content of his biography. An examination of how these lectures made sense of Biko's nakedness as a metaphor for the broader conditions of apartheid reveals how histories of Biko changed in the aftermath of apartheid. Gone was a need to specifically define Biko's naked and detained body through the methods of torture carried out by the apartheid state. Both the end of apartheid and the conditions created by the Truth and Reconciliation Commission meant that the security police no longer were in a position to interpret Biko's nakedness. Instead, it is wholly accepted that Biko was kept naked to humiliate and torture him. With these methods of torture defined, histories of Biko that pay attention to his biography and the event of his death shifted references to nakedness to stand in for the broader cruelty of apartheid as a whole. Biko's nakedness was no longer just a singular action, but a symbol for the

⁵⁵ Nelson Mandela, "Ten Years of Democracy 1994-2004," Fifth Steve Biko Lecture, September 10, 2004.

entire period of apartheid violence. In this way Biko's nakedness as a metaphor was developed by lecturers to create a unified sense of the past in preparations for a new national future.

The first memorial lecture, given by Njabulo Ndebele in 2000 included an extended discussion of Biko's naked and abused body that rendered an interesting argument about the larger conditions of apartheid.⁵⁶ In his presentation about creating a new South Africa, Ndebele drew on the conditions of the apartheid past through moments of Biko's biography to establish links, not only between past, present and future, but also with the continued importance of Biko's intellectual work to the present day. In this analysis, Ndebele made a compelling argument about the ways in which apartheid considered the black body to be a disposable object. Ndebele wrote:

I am reminding you of the naked, manacled, and lonely body of Steve Biko, lying in the back of a Land Rover being driven through the night from Port Elizabeth to a prison hospital in Pretoria, by Captain Siebert... This situation lets us deep into the ethical and moral condition of Afrikanerdom, which not only shaped apartheid, but also was itself deeply shaped by it... Afrikanerdom was entitled to land, air, water, beast, and each and every black body. At this point, the treatment of black people ceases to be a moral concern. Speaking harshly to a black person; stamping with both feet on the head or chest of a black body; roasting a black body over flames to obliterate evidence of murder (not because murder was wrong, but because it was an irritating embarrassment); dismembering the black body by tying wire round its ankles and dragging it behind a bakkie; whipping black school children...⁵⁷

Here, Ndebele drew on the presence of Biko's naked body as it was moved across South Africa from Port Elizabeth to Pretoria, to form a larger critique of apartheid which he spoke about as a singular entity. The reminder of Biko's naked and cruelly treated body

⁵⁶ Ndebele is a novelist, and a recent Vice-Chancellor of the University of Cape Town.

⁵⁷ Njabulo Ndebele, "Iph' Indlela? Finding Our Way Into the Future", First Steve Biko Memorial Lecture, 12 September, 2000.

allowed Ndebele a jumping off point to make an enduring analysis of apartheid's attitudes towards the bodies of black people. By extension of the abuse Biko endured from the security police who acted as agents of apartheid, Ndebele took a biographical moment and presented it to establish this act of degradation as intrinsic to the apartheid past.

Nkosinathi Biko further expanded on the sentiment of Ndebele's lecture. While talking about violations of the black body, including that of Steve Biko, Nkosinathi said that discussion of this topic was present in Ndebele's lecture:

Now, Ndebele is a wordsmith and somebody that I think-, I personally think writes extremely well. But he touches on this, on this subject when he says that- that there was a certain mentality that underpinned Afrikanerdom, or apartheid. And it was the mentality of entitlement. So as part of the machinery, there was a presumed ownership of a whole range of spaces and institutions, right. Apartheid believed that it had authority over the land - and hence the dispossession of the land, really starting from 1913 - which resulted in a population of, or at least a percentage of- eighty percent of the population being pushed into thirteen percent of the land. And the most arable land ending up in the hands of beneficiaries of the system. There was a presumption that there was ownership of the water and the airspaces, you know. And then he says something about this presumption about the ownership of the black body, right? And so it was part of the materialism of the apartheid state. The same kind of materialism that explains slavery and other permutations of this, this very challenge.⁵⁸

Through their analyses, both Nkosinathi Biko and Ndebele linked the specific conditions under which Steve Biko's body was humiliated through the act of nakedness to a longer condition tied to apartheid. Here, nakedness emerged as a piece of historical evidence from Steve Biko's biography while also offering a moment for broader analysis of apartheid, a system that they think about as a composite condition.

⁵⁸ Oral Interview: Nkosinathi Biko, May 19, 2008

Two recent lectures by leading figures of South African political life, Desmond Tutu and Thabo Mbeki, made additional reference to Biko's naked body. In his lecture given in 2006 and titled "South Africa: A Scintillating Success Waiting to Happen," Tutu linked the broader elements of Biko's theoretical work to the contemporary moment. For Tutu, Biko's intellectual biography afforded a moment to draw on ideas of Black Consciousness, and in particular its notions of taking pride in oneself to craft a new society. Before making his argument, however, Tutu opened his lecture with reference to Biko's death, stating:

Thank you for the great honour you have bestowed on me by inviting me to give this year's memorial lecture. Those who tortured and beat Steve up in gaol and killed him so heartlessly, you will recall that he was driven comatose from Port Elizabeth naked in the back of a Land Rover all the way to Pretoria where he was shackled to a grate and left to expire sitting, in his urine, and left to die a death that Mr Jimmy Kruger said, "Left him cold." Phew! They had hoped that would be the end, the inglorious, shameful end of someone they considered a pretty handful. They hoped he would be snuffed out like you blow out a candle. Annihilated, and that would be that. They were doomed to fail.⁵⁹

In this opening passage, Tutu again abruptly drew on Biko's nakedness as a reference point within the biography of Biko's death. Adjoined to the pleasantries of greeting an audience, Tutu made use of Biko's naked body at the forefront of his discussion, using this harsh reminder to summarize in brief the broader condition of detention practices. For Tutu, the evidence did not need detail or detailing beyond the extraordinarily powerful reference to nakedness. The demise of apartheid in this account started with Biko's naked body, as Tutu showed that the apartheid state was unable to kill a man whom "they" had tried so hard to humiliate and destroy. Within Tutu's historical argument, Biko's naked body took on broader metaphorical and biographical meaning

⁵⁹ Desmond Tutu, "South Africa: A Scintillating Success Waiting to Happen" Steve Biko Memorial Lecture, 26 September, 2006

as an accepted, not a disputed, condition of torture used by the apartheid system.

Moreover, he showed that despite the brutality, that Biko was not completely ‘killed.’

Returning to the rendering of Biko’s words in detention with which this chapter opened, the lecture delivered by then South African president Thabo Mbeki on September 12, 2007, the thirtieth anniversary of Biko’s death, referenced Biko’s biography to think about the history of Black Consciousness and its contributions to the South African liberation struggle. In thinking about Biko’s biography, Mbeki established a timeline for analyzing the emergence of Black Consciousness, a liberation philosophy that he claimed energized the membership of the ANC. After elaborating on Biko’s life as an activist, and by explaining Biko’s theories of Black Consciousness, Mbeki also turned to the moment of Biko’s death to explain the more dangerous side of life under apartheid. Moreover, Mbeki discussed Biko’s nakedness, and the quote attributed to Biko, to establish a concise rendition of events. Writing about Biko’s death, Mbeki pointed out that:

Steve is reported as having said to his killers: “I ask for water to wash myself with and also soap, a washing cloth and a comb. I want to be allowed to buy food. I live on bread only here. Is it compulsory for me to be naked? I am naked since I came here.” These few and simple words which speak to the most basic human needs, tell everything that needs to be told about why Steve Biko was right to dedicate his life to the defeat of the criminal ideology of racism, to liberate our country from the clutches of racist fanatics to whom the souls of black folk meant nothing.⁶⁰

Turning to the moments of Biko’s nakedness through Biko’s statements permitted Mbeki to convey the deep inhumanity of apartheid, something that Black Consciousness

⁶⁰ Thabo Mbeki, “Steve Biko Memorial Lecture”, 12 September 2007. Mbeki uses the phrase ‘reported to have said’, because he drew the reference from the work Wendy Orr. Orr drew on the original document, and Mbeki’s use of language shows the very repetitiveness and significance of Biko’s account of nakedness.

(in Mbeki's rendition) worked to challenge. Taking this encapsulated moment from Biko's biography permitted the conveyance of a larger critique of apartheid.

By turning to the fact of Biko's nakedness, Mbeki drew on a powerful metaphor for the condition of apartheid as a racist and criminal ideology. Importantly, Mbeki entered the discussion of Biko's nakedness by stating "Steve is reported as having said". Mbeki's emphasis on the 'reported' statement spoke to the discomfort with accessing this moment in history. As I discussed above, the post-apartheid histories of Biko's nakedness avoided reference to the security police's version of events. When the security police's history was being debated by critics in the 1970s through the mid-1990s, drawing reference to this quotation from Biko called attention to a central irony of the apartheid state's methods of organizing evidence. The Biko quote was part of the archive of materials produced by the security police and state that was combed over during the inquest. To use this quotation again in 2007 may have, for Mbeki, created a certain ambivalence because he had to refer to paperwork created by the apartheid bureaucracy. The phrase "Steve is reported as having said" allowed Mbeki to express an enduring dissatisfaction with the apartheid bureaucracy while also referencing an extraordinarily provocative metaphor of apartheid's conditions.

In Mbeki's rendition of Biko's biography, as in all of the lectures discussed above, discussion of Biko's naked body involved a larger critique of apartheid and apartheid's agents who created and utilized nakedness to humiliate Biko. And in all the lectures, emphasis was placed on how apartheid created the humiliation of nakedness, an interpretation that invited the lecture's audience to continuously critique a system of

violence based on premeditated humiliation, but that removed specific references to historical actors that perpetrated the violence. This careful use of biographical detail helped to facilitate a larger critique of apartheid's methods within a narrative of Biko's detention. Out of this, the meaning of Biko's naked body transitioned from being just a method of torture to a broader metaphor for the entire apartheid system.

Conclusion

Interpreting Biko's nakedness has allowed commentators to reconstruct and theorize the event of Biko's death. As a condition related to Biko's detention, the evidence of nakedness helped commentators identify a series of interrelated meanings. The security police who were present during Biko's final days argued that nakedness was used to prevent detainees like Biko from harming themselves. In denying that they were in any way responsible for Biko's death, they claimed that nakedness was an act of preservation and not an act of torture. Their denial, which was supported by the broader apparatus of the apartheid state, was also a pragmatic decision. As white Afrikaner males, these security policemen wanted to deny that they were ever in close, intimate contact with a naked black male while also preserving a state under a siege of criticisms. Critics of the security police used Biko's nakedness to illuminate what detention was really like for detainees and to challenge the police's version of events. Using Biko's nakedness, which emerged as a fact from Biko's own voice, they challenged the security police and apartheid as a whole and described scenarios in which the police were in the physical presence of Biko's naked body. Importantly, discussion of Biko's nakedness exposed the practices of apartheid while claiming space

to develop Biko as an important martyr, an interpretation that helped rally opposition against apartheid. During the Truth and Reconciliation Commission, Biko's nakedness figured into disputes over historical truth and the political legitimacy of violence. George Bizos referenced nakedness to unhinge the security police's historical arguments, and to show that they were not sufficiently describing the past. In the post-apartheid period evidence of Biko's naked body figured into the production of history and the creation of new ideas about the past. Memorial lecturers aligned Biko's biography and experiences of detention with the broader conditions of apartheid, and referenced nakedness as a metaphor for a vast system of past practices. In these lectures, there was no longer any doubt that the security police had kept Biko naked in order to torture him, and instead of grappling with the details of when and where and in whose presence Biko was naked, nakedness instead stood as a central fact in Biko's biography and a metaphor for the apartheid period as a whole, unifying the past around Biko's body.

In the next chapter, I examine similar historical arguments about the medical care that Biko was offered during his detention. Biko's injured body, like his tortured and naked body, provided space for people to organize around the topic of Biko's death. Whereas this chapter focused on ideas and images of Biko's tortured body, chapter four deals with scientific, medical, and forensic evidence about Biko's injured body. Although the apartheid state tried to limit access to the history of Biko's death, critics, especially a group of medical professionals, theorized Biko's medical care to open new forums for anti-apartheid thought.

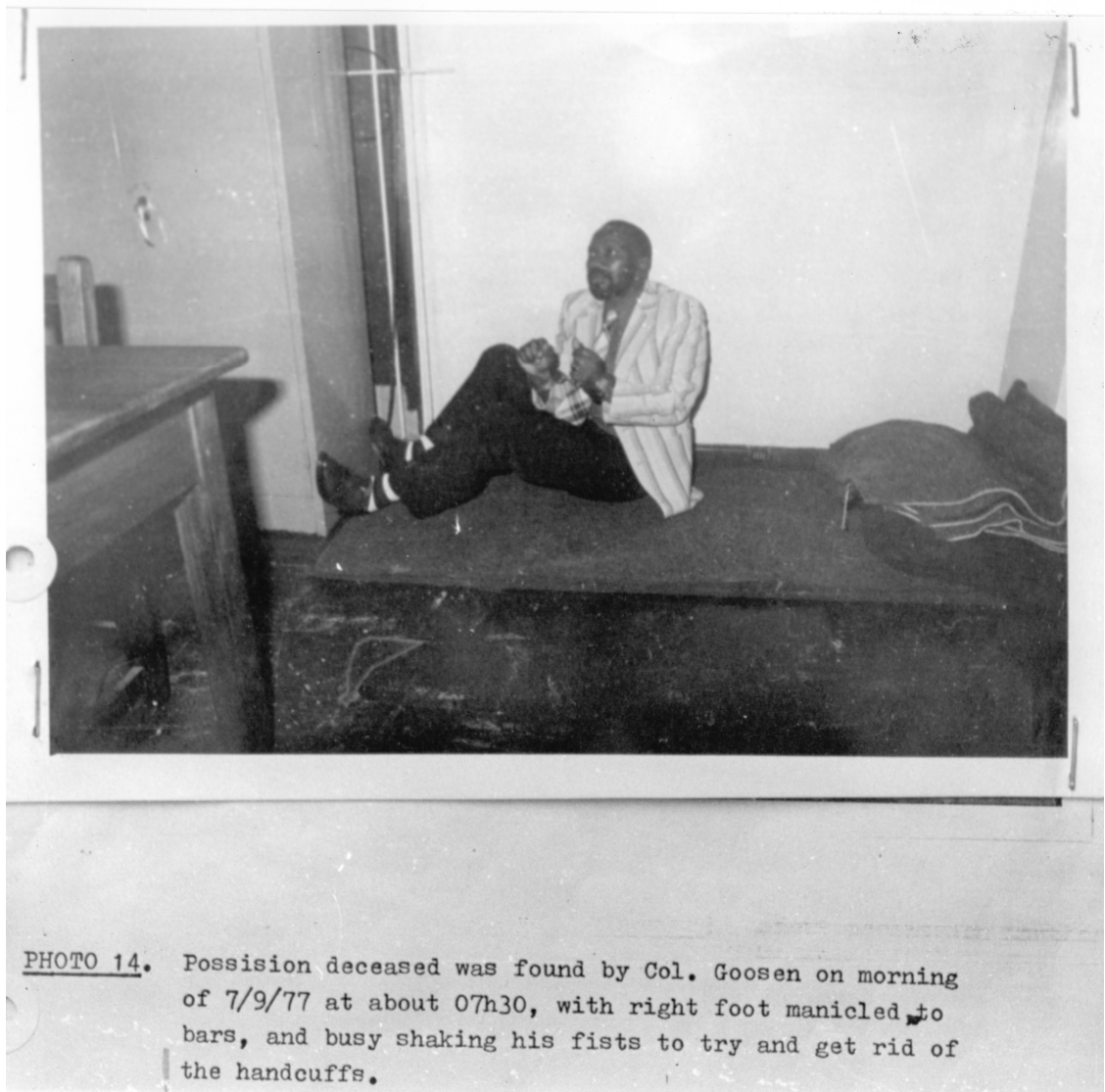


Figure 1. Image courtesy of the Mayibuye Archives at the University of the Western Cape



Figure 2. Image courtesy of the Mayibuye Archives at the University of the Western Cape



Figure 3. Image courtesy of the Mayibuye Archives at the University of the Western Cape

Chapter 4: Diagnosing Steve Biko: The Politics of Medical Care

Under pressure from member doctors in June of 1980, the Medical Association of South Africa (MASA) Ethical Committee inquired into the conduct of Dr. Benjamin Tucker¹, one of the state-employed doctors who treated a dying Steve Biko. The demands put to MASA were among several submitted to both national and international medical associations in the period shortly following Biko's death by a small group of South African medical professionals dismayed by the conduct of Tucker and another doctor who treated Biko, Ivor Lang. By poring over the details of Biko's postmortem report, examining photos of his corpse and by picking over testimony from the inquest, complainants argued that Tucker and Lang had failed to follow proper medical procedures, that their behavior was unethical, and that they acted in complicity with the security police in allowing Biko's maltreatment. Despite evidence that Biko's doctors had failed to follow basic practices of care, the Ethical Committee ruled that Tucker had not behaved in an improper fashion.

Three months after the committees' decision the Chairman of the Federal Council of MASA, Professor Guy de Klerk, gave an interview in which he was asked if the ruling meant that protesting members within the Medical Association are "going to be happy and lay the ghost of Steve Biko" to rest.² De Klerk responded that "Biko's

¹ Dr. Ivor Lang, another district surgeon who was prominently connected with the Biko case was not a member of MASA and thus could not be put under the review of the MASA Ethical Committee. Lang was put under the review of the South African Medical and Dental Council and was not found to have conducted himself in an "improper or disgraceful" way. Both Lang and Tucker were District Surgeons and employees of the apartheid state.

² From BC 822 Biko Doctors Case Collection, C Statements etc, Folb and Ames, C1-C4 UCT, Wits, Joint. Interview quotes from 'A' Program of the SABC, November, 13, 1980. The interview was given on the same day that the Federal Council of MASA held a meeting in Cape Town.

ghost will only be laid when people who are concerned with keeping it rampant decide ‘well, that’s enough’.”³ Biko’s ghost, it seems, haunted the South African medical profession in the 1980s.⁴ To reveal the ethical shortcomings of those doctors who treated Biko, critics composed histories of Biko’s detention in which death was not the presumed outcome. These histories emphasized conditions of medical care that should have been pursued and tried to imagine outcomes if Biko had been attended to by ethical practitioners. Although Biko had died three years previous, interested member doctors from MASA continued to contemplate his medical care in such an active and pressing fashion that Biko forever remained among the living. It seems in retrospect that the reference to a “rampant” ghost, more than simply a passing reference by the cynical and embarrassed de Klerk, pointed to the substantial presence Biko and his death would continue to command in the historical imagination of those who revisited his death.

This chapter follows how some medical practitioners composed histories of Biko’s medical care over the last three decades. It argues that these histories offered practitioners an opportunity to debate the specific conditions and implications of Biko’s death alongside preexisting concerns about the role of medical care under apartheid, the professional connections between practitioners, and the implications of following guidelines of ethical care. Moreover, by tracing medical arguments produced by the doctors who treated Biko, members of the security police, and concerned medical

³ From BC 822 Biko Doctors Case Collection, C Statements etc, Folb and Ames, C1-C4 UCT, Wits, Joint. Interview quotes from ‘A’ Program of the SABC, November, 13, 1980.

⁴ An article published in the *Rand Daily Mail* on June 18, 1980 titled “The Biko Ghost Walks Again”, compared Biko’s continued presence in criticisms of the government doctors to the lurking of Banquo’s ghost in Shakespeare’s *Macbeth*.

professionals, the chapter examines how expert medical opinion provided a framework for explaining the meaning of Biko's detention, torture, and death. Although critics used Biko's case history to call attention to the conditions of his death, members of the apartheid state found that medical knowledge offered an outlet to conceal their use of violence. Thus, this chapter traces the process through which medical case histories substantiated broader moral, political, intellectual, and professional concerns over the last three decades. Competing arguments about medical care, although sharing ideas about evidence and expertise, were put to a variety of political tasks.

This chapter divides into four sections that articulate how inquiry into Biko's medical care changed over time. In the first section I explore how some agents of the apartheid state – the security police and district surgeons – retold histories of Biko's medical care, an analysis that reveals how agents of the apartheid state harnessed medical opinion and expertise to conceal the violence of Biko's death. By reading medical reports produced by Tucker and Lang, and inquest testimony and affidavits from the security police, I show how these agents of the state attempted to deny their culpability. They described how they thought that Biko 'shammed' his injuries by faking the severity of his condition to avoid further interrogation, that the lapses in medical care related to this lingering suspicion, and that the police's concerns for security outweighed practices of medical care. This ability to sham, they contended, emerged from Biko's own medical training, knowledge that allowed him to know what a sick body looked like. Asked during the inquest why the security police did not offer Biko medical care, Colonel Goosen stated that "I still thought [Biko] was shamming. I

had had experience before with this tendency.”⁵ Goosen argued that during prior periods of detention, Biko had faked injuries to avoid questioning, a strategic pattern that the security police hoped to end.

In the second section I examine challenges to the apartheid state’s histories of Biko’s medical care that emerged in the late-1970s and early-1980s in debates about the ethics of care. The section traces submissions made to South African professional medical organizations that had the responsibility of determining ethical standards of medical practice.⁶ Within these submission, I argue, critics of Lang, Tucker, and the security police did not speak in a single, unified voice about the meaning of medical care but rather used talk of Biko’s ailing body to direct attention towards additional issues. These issues included the effects of apartheid on the consumption and practice of medical care, the connections between members of the same professions, and the distribution of medical services based on race.

In the third section, I return to the hearings of the Truth and Reconciliation Commission and ask why Biko’s medical care remained a pivotal issue in debate about his death even in the 1990s. Using testimony from the amnesty and Health Sector hearings, this section on the TRC argues that Biko’s medical care took on new meaning in the post-apartheid period, both as a metaphor for the entire apartheid past, and as an avenue for the security police to reshape their account of Biko’s detention. The security police contended during the TRC amnesty hearings that neglecting Biko’s medical needs was a form of assault, an argument that was turned aside by the amnesty

⁵ Bernstein, *No. 46*, p.52

⁶ Including the South African Medical and Dental Council and the Medical Association of South Africa

committee. The fourth and final section looks at debates about Biko in the aftermath of apartheid and the TRC through a reading of a recent article that describes how to incorporate the Biko case into pedagogy on medical ethics.⁷

Apartheid and Biko's Medical Care

This section examines how the security police and government employed medical doctors created histories of Steve Biko's medical care. It shows that their arguments about Biko's medical care were consistent with their broader narration of Biko's death that emphasized an absence of culpability in causing Biko's death. In the broadest terms, the security police claimed that they were not responsible for Biko's death, that Biko had attacked the police during interrogations, and that he 'shammed' his injuries. In their paperwork related to Biko's death and in the inquest held in November of 1977, the security police and district surgeons continued to deny that they had caused Biko's death. Although the doctors recognized that there were lapses in judgment that departed from routine medical care, they claimed that they had to defer all decision making about Biko to the security police. There were three prevailing themes upon which the state's history of Biko's medical care rested: that Biko caused his own injuries which were initially thought to be superficial; that he was intentionally uncooperative towards the police and doctors and 'shammed' his injuries by drawing on his own medical training; that a satisfactory paper trail proving that there was nothing medically wrong with Biko existed. Thematically, these arguments linked up with the dominant modes of thought contained in the security police's histories of Biko's death.

⁷ G.R. Mclean and Trefor Jenkins, "The Steve Biko Affair: A Case Study in Medical Ethics", *Developing World Bioethics*, Volume 3, Number 1, 2003, pp.77-95.

Just to revisit the sequence of events leading to Biko's death (a topic examined in chapter two), according to his paperwork and inquest testimony, Dr. Ivor Lang was first summoned to examine Biko on September 7, 1977 the same day that Biko was injured during a police interrogation.⁸ Lang conducted an examination with Colonel Goosen attending, and signed a medical certificate stating that he could not find anything abnormal about Biko's condition.⁹ Lang's medical report that described his first visit with Biko on September 7th offered the following case history:

He [Biko] replied to questions put to him in a slurred manner stating that he had no pain and that he had not been ill previously. He said that he was unable to move his limbs and that he was not eating as he did not feel hungry.

He had pursued four years in the Faculty of Medicine after which he had switched to a Bachelor of Commerce degree which he had pursued for two years and was at present studying Law through Unisa. He stated that he lived in King William's Town and was married.¹⁰

In the conclusion of his report, Lang explained that Biko's slurred speech was due to a lip injury, and that his limited movement was from a "lack of co-operation."¹¹

Connected within this first visit was the larger argument about Biko's condition – that his injuries were minor, and that any other stated difficulties emerged from Biko's act of shamming. The reference to Biko's medical training in the above quotation affirmed

⁸ Note that in the 1977 version of Biko's detention, Biko was interrogated on the morning of the 7th. During the amnesty hearings of the TRC, the security police changed their chronology and said that interrogation occurred on the 6th, and that medical care was not requested until the 7th. They claimed that Goosen required them all to change the date of the interrogation to correlate with the arrival of medical care. For the purposes of analyzing their arguments from 1977 about medical care, I follow the original dates presented in the first rounds of paperwork and inquest testimony.

⁹ Bernstein, *No.46*, p.32

¹⁰ "Medical Report Bantu Steven [*sic*] Biko by Lang," FA 3.2.6 – Exhibits: Statements by District Surgeons, Police Officers, Warders (Folder 2 of 2), A 1931 – Ernie Wentzel Papers, University of the Witwatersrand Historical Papers.

¹¹ "Medical Report Bantu Steven [*sic*] Biko by Lang," FA 3.2.6 – Exhibits: Statements by District Surgeons, Police Officers, Warders (Folder 2 of 2), A 1931 – Ernie Wentzel Papers, University of the Witwatersrand Historical Papers.

the ideas used by the security police and district surgeons that Biko was trying to trick his interrogators with his own intelligence.

Lang and the chief district surgeon Benjamin Tucker returned on September 8th to examine Biko, after which Biko was transferred to a prison hospital. That evening, the physician Colin Hersch was called for a consultation. In his medical reports, Hersch also pointed out Biko's prior education in addition to describing his limited mobility.

Hersch offered that Biko:

was mentally and physically normal when brought into jail apparently and later his speech became slurred and he was talking incoherently and dragging his left leg. I understand that he did 4 years training in medicine, as well as 2 years in Law...

The circumstances of the onset of his slurred speech and paralysis seemed to point to a functional condition and I believe that when he was last detained he evidenced similar physical signs.¹²

Hersch's medical history followed the same lines of argument as Lang's earlier review, but Lang and Tucker followed Hersch's recommendation that they test for possible brain damage. Based on this, they decided to conduct a lumbar puncture to test Biko's spinal fluid on the following morning.¹³

The lumbar puncture was called for because Biko had exhibited signs of brain injury and a lumbar puncture tested for the presence of blood cells in the spinal fluid which indicated evidence of brain trauma. The sample was drawn and subsequently submitted for testing under the name 'Stephen Njelo'. On September 10th, results of the spinal fluid test showed the presence of blood cells, and a neuro-surgeon advised that

¹² 'Statement by Colin Hersch,' B3-Statement by Colin Hersch, BC 822 – Biko Doctors Case Collection, University of Cape Town Manuscripts and Archives.

¹³ Bernstein, *No.46*, p.32

Biko be kept under observation.¹⁴ On September 11th, Biko was found collapsed in his prison cell, and after being examined by Tucker, was driven to Pretoria where he died.

Under questioning from Sydney Kentridge during the inquest, Dr. Lang offered that he had created the first medical certificate on September 7th at the request of Colonel Goosen.¹⁵ He also admitted that the certificate failed to correctly record the numerous injuries that he observed on Biko's body. Lang further admitted that he knew from Goosen that Biko had studied medicine and would have been able to use this knowledge to sham injuries. Throughout the remainder of the inquest, both Lang and Tucker continued to argue that any shortcomings in the care they provided were attributable to their inability to exceed the orders of the security police.¹⁶ Although Lang and Tucker acknowledged that their techniques of care were limited, they still viewed Biko's death as otherwise accidental.

An entire chapter could go towards discussing the details of the medical care offered to Biko during the final month of his life. Yet, for the purposes of this discussion, the fact that the security police and doctors called Biko's death an accident meant that their history of Biko's death accommodated the medical evidence of Biko's deteriorating health. The argument about 'shamming' that proved central to their history intended to exculpate what would otherwise appeared to have been extreme oversights in care. The recording of the argument about shamming within a paper trail of medical certificates and police reports spoke to a core practice of enacting and subsequently concealing violence. Both the security police and district surgeons

¹⁴ Bernstein, *No.46*, p.32

¹⁵ *Rand Daily Mail*, November 22, 1977

¹⁶ *Rand Daily Mail*, "What 3 doctors told the Biko inquest," October 6, 1980.

repeatedly mentioned that the interests of state security factored into their treatment of Biko.

An even deeper understanding of how the apartheid state's agents viewed Biko's medical care emerges by breaking down the identification of Stephen Biko as Stephen Njelo when doctors sent the cerebro-spinal fluid for testing. On the most basic level, identifying the sample of Biko's cerebro-spinal fluid with an invented name was an act of obvious concealment. The doctors and police would not have wanted a lab attendant or consulting expert to recognize Biko's name and possibly alert the press or other interested groups to Biko's injuries. Yet, more than an act of surreptitious concealment, disguising the sample also separated Biko's interior health condition from what was visible on his body surface, renamed it, and made it so that it was Njelo and not Biko who had blood in his spinal fluid, obvious evidence of brain damage. Biko, so the argument about shamming went, shaped the exterior of his body to look injured. If, as they argued, Biko was shamming, then the evidence from the interior of his body would not reflect these conditions of ill-health, and the interior evidence had to be altered to match their account. Creating a false record, and labeling the spinal fluid sample as 'Stephen Njelo' referred to a process of concealment, but it was also an expression of power – a power to conceal and a power to enact forms of extraordinary violence that were subsequently rendered permissible by alterations of evidence. Stephen Njelo was an anonymous black subject, much like the photographic subject that appeared in the staged vignette of Biko's detention (see chapter 3).

Challenges to the Apartheid Histories

The emergence of Biko's medical care as a pivotal issue directly related to how the apartheid state defined and historicized Biko's death. At the inquest into Biko's death the lead magistrate found that neither the security police nor the doctors who interacted with Biko were guilty of any wrongdoing. Moreover, the apartheid state reacted to Biko's death by attempting to further increase their control over discussion of Biko in the period following his death. A month after Biko's death, all Black Consciousness organizations were officially banned by the state, and many of Biko's friends and colleagues were arrested, issued banning orders, or both. Additionally, the state continued to enforce Biko's banning order in the aftermath of his death, meaning that photographic images of Biko, Biko's quotations, and other references to Biko were not allowed to be published in South Africa.¹⁷

The strong reaction by the apartheid state to any discussion of Biko was in part continuous with how the apartheid state had treated Biko in life, but also proved to be directly related to the increasing importance Biko gained in South Africa and abroad in the aftermath of his death. Perhaps surprised by the strong reaction that Biko's life and death elicited, the state worked hard to suppress the political fallout of his death. The arguments about Biko's medical care need to be read against this logic of action pursued by the apartheid state. Addressing the issue of his medical care not only called into question the apartheid state's claims of legitimacy, it also provided opportunities to discuss a person that was still officially banned. Pursuing the argument about medical

¹⁷ The continued imposition of a ban on Biko was perhaps nowhere better reflected than in the decisions of the censorship office to ban all Biko materials that were published in or out of the country. I reviewed these records in the National Archives of South Africa - Cape Town Archives Repository.

ethics through existent legal channels was a permissible forum for speaking about Biko at a time when other forms of argument about Biko remained illegal. Discussion of medical ethics also placed South Africa within a broader international context – a topic of great concern to the apartheid state in the 1970s and 1980s. Medical ethics in South Africa were in the 1970s, as they are today, based on a corpus of international standards and organization bearings. When the Board of the Witwatersrand Medical Faculty adopted a resolution renouncing the initial findings of the South African Medical and Dental Council in 1978, for example, they included further endorsement of the ‘Guidelines for Medical Doctors Concerning Detainees and Prisoners,’ established by the World Medical Association (WMA) in Tokyo in 1975.¹⁸ Citing the standards of the WMA – an organization to which South Africa belonged – permitted a comparison between the standards to which the South African state and medical community claimed allegiance and the actual daily practices through which detainees like Biko were denied required care.

There are three sets of sources – all of them coming out of inquiries into the conduct of the Biko doctors – which I consult to elaborate my argument about challenges brought against apartheid’s histories of Biko’s medical care. The first set, a submission made by the Ombudsman for the South African Council of Churches, Eugene Roelofse, to the South African Medical and Dental Council (SAMDC) in 1978, was the first formal complaint made about Biko’s treatment. The second set was a further submission presented in April of 1980 to the SAMDC by member doctors who

¹⁸ Mary Rayner, *Turning and Blind Eye? Medical Accountability and the Prevention of Torture in South Africa*. Washington D.C.: Committee on Scientific Freedom and Responsibility, 1987, p.37.

taught medicine in South African universities. In the third section, I examine an interview that I conducted with Yosuf Veriava, a professor of medicine who led the Transvaal Medical Society (TMS), an organization that represented black medical workers, in the 1970s and 1980s. Veriava helped the TMS form a submission about Biko's medical care to the SAMDC in 1982.

The First Submissions

In January of 1978 the South African Medical and Dental Council (SAMDC) received a formal complaint from Eugene Roelofse, Ombudsman for the South African Council of Churches. Beginning with the 1974 Medical, Dental, and Supplementary Health Service Professions Act, the SAMDC had the authority to define conditions of improper and disgraceful conduct among its members and to uphold ethical standards of care.¹⁹ In instances where there was suspicion that disgraceful conduct had occurred, the SAMDC was supposed to review cases involving member doctors. Roelofse's submission fell under this review process, and arrived to the SAMDC just after the organization received the inquest record from one of the inquest Magistrates.²⁰

In his submission Roelofse wrote a letter that asked the SAMDC to review the conduct of the doctors that treated Biko. Roelofse described the methodology he used to review the case, and included copies of the evidence he consulted. Roelofse's initial

¹⁹ This is discussed more fully in Mary Rayner, *Turning and Blind Eye? Medical Accountability and the Prevention of Torture in South Africa*. Washington D.C.: Committee on Scientific Freedom and Responsibility, 1987, (pp.34-35).

²⁰ The inquest into Biko's death concluded with a ruling from the Magistrate that alleviated the security police of any responsibility in Biko's death, however, it stated that there was evidence showing that the doctors had behaved in an improper fashion. Because of this, the testimony was sent to the SAMDC by one of the inquest Magistrates, M.J. Prins. An article from the *Daily Dispatch* on January 7, 1978 documents Prins' decision to submit portions of the inquest record dealing directly with medical care. Prins stated "As a matter of duty, I have referred it in terms of Section 45(2) of the Medical, Dental and Supplementary Health Service Professions Acts No 5 of 1974."

correspondence with the SAMDC went to great lengths to describe his credentials as a consumer advocate and to show how the case surrounding Biko's medical treatment was an event of profound concern. In his letter to the SAMDC from January 16, 1978 he wrote:

[t]he only interest of the Ombudsman Office is of a consumer nature. The reason why the conduct of the medical practitioners, Drs. Lang, Tucker, and Hersch is taken up with the Medical Council is because we believe that the care and concern shown to a patient by a doctor is a vital consumer issue and because of the high regard in which both medical practitioner and Medical Council are so rightfully held by the public.²¹

Additionally, Roelofse pointed out in his letter that "Biko was, and his family are, complete strangers to me" and that "the fact that Mr. Biko was a political leader is no concern of the Ombudsman office as we do not involve ourselves in politics."²² To initiate his account of Biko's medical care, Eugene Roelofse drew on his standing as a consumer advocate, claiming that consumers were owed the utmost and highest standards of care and that the actions of Biko's doctors suggested that consumers should and could not trust members of the South African medical profession. He stated that "the good name of the medical profession in South Africa has been damaged and that appropriate steps should be promptly taken to re-establish public confidence."²³

Additionally, Roelofse emphasized an apolitical relationship with the Biko case to adapt his concerns to the avenues of political debate permitted by the apartheid system and of the medical associations that practiced in South Africa. Roelofse would not have gotten

²¹ Letter from Eugene Roelofse to the Registrar of the SA Medical and Dental Council, January 16, 1978 from BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

²² Letter from Eugene Roelofse to the Registrar of the SA Medical and Dental Council, January 16, 1978 from BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

²³ Letter from Eugene Roelofse to the Registrar of the SA Medical and Dental Council, January 16, 1978 from BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

far in his claim if he directly stated that he raised the Biko case to articulate a political argument. Instead, he had to depoliticize the particulars of the case to allow it to stand on its own terms.²⁴ Deliberately sidestepped in this presentation was any sense of the connection that Roelofse even had to the South African Council of Churches, an organization that by the late-1970s was highly critical of the apartheid state and its moral grounding.²⁵

The emphasis placed by Roelofse on both his professional credentials and his personal and political disconnect from Biko reflected a mode of inquiry that was to become the dominant pattern in the way those critical of the apartheid state continued to question the conditions that led to Biko's death. The doctors responsible for treating Biko had earlier invoked the idea of professional standing and knowledge in their attempts to exculpate themselves from all responsibility for Biko's death. While reconstructing Biko's death they repeatedly mentioned that they were dependent in action and in access to information provided them by the security police who actually detained Biko.²⁶ The security police had instructed the doctors that Biko was deliberately refusing to speak, and that he was "shamming" his injuries to avoid interrogation. In their medical reports the doctors stated that Biko himself had enjoyed four years of medical training. They argued that Biko's possession of this professional medical knowledge allowed him to mimic the condition of an injured man and deliver a

²⁴ Only in the aftermath of the SAMDC's decision did Roelofse speak about the politics of the case. After the SAMDC exonerated Biko's doctors, Roelofse gave an interview in which he said that the SAMDC needed to have more ordinary people serve on its council seats. "Biko Probe: 'Bring in Blacks,'" *The Voice*, May 21, 1980.

²⁵ At the time of Roelofse's submission, Desmond Tutu was Secretary-General of the South African Council of Churches. Tutu was highly involved in critiques of Biko's death, and he delivered the eulogy at Biko's funeral.

²⁶ For a summary of their claims see Woods, *Biko* and Bernstein, *No. 46*

strong performance of sickness. Discussion of professional credentials, knowledge, and standing therefore figured prominently in how differently placed people approached and accessed discussions of Biko's death.²⁷

Although Roelofse was not a medical professional, he closely read over the evidence of Biko's death in detention to form an argument about proper practice. The evidence consulted by Roelofse in his submission drew on daily press reports published in the *Rand Daily Mail* during the inquest into Biko's death.²⁸ These press reports translated testimony from the inquest to take readers through the proceedings, the evidence consulted, and gave them a sense of the courtroom's atmosphere.²⁹ Using the texts from the *Rand Daily Mail* despite noting that "[i]t is of course possible that these reports might be inaccurate in some respects,"³⁰ Roelofse pieced together a narrative timeline describing Biko's detention, emphasizing the interactions between Biko and the prison doctors. Following this narrative, Roelofse posed a series of questions about the conduct of the doctors based on conclusions drawn from his evidence.³¹ The two

²⁷ Jimmy Kruger, Minister of the Department of Justice, also spoke about Biko's medical condition. In the newspaper *The World* on September 16, 1977, he said "Mr Steve Biko had been fed intravenously during his treatment before he died this week...There was a doctor treating him. I am not a medical man so I don't know what the treatment was. It was apparently some sort of feed. It was a drip." Here he hid behind professional credentials and standards to obfuscate what he knew about the conditions of Biko's death.

²⁸ Although these reports on the inquest were distinct from the actual text copies of the post-mortem reports, they were to a large degree verbalized renditions of the medical reports that Lang and Tucker gave during their testimony, and followed the same analytical logic as the original text versions in their descriptions of Biko's body.

²⁹ These press reports were mostly compiled by Helen Zille, at the time, a reporter at the *Rand Daily Mail*, who was deeply involved in investigating Biko's death. She published an article soon after Biko's death which revealed that Biko had died as a result of brain injuries and not from the effects of a hunger strike as the apartheid government initially stated. Zille is presently the Mayor of Cape Town. The reports in the *Rand Daily Mail* were a critical point of access to the Biko inquest, and their version of the testimony was also reproduced in Hilda Bernstein *NO. 46 – Steve Biko*. London: International Defence and Aid Fund for Southern Africa, 1978.

³⁰ Letter from Eugene Roelofse to the Registrar of the SA Medical and Dental Council, January 16, 1978 from BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

³¹ BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

main sections of Roelofse’s submission to the SAMDC – a timeline of events as they were described by the police and doctors, and a series of questions pointing out conditions that should have existed – worked together to form two strikingly opposite histories of Biko’s death. Out of these contrasting conditions of Biko’s body, Roelofse articulated a broader argument about the priorities of ethical practice, an argument linked to his initial concern for protecting consumer interests.

The “sequence of events” that Roelofse submitted to the SAMDC offered a carefully conceived timeline of those medical issues that arose during Biko’s detention. Describing the first day during which Biko appeared unhealthy, Roelofse offered the following information:

Col Goosen of the Security Police requests Dr Lang to examine patient because he “suspected a stroke” and because the patient “was not eating, nor was he able to speak and was not using his limbs”.

Dr Lang examined the patient very carefully but did not see the head injury.

Dr Lang had been told by Col Goosen that the patient had gone berserk had been subdued by force and from a condition of extreme excitement had lapsed into a condition where he was not speaking

The examination had taken about 45 minutes. A lengthy and complete examination. It had not occurred to him to report the examination in detail.

Dr Lang issued a certificate saying he could find “no evidence of any abnormality or pathology”.

Dr Lang’s clinical report said that the patient during the examination of Sept. 7 “replied to questions in a slurred manner, stating that he had no pain, and that he had not been ill previously”. He said that he was unable to move his limbs and was not eating as he did not feel hungry.

Dr Lang found a small laceration on the inner upper lip a superficial bruise over the breast bone, but did not ask the patient how he had got these injuries – marks around each wrist and swollen hands, ankles and feet. He attributed the slurred speech to the lip injury, the uncontrolled gait to “lack of cooperation” could find no reason for the patient’s failure to eat and could not agree that he was aphonic.

Dr Lang did not see the bruise on the patient’s forehead. Col Goosen was present during half the examination. Dr Lang said the possibility of a head injury had occurred to him immediately. The moment he saw the lip injury this possibility was uppermost in his mind, but he did not ask any questions about it.

In reply to Mr. Kentridge's question as to whether Dr Lang had ordered the leg irons not to be replaced due to swelling on the patient's ankle, Dr Lang replied that he had not thought of it at the time. After the examination the patient was left on a mat in chains.

Dr Lang had not ordered that the patient be kept in bed. He had however told Col Goosen that if the patient's "condition persisted" he should be called again. The fact that the patient was in chains was not mentioned until Dr Lang's fourth affidavit.

He had reported to Col Goosen that if the patient was not reacting to questioning by the police the patient "was putting it on". Dr Lang had no objection if Col Goosen had continued his questioning.

Dr Lang said he had treated the patient with the same care and consideration he would have given any other patient.³²

Roelofse continued a similar description of Biko's condition in his timeline of the following four days of Biko's detention. According to Roelofse's rendering of the evidence, as gleaned from the press reports, on the second day of Biko's interactions with doctors, September 8, 1977: the police became concerned that Biko had not passed urine, Dr. Lang brought in Dr. Tucker for additional consultation, the doctors found Biko chained by one foot and lying on a mat with urine soaked blanket, they found evidence of diminished neurological function,³³ and Biko complained that he could not use his left upper limb.³⁴ Later on that day, an additional doctor, Colin Hersch, was brought in for further consultation. Hersch conducted a lumbar puncture to search for blood in the spinal fluid,³⁵ and found that Biko suffered from echolalia³⁶, left side

³² "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC.

³³ Neurological function was gauged by using an extensor plantar test. This test involves stimulating the sole of the foot and watching the reaction of the toes to gauge neurological function.

³⁴ "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC.

³⁵ Traces of blood in the spinal fluid indicate serious brain injury.

³⁶ Echolalia is the repeating of a word, phrase, or sound and can be caused by injury to the brain.

weakness, and extensor plantar.³⁷ According to Roelofse, Hersch again examined Biko on the next day (day three), and again found evidence of brain injury:

Dr Hersch based his diagnosis to take the patient to a neurosurgeon on four points echolalia, left-side weakness, extensor plantar and the possibility of blood in the cerebro-spinal fluid.

His examination had taken one hour. The plantar had not been difficult to interpret in this case.

He was convinced that there had been a head injury and brain damage but had not put this in his report as he thought it self-explanatory. His report had not contained suggested treatment.³⁸

Following Hersch's examination, Lang again visited Biko on the third day to follow up on the prior examinations:

Dr Lang felt that the patient's condition was improving. He requested that the patient be sent to the Livingstone Hospital but Col Goosen refused. He then suggested a private hospital but this was also refused.

After the visit to the patient Dr Lang phoned Dr Hersch who informed Dr Lang that the lumbar puncture had been performed with little difficulty but that the cerebro-spinal fluid though not under pressure was bloodstained. Furthermore there was no change in the patient's condition.

Dr Tucker was informed by Dr Lang that the patient had been examined by Dr Hersch and that a possible plantar reflex has been found. Dr Tucker agreed that that was a very serious sign of brain damage. When asked whether it was of no interest to him Dr Tucker replied that the patient was Dr Lang's.³⁹

The description of Biko's declining condition continued in Roelofse's description of day four:

At 3:30 p.m. Dr Lang again visited the patient and "found him comfortable [*sic*] with no complaints and no change in his physical condition".

Dr Lang wrote a bed letter stating that he and Dr Hersch could find no pathology and that the lumbar puncture was normal. If Dr Lang had had free choice he would have put the patient in hospital by Sept. 10.

³⁷ "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC. An 'extensor plantar' indicates damage to the central nervous system.

³⁸ "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC.

³⁹ "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC.

Dr Hersch had not noticed a strange wound on the patient's toe. Dr Lang had wrongly stated that the plantar was performed on the right foot. Dr Hersch was not perturbed by the emergency of the situation.⁴⁰

On the final day of Biko's interactions with the doctors the following occurred:

Dr Tucker was called in by Col Goosen who said that the patient had collapsed. Dr Tucker found the patient lying on the floor in an apathetic condition with froth at the mouth and hyperventilating. He knew that a plantar had been found. He did a five minute examination but did not test for plantar reflex. He concluded that there was no change.

The patient did not stand up during the examination. Dr Tucker tested the patient's legs for spasticity but not for strength or ataxia.⁴¹ He thought that he could exclude serious cerebral disease by such an examination.

Dr Tucker did not insist that the patient be sent to a hospital. He had not thought it inadvisable that the patient be taken to Pretoria by road. He knew that the patient would be travelling without any medical attention.

At that stage he considered the patient's condition satisfactory. He knew that a lumbar puncture had been done but did not know the results.

He had been told about the red cells in the cerebro-spinal fluid before the patient had left for Pretoria but had made no effort to stop him. Dr Tucker had felt that the patient had not been a sick man in the sense of having something which needs treatment. He was a person who showed certain doubtful signs seeming to need a more thorough examination.

Dr Tucker had not discussed his examination of the patient on Sunday Sept. 11 with Dr Hersch.

At 4:45 p.m. Dr Lang received a call from Dr Tucker who said that he had re-examined the patient and because he was "hyperventilating and had not taken any food" had advised that the patient "be transferred to Pretoria Central Prison hospital either by plane or by road".

Dr Lang knew that the patient would be removed on the Sunday and had intended seeing him that afternoon but he got the message that Dr Tucker had seen him.⁴²

After tracing the historical timeline of the medical care offered to Biko,

Roelofse transitioned his submission to clarify circumstances that should have existed.

His imagining of alternative scenarios of care broke into three sub-sections that posed

⁴⁰ "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC.

⁴¹ Ataxia is a lack of coordination of muscle movements.

⁴² "Sequence of Events," Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

and answered questions about the separate conduct of Drs. Lang, Tucker, and Hersch.

This portion of Roelofse’s submission described an alternative history to reflect the standards of performance that all doctors should follow. In doing so, Roelofse read and resituated the evidence of Biko’s experiences as a single example within a broader spectrum of treatment practices. He articulated the errors of judgment committed by the doctors and defined a more idealized path of treatment that Biko, and by extension other consumers of medical care, should have received.

In critiquing Dr. Lang, for example, Roelofse presented his own questions and answers related to the care that Lang offered, some examples included:⁴³

Questions Re: Dr Ivor Lang	Comment and Opinion on Questions Raised
1. Was the certificate issued by Dr Lang after the examination of the patient on Sept. 7, 1977 accurate, inaccurate or misleading? If inaccurate or misleading can Dr Lang offer an explanation and if so is the explanation acceptable to the Medical Council?	The certificate issued by Dr Lang, must be seen in the context that it was given. It appears to have been issued in reply to the question “Has the patient suffered a stroke?” It seems that Dr Lang interpreted the question as would many a medical practitioner, the implication being whether this man had any cerebral pathology. As a legal document or as a medical report on the complete medical examination, the report is incomplete and as such inaccurate. It cannot, however, be regarded as misleading as none of the facts omitted could be regarded as signs of cerebral or other pathology.
2. Did the extent to which Dr Land questioned the patient about his condition on Sept. 7, 1977 conform with the minimum the Council expects from a medical practitioner who wished to	The questions asked by Dr Lang can only be deduced from the court record. It seems that the questions were directed mainly to cerebral symptoms and as such covered the areas of (a) memory of past

⁴³ In the original document, the questions and answers are placed on separate pages, however, I combine them in a table to make Roelofse’s arguments more accessible. “Questions re: Dr Ivor Lang” Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

<p>accurately assess the condition of a person he is called upon to examine?</p>	<p>events; (b) past level of education which gives an indication of previous intellectual ability; (c) comprehension of simple speech; (d) speech – this was described as slurred but not in any way showing cerebral abnormality; (e) pain experience – this would presume to include headache; (f) weakness – the patient had said his limbs were weak; (g) he was asked why he was not eating to which a reply was given. Obvious omissions (judging from the court record) are: (a) Questions concerning headache specially, and other cerebral functions such as recent memory, concentration, ability to read, understanding speech (why was he not answering Col. Goosen), writing, etc. (b) Questions concerning specifically cardio-respiratory, gastro-intestinal and urinary function. Whether these questions were asked is impossible to judge but these areas should have been covered and if not would indicate that the examination had in fact been incomplete and not as Dr Lang sketched – “full”. Omissions of importance were: (a) he was not asked about the lip or chest injury; (b) he was not asked about the outburst mentioned by Col. Goosen (this could have given information about his cerebral functioning); (c) he was not asked about his lack of hunger (e.g. nausea, epigastric pain, etc.</p>
<p>6. Was Dr Lang negligent in not keeping the patient under more regular observation – particularly as he stated in his evidence on November 22, 1977 “I had to rely on very inexperienced observers. I had no other choice”. And “I had nobody reliable to do it”?</p>	<p>It is obvious now in retrospect that the patient should have been more extensively investigated and observed...</p>
<p>8. Should Dr Lang not have discussed the “bath incident” with the patient?</p>	<p>Dr Lang should have questioned the patient about getting into a bath with his clothes on. This is an omission on his part.</p>

And after posing and answering his questions about Lang's interactions with Biko (there were fourteen in total), Roelofse summarized his analysis:

SUMMING UP, Dr Lang clearly omitted to adequately investigate certain symptoms and occurrences. It may have helped him in arriving at a definite diagnosis and treatment had these matters been investigated. The diagnosis was obviously not easy, he was not negligent in that he requested further help and was prepared to do what seemed reasonable at the time. He cannot be blamed for not having the experience or expertise of a trained neurological specialist. It seems a little strange that no blood tests were performed and no thought was given to the patient's metabolic status. Tests such as blood count, electrolytes, blood urea should have been done early in the course of the patient's illness and are basic in examining a patient who had signs and symptoms that could not be adequately explained. Dr Lang appears not to have acted as would be expected of an experienced general practitioner.⁴⁴

Roelofse's analysis of Dr. Lang's performance invoked a historical account of Biko's treatment in which a divergent path should have been followed. In his history, Biko was a patient, a consumer of medical care who should have been offered basic medical care. Within the space between what actually happened and what a morally and professionally ethical doctor would have done, Roelofse defined an alternative presence for Biko. By reading the questions Roelofse posed, offering possible answers, and then reading through his responses, the reader was forced to think comparatively and to critique the broader account of Biko's death utilized by the doctors and security police. This realm of hypothetical conditions, of plausible diagnostic moments, was the space where a critique of the apartheid state's methods for treating detainees was substantiated. If Lang had followed proper diagnostic procedures such as testing Biko's blood count or metabolic status, a more comprehensive treatment plan could have been developed.

⁴⁴ "Questions re: Dr Ivor Lang" Compiled by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC.

In addition to analyzing Dr. Lang's performance, Roelofse also documented Dr. Tucker's actions. He posed questions about procedure such as: "Should Dr Tucker have insisted that the patient be transferred to a hospital...?" and "Is it professionally acceptable for a doctor to conclude that a patient a) who has collapsed; b) who is found lying on the floor in an apathetic condition; c) who show[s] froth at the mouth; d) who is hyperventilating is 'not a sick man in the sense of having something which needed treatment'?"⁴⁵ Roelofse's questions about Tucker concluded with "Does the weight of the evidence in the inquest indicate that [the doctors] conducted [themselves] in conformity with the requirements of the Medical Council and the Hippocratic Oath?"⁴⁶ As with the questions related to Dr. Lang, Roelofse again responded to his own inquiries to illuminate the points at which improved care should have been offered to Biko. Answering the inquiry about Tucker deciding that Biko was not injured, Roelofse stated that:

As already discussed, Dr Tucker failed to appreciate signs of a severely disturbed metabolic state. This questions his ability as a doctor actively engaged in diagnosing and treating patients.⁴⁷

In concluding his discussion of Tucker, Roelofse offered that:

Dr Tucker showed conspicuous lack of appreciation of symptoms and signs of severe metabolic disturbance. He did not exhibit sufficient medical curiosity in examining the patient, and he did not show adequate care in obtaining full relevant information when last he saw the patient.

⁴⁵ "Questions re: Dr Tucker" Complied by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

⁴⁶ "Questions re: Dr Tucker" Complied by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

⁴⁷ "Questions re: Dr Tucker" Complied by Eugene Roelofse in BC 822 Biko Doctors Case Collection, C Statements: C5-C7, SAMDC

The intent of Roelofse's analysis was to recognize specific healing alternatives. If Tucker had sent Biko to a hospital, or at least properly diagnosed Biko's symptoms, as he should have, Biko may have survived his injuries. In this revised and highly idealized version of the past, Roelofse pinpointed the ethical failures of those doctors who treated Biko.

Reviving the presence of Biko in ethical diagnostic scenarios allowed Roelofse's readers to envision possible treatments, and to criticize the ethical credentials of those doctors who were so deliberate in their oversights. Roelofse connected the ethics of care as they related to Biko with the larger commitment to medical ethics professed by the SAMDC and, by extension, the apartheid state. In his final statements about the doctors, as mentioned above, Roelofse asked whether or not the behaviors exhibited conformed with the requirements of the Hippocratic Oath. Challenging the avowed ethical standards of the South African medical system and its links to apartheid legislation added to Roelofse's critique. It allowed him to take advantage of a limited space to raise important points about Biko's death.

Additional Submissions by Medical Doctors to the SAMDC

In April of 1980 the SAMDC announced that it had not found any evidence of improper conduct by Biko's doctors, despite having read the evidence from the inquest in addition to Roelofse's submission.⁴⁸ To keep pressure on the SAMDC and on the

⁴⁸ The decision by the SAMDC was cause for immediate outrage, "Astonishment at Decision on PE doctors in Biko Case," *Weekend Post*, April 26, 1980. Soon after the decision was announced, the *Sunday Express* published an article that listed the names of the SAMDC investigative council, pointing out that all five were members of the Broederbond. Peta Thornycroft, "Biko Doctors: Blazing Row Looms," *Sunday Express*, April 27, 1980.

apartheid state,⁴⁹ numerous doctors pressured the organization to reopen their inquiry into the Biko case. One such group, comprised almost entirely of professors of medicine, submitted a complaint to the SAMDC in February of 1982 to again call attention to the lack of ethical procedure adhered to by Biko's doctors.⁵⁰ In the opening of their submission, these doctors pointed out that theirs was "not a continuation of [Roelofse's] complaint" but a "new and independent complaint which has not yet been dealt with by the Council or by a committee of the Council."⁵¹ Moreover, the complainants emphasized their professional credentials by stating that they were "registered Medical Practitioners or persons medically qualified to be so registered in the Republic of South Africa" and that "[a]s practising or academic members of the South African medical profession, Complainants are persons directly interested in the question, whether the accused practitioners have been guilty of disgraceful or improper conduct, and have both a legal right and a moral duty to initiate the present Complaint."⁵² Invoking their professional credentials to read the evidence as qualified medical practitioners helped to foreground the quality of their analysis and their concerns about the practices of unethical doctors with whom they shared a professional affiliation. The authority of their credentials gave them the opportunity to describe scenarios of care that could have existed. More importantly, in the process of

⁴⁹ Recall that discussion of Biko's medical care provided a space to sustain discussion of the otherwise banned Biko. The investigations into medical care received extensive press coverage. See the press clippings in BC 822 Biko Doctors Case Collection.

⁵⁰ The group members with their then affiliation included Dr. Frances Ames from the University of Cape Town, Dr. Edward Barker from the University of Natal Medical School, Dr. Trefor Jenkins from the University of the Witwatersrand, Dr. Leslie Robertson a general medical practitioner, and Dr. Phillip Tobias from the University of the Witwatersrand.

⁵¹ "Complaint Involving Allegations of Improper or Disgraceful Conduct" from BC 822 Biko Doctors Case Collection, B 15.

⁵² 'Complaint Involving Allegation of Improper or Disgraceful Conduct' from Folder B15 of BC822 Biko Doctor's Case Collection, pp.5-6.

establishing themselves as members of the larger medical profession, the appellants used Biko's death to define ideas of membership to the profession. The desire or ability to properly treat Biko ultimately defined the moral limits of belonging. They – like Roelofse – also emphasized that their interest in the case was not to fulfill any political relationship with Biko.⁵³

Like the earlier submissions to the SAMDC, the one submitted in February of 1982 used a narrative timeline to describe Biko's detention and interaction with doctors.⁵⁴ Moreover, it exclusively cited descriptions of Biko's ailing body. In summarizing their complaint, they stated that:

On the evidence given by the other doctors there was a casual and inadequate approach to the diagnosis and treatment of the patient, as evidenced by –

1. The failure to attribute due significance to the substantial indications already extant of brain disorder which had been determined by Drs Lang, Tucker and Hersch
2. The failure to undertake or recommend a proper examination of the patient by a suitably qualified practitioner.
3. Again, if the other doctors can be relied upon, an apparent readiness to express an opinion (to which misguided faith was attached) in the absence of a thorough personal examination and certain essential and virtually self-evident.
4. The unwarranted reliance placed by [the examining doctors] upon relatively superficial observations made by Medical Practitioners who lacked experience in neurological problems.
5. The failure to communicate clearly and explicitly the nature of the observation which [the doctors] envisaged as appropriate.
6. The failure to undertake and/or to enquire as to the result of important tests which could have been helpful, and which had not been performed at this stage, viz: - An X-Ray; An Angiogram; C.S.F. analysis (incl. Xanthochromia); Spinal fluid pressure. Blood tests to give levels of urea and electrolytes.
7. A number of material conflicts exist between the Evidence of Dr Lang at pages 742 and 979, and the Affidavit of Dr Keeley as quoted above, which ought to be investigated or explained.⁵⁵

⁵³ "Interview with Frances Ames" in BC822 Biko Doctors Case Collection, D2.

⁵⁴ As much of the timeline was similar to the one submitted by Eugene Roelofse, I am not including an extended discussion of it here.

⁵⁵ Complaint Involving Allegation of Improper or Disgraceful Conduct' from Folder B15 of BC822 Biko Doctor's Case Collection, pp.16-18

In summarizing the general issues in which all of the doctors failed to extend proper care, the authors of the complaint transitioned their presentation from a timeline to a broader critique. Their analysis turned towards more specific discussions of each individual doctor's behavior. In describing the treatment offered by one of the doctors, Dr. Lang, for example, the submission cited the inquest testimony to point out that Lang noticed swelling on Biko's manacled ankles, conducted his exam of Biko at floor level where he could not see all of Biko's body, found Biko lying in urine-soaked blankets, and did not demand that security police take Biko to a hospital.⁵⁶ As they described:

Lang was willing to undertake his examination of the patient under the most adverse, if not impossible circumstances – the patient lying on the floor of a Police Cell and chained to a metal grille. In these circumstances, it is little wonder that Lang failed to discern a number of important symptoms, including the injury above Biko's right eye, nor did he attach any significance to the lip injury or other bruises and visible symptoms.⁵⁷

By emphasizing how extraordinarily “adverse” these examination conditions were, the complainants both clarified the ways in which Lang's unethical behavior was expressed while also pointing out how these behaviors led to an improper diagnosis.

The description of what the doctors should have done to prevent Biko's death continued throughout the submission. In a section that defined tests whose completion would have led to a more carefully conceived diagnosis and plan of treatment, the complainants noted that:

The failure to undertake normal and obvious tests as could have been of assistance at arriving at an appropriate diagnosis.
For example:

⁵⁶ Complaint Involving Allegation of Improper or Disgraceful Conduct' from Folder B15 of BC822 Biko Doctor's Case Collection

⁵⁷ Complaint Involving Allegation of Improper or Disgraceful Conduct' from Folder B15 of BC822 Biko Doctor's Case Collection

At no time was Biko's temperature taken (although it was pointed out this might well have eliminated the suspicion of shamming);
At no time was there any examination of Biko's urine;
At no time was there a blood count, nor was there any analysis of electrolytes or urea in the blood⁵⁸

Pointing out that proper treatment of Biko would have included taking Biko's temperature, examining Biko's urine, and testing Biko's blood count showed the importance of diagnosing to subsequent ethical practices.

The broader critique offered in the submission was that Biko's doctors were not ethical and that they could not claim membership in a group that considered itself ethical. Furthermore, the standards of ethics which they supposed themselves to be connected to were the same ones defined by organizations such as the World Medical Association.⁵⁹ The members of the SAMDC, like the apartheid state more broadly, thought itself attached to a series of moral tenets set by the western world. By writing an argument that revealed the decision of member doctors in the SAMDC to not follow these ethical values, the complainants articulated a critique not only of the SAMDC but also of apartheid more broadly. If people had been willing to treat Biko, they could claim belonging as ethical members. By extension, this particular critique of the SAMDC also called attention to the broader apartheid system which held to a set of values that it did not actually live up to in practice.

⁵⁸ Complaint Involving Allegation of Improper or Disgraceful Conduct' from Folder B15 of BC822 Biko Doctor's Case Collection

⁵⁹ See Rayner, *Turning and Blind Eye?* p.37. Rayner states that "the faculty went on to endorse the Guidelines for Medical Doctors Concerning Detainees and Prisoners, adopted by the World Medical Association (WMA) in Tokyo in 1975."

The expression of moral obligation in the appeal to the SAMDC was also present among other concerned members who revoked their membership in reference to a concern over Biko. For example, in a letter to the SAMDC, member J.P. Cruse wrote:

I have been waiting for you to write to me so that I could explain why I have decided to ask you to remove my name⁶⁰ from the register of medical practitioners. The truth is that I am ashamed to have my name on the register of a medical council which has failed to hold an inquiry into the alleged unprofessional conduct of the medical doctors involved in the care of Stephen Biko prior to his death while in police custody. From the evidence that I have read, it seems to me that the doctors concerned failed to provide proper medical care and acted in complicity with the South African Police. The SAMDC, in refusing to hold a proper enquiry into the conduct of the doctors involved, has tainted itself, as well as all the doctors on its register, with the same complicity.⁶¹

Cruse expressed a sense of complicity that resulted from belonging to an organization with members who decided not to properly treat Biko. A membership that defined itself as ethical could not interact with a dying person in the way that the prison doctors had. The use to which the history of Biko's treatment was put in debates about ethical medical practice fit into a particular political narrative which engaged apartheid on its own terms to show its gross hypocrisies, but also illuminated apartheid's actual distance from the values of the west that it claimed to embrace. With a subtlety of action, direct confrontation with the apartheid state was avoided but attention was at least called to the state's inherent flaws.

⁶⁰ Emphasis in the original

⁶¹ "Letter from J.P. Cruse to J.H. Brink" BC 822 Biko Doctors Case Collection, A1 – Correspondence – Cruse and SAMDC, 1984-1996.

Transvaal Medical Society and the Work of Yosuf Veriava

In March of 1982 the Transvaal Medical Society (TMS)⁶², an organization of black medical workers, submitted a complaint to the South African Medical and Dental Council (SAMDC) alleging that the doctors who treated Steve Biko were guilty of improper and disgraceful conduct.⁶³ Using their professional experience, credentials, and skill in medical practice, like the doctors before them (see above), the complainants offered an extensive analysis of the medical evidence presented during the inquest into Biko's death to show that Drs. Lang and Tucker had failed to offer basic medical services, that their behavior was unethical, and that Lang and Tucker had acted in complicity with the security police to allow Biko to die.⁶⁴

The Transvaal Medical Society was originally formed in the early-1970s by black medical workers to address the impacts of apartheid on black health workers including issues of salary discrimination, access to basic health services for black patients, and discrepancy in funding between hospitals.⁶⁵ In addition to these issues, the TMS also called attention to the deaths of detainees, and focused in particular on the role that medical practitioners played in relation to these deaths.⁶⁶ Steve Biko's death in detention provided an extraordinary poignant example of the issues that the TMS was working to raise consciousness about.

⁶² Transvaal referred to a province in the northern part of South Africa and included such large cities as Johannesburg and Pretoria

⁶³ See also "Proposal for independent hearing on Biko doctors," *Rand Daily Mail*, September 20, 1980; "Now black docs on Biko case," *Post*, October 10, 1980.

⁶⁴ Complaint by Transvaal Medical Society against Lang and Tucker in terms of Section 41 of the Medical, Dental, and Supplementary Health Services Act, 1974," BC 822 Biko Doctors Case Collection, B 16.

⁶⁵ Oral Interview: Yosuf Veriava, May 16, 2008

⁶⁶ Oral Interview: Yosuf Veriava, May 16, 2008

The complainants from the TMS used the inquest record to compose their own history of Biko's medical care. Following the testimony of the security police and of the doctors themselves, the members of TMS documented the events and conditions that culminated in Biko's death.⁶⁷ This account was followed by a second, revised history of Biko's health, one that pointed out the moments when the doctors erred in their treatments of Biko, elaborating an assessment of what should have happened to prevent Biko's death.⁶⁸ In many respects, the submission by the TMS shared a great deal in terms of content and analytical strategies with the submissions discussed above.

One of the leading members of the Transvaal Medical Society in the 1980s was Dr. Yosuf Veriava.⁶⁹ In the late-1970s and into the 1980s, Veriava was deeply involved in developing the case against those doctors who treated Biko. In an interview that I conducted with Veriava in May, 2008, we discussed how Veriava read the evidence of Biko's death while preparing the submission in the 1980s, and he placed the original TMS inquiry in a larger political context. Moreover, he described the issues that were not described in the TMS submission that were, in his analysis, as important today as they were in the 1970s and 1980s. Although I am not using my interview with Veriava as a proxy for the TMS submission, I do use the conversation to pursue how one individual thought about and continues to think about this historical subject.

⁶⁷ "Complaint by Transvaal Medical Society against Lang and Tucker in terms of Section 41 of the Medical, Dental, and Supplementary Health Services Act, 1974," BC 822 Biko Doctors Case Collection, B 16.

⁶⁸ "Complaint by Transvaal Medical Society against Lang and Tucker in terms of Section 41 of the Medical, Dental, and Supplementary Health Services Act, 1974," BC 822 Biko Doctors Case Collection, B 16.

⁶⁹ In the early 1980s when the submission was developed, Veriava taught medicine at the University of the Witwatersrand, an institution where he currently teaches internal medicine.

Yosuf Veriava went to great lengths to contextualize his reasons for advocating further review into the medical treatment offered Biko during the course of his detention. Although I initially intended to ask Veriava solely about the medical issues related to Biko's care, Veriava prefaced his discussion of Biko by detailing the broader activities of the Transvaal Medical Society. For Veriava, Biko's death and its direct relationship to the abhorrent medical care offered to detainees was indicative of a broader system of unequal medical distribution in South Africa. Biko's death was another example of the treatment that all black South Africans received under apartheid. The dismissive attitude that Lang, Tucker, and the police had towards Biko, and their collective denial of even the most basic care caused Biko's death, and directly reflected the standard of care all black South Africans could expect.⁷⁰ To emphasize that the doctors were unethical and responsible for Biko's death, Veriava reiterated an argument about the conditions under which Biko could have lived.

Instead of offering a history of Biko's death in which the elements of Biko's ailments were described along with the responses (both helpful and harmful) of Drs. Lang and Tucker, Veriava told the history of Biko's death in detention by describing the conditions under which life was possible and death avoidable. This rearticulating of events drastically undercut the apartheid state's account developed to define Biko's death by emphasizing in specific terms the circumstances of healing over harming, care over negligence, and life over death. In describing his reactions to Biko's death, for example, Veriava stated that:

⁷⁰ Oral Interview: Yosuf Veriava, May 16, 2008

I wasn't convinced that Steve Biko would have died of those head injuries. I believed, and I've said it over, that he survived quite a while after those head injuries...if he had proper care, and proper supportive care, he would have survived. Secondly, I believe that one major shortcoming in the trial was that of all the doctor's behavior was that he should have had a brain scan. A scan then. That was also not done.⁷¹

Here, Veriava called attention to his sense of what ultimately caused Biko's death.

Veriava suggested that Biko's injuries, even though severe, would not necessarily have led to his death. He blamed the doctors for not doing a brain scan, which would have enabled a clear diagnosis and treatment. The implication is that the doctors were willfully ignoring diagnostic tools available to them and were responsible for Biko's death. In distinguishing this claim, Veriava shifted the history of Biko's death to move the argument away from one in which Biko's brain injuries were terminal, and instead focused on an account where healing should have occurred.

Beyond the extent of Biko's brain injuries, Veriava also invoked ideas of where additional supportive care should have prevented the expansion of Biko's other ailments:

And I think that the supportive care was lacking he even went into renal failure... that it was disseminated intravascular coagulation because of brain injury, but I think that he was also dehydrated. You know he wasn't [being] fed or given fluids and all that, he's a bit confused... so again his renal failure, kidney failure could have been treated. So the overall treatment-, you know people felt that well, you know he just had a head injury so severe that he wouldn't have survived. That, I'm not convinced. I believe that with proper care-, there was a reasonable probability that he would have survived, so that's an issue. The other point is that there were other sort of marks, and I think even on his hands that weren't-, didn't come out in the inquest. You know there were-, I can't

⁷¹ Oral Interview: Yosuf Veriava, May 16, 2008

remember exactly, but I think that there were some sort of evidence of, you know, injuries that didn't come through.⁷²

In this analysis, Veriava again referenced the broader conditions under which Biko could have lived. Calling attention to Biko's renal failure and dehydration emphasized two elements of this history that were largely ignored by Drs. Lang and Tucker who both directed their histories to match the events described by the security police. In their history of Biko's death, Lang and Tucker argued that Biko had initiated a hunger strike and refused to eat or drink. Their explanation of Biko's dehydration and approaching renal failure was filtered into their broader argument in which Biko was the agent of his own destruction. In the process of resisting the state, the police and doctors argued, Biko refused to take care of his own body, conditions that ultimately led to death. Like their arguments about Biko's self-inflicted brain injuries, Lang and Tucker claimed that the destruction of Biko's renal function also developed through no fault of the police or doctors. Veriava disputed this claim through his emphasis that Biko was "a bit confused" and in need of someone else to look after his intake of liquids and proper nutrition. In elaborating this connection, Veriava not only emphasized the complicity of the doctors and police in allowing Biko's death, but he also described scenarios in which Biko's brain injuries were not the only cause of death.

The sense that the doctors were complicit in causing Biko's death also extended into other elements of the care that they offered. As Veriava described:

But to me it was very clear that, two things; one – and I'm convinced of this – that he was assaulted, and he may have resisted a bit, but he was assaulted and beaten up... The other was that the doctors, the reason they behaved or the

⁷² Oral Interview: Yosuf Veriava, May 16, 2008

answers they gave-, they tried to cover up. [A]nd in fact, in my mind, the behavior of the doctors was that of participating in the process of torture. There are various ways that doctors can participate. One is by being a torturer themselves, you know, doing it. The second is sort of resuscitating patients so that they can be subject to more torture so you could gather. The third would be a situation where the doctors cover up for them, and also that is a form of complicity in the whole process of torture, and yeah, I believe that there was clear complicity in my mind. It wasn't just that the doctors were stupid...or that they were unethical. They were complicit in a process here.⁷³

The sense of the doctor's complicity figured strongly in Veriava's resituating of the history of Biko's death. To challenge the doctor's reconstruction of the death, he had to show that they were not just ignorant, but that they had an intended and conscious connection with the broader practices of torture. The sense of complicity, for Veriava, even exceeded a sense that the doctors were lapsing in regards to their professional obligations as ethical medical practitioners, and suggested that their behavior turned them into torturers instead of doctors.

An additional and highly significant distinction that Veriava made came in his discussion of the other doctors who were involved in treating Biko. During the inquest, it was largely Lang and Tucker who were forced to speak about the conditions of Biko's death and detention and their involvement with the case.⁷⁴ They emerged as the most visible faces within the broader inquiry, yet they were not alone in treating Biko.⁷⁵ In addition to Lang and Tucker, Veriava also pointed to the actions of other doctors who failed to effectively treat Biko, indications of broader failures within the South African medical system under apartheid when it came to treating a black patient:

⁷³ Oral Interview: Yosuf Veriava, May 16, 2008

⁷⁴ Part of this emergence reflects the preparation for the inquest conducted by those lawyers who represented the Biko family.

⁷⁵ Oral Interview: George Bizos, May 13, 2008. See also, "Port Elizabeth Medical Practitioners" in A 1931 – Ernie Wentzel Papers

[A]nd the doctor who looked after him there [at the Pretoria Prison hospital] really did a bad job. What he did was put up a drip, leave him there, I think the blood pressure was a bit low, and just put up a drip and left. There was negligence even at that point. And I'd like that thing to come through. I can tell you the reason why they didn't look or take action against other doctors – the lawyers did not – was that they felt that they would only like to go for those that were clearly complicit. Clearly complicit. But if you're looking at the neurosurgeon who was involved, the neurosurgeon just said, 'well, observe the patient'. You know, I am just a bit worried that all the doctors took it lightly. Ok, the physician who saw him examined properly and said, 'there was evidence of brain injury'...But the third doctor, the one in the prison, was clearly negligent in my mind.⁷⁶

According to Veriava, the improper commitment to proper care offered by the doctor in Pretoria likely enhanced the probability of Biko's death. Speaking about the specific use of a drip, Veriava said that:

What the drip may have made worse is that he was already in kidney failure and, you know, if the person is not passing urine he could have-, by giving too much fluids flooded his lungs. That's a possibility, you know-, cause what we call pulmonary edema. And in a person who is not-, who is in kidney failure, who is not passing urine-, see if you have kidney failure there is a period in kidney failure which we call pre-renal, and that is where they don't have enough fluids or their blood volume is depleted. And there, if you give fluids you can prevent kidney failure where there is clear structural damage to the kidney. Once there is structural damage to the kidney, and then it may not be right to so suddenly pour lots of fluids because the person may not be able to pass urine, and if they're unable to pass urine and you put in a drip, a lot of the fluid will collect in the lung...So, we don't know exactly, you know-, what we know is that he was in kidney failure, he was hypotensive, a drip was put up and he was left. There was no further thing, no blood test done, no blood tests were done at all! You know, through the whole thing, he was just treated badly.⁷⁷

Moreover, the neurosurgeon consulted to assess Biko's condition also failed to follow proper procedures:

The neurosurgeon's responsibility was to sort of – look, this is a person who has had a head injury, and, has he got types of damage in the brain, or hemorrhages in the brain that he's amenable to, you know, evacuation or whether he should

⁷⁶ Oral Interview: Yosuf Veriava, May 16, 2008

⁷⁷ Oral Interview: Yosuf Veriava, May 16, 2008

intervene. And even if he's not going to intervene, what sorts of supportive care he would require and all that. Just to tell them, 'look, you must just observe the patient,' and then leave it at that. And how can you observe a patient in there? In no hospital. This was a serious cerebral injury, why didn't he say, it should have come out - this person cannot be treated this way.⁷⁸

In Veriava's account, the sense of responsibility for Biko's death extended beyond just the actions of Lang and Tucker and was present in a whole range of medical responses. The alternatives that existed, for Veriava, made it so that death was not inevitable.

Although Veriava pursued an analysis that treated Biko as a case study, it had long formed for him a deeper metaphor for life under apartheid. As Veriava described:

And, I'll tell you, that the world was separate in those days. There was a world that was a privileged world, and then there was another world in this country. And a lot of the people in the other world...many of them didn't know Steve Biko. But in the black world he was well known, there's no doubt about it. The second sort of issue is they just saw these people as troublemakers, as terrorists and so on. So there was a whole mind-set that was negative. And most of them were very comfortable. In those days we couldn't get many people to get involved in the Biko case. Just to tell you that there was a group here, at this medical school, Wits Medical School, mainly the surgeons - when Professor Tobias called up a meeting to discuss this and to get support from this medical school, they were reluctant to support this whole thing. They felt that there's no torture. They felt that, you know, we shouldn't get involved. So there wasn't unanimous support for resolution that was taken. So even here at our medical school which is a liberal sort of university there were individuals - ultimately there weren't many people who were prepared to take this case to court. They weren't. You know, we've got lots of academics, the whole of the white sort of medical profession was being dominated by them - why did they not-, won't say this [is] terrible and get involved? It was a small group, a handful, but the collective sort of profession was going to be, was prepared to be silent on the matter.⁷⁹

Although the discussion of Biko's death was limited to a debate within the small community of medical professionals, for Veriava the reluctance of many in South Africa to take an ethical position regarding Biko's treatment revealed in microcosm

⁷⁸ Oral Interview: Yosuf Veriava, May 16, 2008

⁷⁹ Oral Interview: Yosuf Veriava, May 16, 2008

broader social divisions. Many white academics who dominated the medical profession found it easier to deny that Biko was treated in an unethical manner – much as they denied that there was a gross mal-distribution of healthcare within the larger country.

By crafting arguments about the absences of care, and in reformulating histories of Biko's detention in which death was not the presumed outcome, Yosuf Veriava and others debated the broader mechanisms of apartheid. Biko's treatment was one, extraordinarily vivid, example of the abhorrent medical care allotted to black South Africans. By revisiting Biko's death and challenging the modes through which agents of the apartheid state explained it, Veriava helped to call attention to what he saw as a pressing and largely unrecognized problem.

Biko's Health and the TRC

Discussion of the medical care offered to Steve Biko during his detention reemerged as a central issue during the Truth and Reconciliation Commission. Biko's medical care arose as an important topic in two separate ways. First, during the so-called 'Special Hearings,' specifically the Health Sector Hearings that were convened as a sub-set of the Human Rights Violations portion of the TRC, Biko's medical care was cited as the most famous example of the complicity between some medical practitioners and organizations and the apartheid state.⁸⁰ Second, Biko's medical care featured prominently within the amnesty hearings for the security police who caused his death.⁸¹

⁸⁰ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, South Africa, <http://www.justice.gov.za/trc/special/health/health01.htm>

⁸¹ Especially in the hearings of Snyman and Siebert, see Amnesty Hearing of Daniel Siebert, held on December 8, 1997 in Port Elizabeth. Case number: 3915/96. <http://www.justice.gov.za/trc/amntrans/pe/2biko1.htm>

Although the security police again claimed that Biko's death was accidental, their inability to explain why medical care was not offered proved that their history was based on a lie.

Health Sector Hearings of the Truth and Reconciliation Commission

During the 'Special Hearings' of the TRC Human Rights Violations hearings, two days were dedicated to exploring the role of the "health sector in perpetrating, colluding with or resisting human rights abuses during the period under review."⁸² As Archbishop Desmond Tutu noted during his opening comments for the hearings, "[t]his is perhaps appropriate as the TRC is so often described in terms of medical metaphors, opening wounds, cleansing and healing."⁸³ Wendy Orr followed Tutu's comments by adding:

We have tried to structure the day by starting off with case studies to demonstrate real life situations in which things went wrong. In which complicity and collusion, negligence, mistreatment and violations occurred and then moving into the organisational submissions to try and help us understand the context and environment within which these occurred, why they occurred, how they occurred and most importantly, and I feel very strongly about this, how we can prevent them from occurring in the future.⁸⁴

and Amnesty Hearing of Harold Snyman, held on September 10 and 11, 1997 in New Brighton, Port Elizabeth. Case number: 3918/96. <http://www.justice.gov.za/trc/amntrans/pe/snyman.htm>.

⁸² Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, South Africa, <http://www.justice.gov.za/trc/special/health/health01.htm>

⁸³ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, South Africa, <http://www.justice.gov.za/trc/special/health/health01.htm>

⁸⁴ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, South Africa, <http://www.justice.gov.za/trc/special/health/health01.htm>. Selections of specific examples, according to Wendy Orr, were drawn from nearly fifty submissions.

Biko's medical treatment in detention was used as the leading example of such abuses.⁸⁵

Testimony describing the medical care during Biko's detention was provided by Dr. Peter Folb who was at that time a Professor and Head of the Pharmacology Department at the University of Cape Town.⁸⁶ In the 1980s, Folb had been involved in establishing critiques of Biko's doctors. In establishing his credentials to open the hearing, he offered that:

My sole qualification for doing this is that, at the time, hundreds of students, colleagues, lawyers, clerics, journalists and international experts in ethics and medicine visited me to seek advice or make points and left with me, in the process, more than 2,000 documents relating to the death in detention of Steve Biko, which are now part of an archive that will form part of the proceedings of the Truth and Reconciliation Commission.⁸⁷

Folb emphasized that his link to the Biko case largely emerged through his active role in producing and maintaining an archive which was of significant use to the TRC.⁸⁸

Folb's reference to the relevance of the archive served a dual-purpose. First, the archive contained emphasis on the actions of medical professionals who challenged the apartheid state and professional medical organizations. This clarified, for Folb, that not all medical professionals under apartheid were complicit with the broader apartheid project. Second, it linked together the efforts of those who challenged and tried to expose the actions of the apartheid state as well as the archive that they created in the process, with the similar investigative project of the TRC.

⁸⁵ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>. Selections of specific examples, according to Wendy Orr, were drawn from nearly fifty submissions.

⁸⁶ I conducted an informal interview with Folb in 2008.

⁸⁷ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

⁸⁸ The Folb collection was donated to the Archives at the University of Cape Town. I consulted these same materials in researching the content of much of this chapter.

Folb's testimony opened with the response given by Lang and Tucker during the 1977 inquest when they admitted that the expectations of the Hippocratic Oath were displaced in favor of the security police's demands. He then traced a timeline of Biko's detention and encounters with the District Surgeons.⁸⁹ Folb's narrative emphasized that Biko's medical records were falsified, that the doctors allowed the security police to dictate the terms of treatment, and that the post-mortem exam revealed extensive and serious injuries that should not have gone untreated.⁹⁰ He went on to describe the appeals made by member doctors to the SAMDC and MASA.⁹¹ In summarizing the reasons for Biko's mistreatment, Folb argued that the case was not an outlier but instead the accumulation:

- of apartheid discrimination health facilities and provisions of care at all levels;
- salaries discrimination whereby doctors who were not White earned half of what White doctors did;
- conditions in South African jails and the hostile response, even of the medical profession, to colleagues who attempted to expose these;
- the lack of response to children in detention and their treatment;
- the failure of the medical profession to respond to the banning of colleagues such as Dr Hoffenberg and others;
- the lack of interest of the medical profession in corporal punishment;
- the lack of understanding or training in even the most elementary aspects of medical ethics, and the lack of support and special training of district surgeons and others working in prisons.⁹²

⁸⁹ As the Health Sector Hearings were held before the amnesty hearings, Folb's account used the date of Biko's interrogation and injuries first offered in 1977 – September 7th. During their 1997 testimony, the police recognized that the injuries were incurred on September 6th, and the date was adjusted to the 7th to correspond to the moment when the District Surgeons were first summoned.

⁹⁰ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

⁹¹ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

⁹² Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

In all of Folb's discussion, Biko was repeatedly referred to, not as a patient in need of active treatment, but as a deceased victim of apartheid violence. He argued that the medical care offered to Biko was emblematic of a broader relationship between some members of the medical community and the police apparatus. Although the errors and lapses of judgment exhibited by Lang and Tucker were again revealed, it was done in ways that explicitly tied Biko to a broader history of failures within the medical profession under apartheid.

This analysis of the broader implications of Biko's treatment was also presented by another of the commissioners for the Health Sector Hearings, Nomfundo Walaza. While introducing the testimony of Mildred Lesani and Ivy Gcina, both of whom described the conditions of medical care offered to detainees that they experienced during a period of detention in 1987, Walaza referenced the history of Biko's medical care.⁹³ She stated that:

The death in detention of Steve Biko was a critical moment in the history of health and human rights in South Africa because that created schisms in the medical and other professionals that remain to this day. His death led to an increase, according to some researchers, of the number of visits made by district surgeons to political detainees. And his death led to a few minor reforms that in retrospect had little impact on the health care of detainees. But what is most ironic about the *furore* [sic] over the Biko doctors is that the highly publicised case did not prevent further deaths in detention or torture for the next 20 years.⁹⁴

This opening commentary helped to call attention to the ways in which the conditions of Biko's death shared a great deal with those experienced by other detainees.

⁹³ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

⁹⁴ Human Rights Violations, Health Sector Hearings, Day 1, June 17, 1997 in Cape Town, <http://www.justice.gov.za/trc/special/health/health01.htm>.

Amnesty Hearings

During the amnesty hearings for the security police who caused Biko's death, reference to the medical care offered Biko was repeatedly made. The security police who applied for amnesty continued to argue that Biko's death was an accident, and although they slightly reworked the details of their history from the version developed in 1977, they continued to absolve themselves of any blame. To counter their arguments, the lawyer for the Biko family, George Bizos, repeatedly turned to the furnishing of a false medical certificate and the obvious wounds on Biko's body to show that the police were intentionally negligent towards Biko, and thus, both responsible for his death and obvious liars. In this way, Biko's medical condition reappeared to prove conclusively that the security police were both responsible for Biko's death and providers of histories filled with gross inaccuracies.

Although members of the security police recognized in retrospect that they were wrong to have not offered Biko proper medical care, Biko's health emerged as a central metaphor for the broader negligence of the security police. Bizos repeatedly referred to Biko's injuries that were self-evident in the autopsy report but otherwise neglected in the police's accounts of Biko's death. This use of forensic evidence played out openly in Bizos' questions of Harold Snyman:

Mr Bizos: At the inquest in Pretoria, you were shown coloured photographs. Do you recall? Which clearly showed an injury above the eye, do you recall that?

Mr Snyman: I can't recall, but it's possible.

Mr Bizos: And also show a cut lip. Do you recall that?

Mr Snyman: That is correct, your Honour.

Mr Bizos: Well, you didn't really need the photographs to remember that there was an injury above the eye and that there was a cut lip. You yourself saw it when it happened?

Mr Snyman: Your Honour, I didn't see the bang on his head or punch against his head.

Mr Bizos: What about the punch that cut his lip?

Mr Snyman: I mentioned that in my occurrence book entry.

Mr Bizos: Did you see him bleeding?

Mr Snyman: There might have been blood on the lip, your Honour.

Mr Bizos: Never mind might, did you see him when you were busy restraining him against the grille and putting the handcuffs on on his arms and the leg-irons, did you see that he was bleeding?

Mr Snyman: I saw the injury to his lip, your Honour.

Mr Bizos: Did you see him bleeding?

Mr Snyman: There was blood on the lip, that is correct, your Honour.

Mr Bizos: Was he bleeding?

Mr Snyman: The blood was not dripping, but there was some blood on his lip due to this injury.

Mr Bizos: Did anybody put any disinfectant or try to attend to this injury of his?

Mr Snyman: I cannot recall, your Honour.

Mr Bizos: Well, wouldn't you've remembered if a small piece of humanity was shown to him in the circumstances that prevailed in that room? Would you have forgotten if any human behaviour was exhibited towards him?

Mr Snyman: I might be able to describe this as inhumane, but at that point I reported the matter to my commanding officer.

Mr Bizos: What good does it do to a man with a bleeding lip that you report it to his officer. There were five of you there. Did any of you take any immediate step to give him any disinfectant or a painkiller or to attend to the wound on his lip?

Chairperson: He said that his behaviour, their behaviour was inhuman and I think implicit in that is the answer that they did nothing to him.

Mr Bizos: Well, I'm going to put to you that a person that beats someone up is not likely to behave in a humane manner, but if the injuries were accidental, you would probably have done so. Do you understand what I mean? Can I put it in a more plain fashion for your comment? If the injuries to his head and his lips were accidental, you and your colleagues would have done the decent thing, because of an accident. But because you hated Mr Biko and what he stood for, you did nothing.

Mr Snyman: I did not hate him, your Honour. The fact that I reported it to my commanding officer and that he indicated to me that he personally would handle the matter from there onward, I had thought that he would call in a doctor to pay attention to him.⁹⁵

⁹⁵ Amnesty Hearing of Harold Snyman, held on September 10 and 11, 1997 in New Brighton, Port Elizabeth. Case number: 3918/96. <http://www.justice.gov.za/trc/amntrans/pe/snyman.htm>

To discount the content of Snyman's argument about Biko's death, Bizos pointed out that if the injuries occurred accidentally, immediate medical assistance would have been offered. The lack of treatment proved to Bizos that Snyman was failing to tell the truth when he articulated this version of Biko's detention.

In a slightly different capacity, Daniel Siebert used discussion of Biko's medical care to obscure details of what he may have done to cause Biko's death. In place of describing the physical violence done to Biko, Siebert stated that the assault he committed on Biko included not acquiring medical attention for Biko and for chaining him to a grille. He transformed the idea of absence of medical attention into an action of assault, a transformation that remade negligence into an act of violence against Biko:

Mr Bizos: Thank you, Mr Chairman. Mr Siebert, did you assault Mr Biko?

Mr Siebert: No, I did not.

Mr Bizos: No.

Mr Siebert: No.

Mr Bizos: Did you cause his death?

Mr Siebert: His death was caused by the incident which took place.

Mr Bizos: I asked you a simple question. Did you cause his death?

Chairperson: You, personally?

Mr Siebert: I would not be able to say if it was my own, if I was responsible. There were a few of us present there.

Mr Bizos: Were you either responsible or partly responsible, which would make you responsible, for his death? Do you admit or deny your responsibility for Mr Biko's death?

Mr Siebert: My participation in the incident, by implication, yes.

Mr Bizos: Now, you say you did not assault him. Please have a look at page three of your application. The question in 9(a)(1) is clear. "What crime are you asking for amnesty for?", and your response is "Assault of Steven Bantu Biko". Is that a false statement in your application?

Mr Siebert: No, it is not. What I understood by the question was whether there was any other assault apart ... (end of tape 1A) ... that or the fact that no medical assistance was given to him for a day and the fact that he was chained to or handcuffed to the gate, that is what boils down to assault.

Mr Bizos: Not giving a person proper medical assistance is not an assault, Mr Siebert. You are a person who has a degree, you are an intelligent person, not giving medical assistance is not an assault.

Mr Siebert: I understand that it could boil down to assault, as such.

Mr Bizos: How can you possibly say that or is it just a flimsy excuse in order to get out of an untruth either in your evidence or in your application or both?

Mr Siebert: No.

Mr Bizos: Do you wish to add anything else as to why the Committee should not believe you when you say that you did not assault Mr Biko in view of your admission that you apply for amnesty for assaulting him? Do you wish to say anything further about that?

Mr Siebert: As I have explained to you, I keep to that.

Mr Bizos: Yes.

Adv Potgieter⁹⁶: I am sorry, Mr Siebert, what is the assault that you are admitting to?

Mr Siebert: The fact that the medical assistance was only given a day later and also the fact that he was hand-cuffed to the security gate and that he was in a standing position. As far as I was concerned, this was assault.

Adv Potgieter: And are you admitting that you were responsible for this?

Mr Siebert: I was part of that, yes.

Adv Potgieter: Of handcuffing him?

Mr Siebert: I said that they should handcuff him.

Adv Potgieter: And the medical assistance?

Mr Siebert: Well, the decision was taken by Colonel Goosen. I was part of the investigative team and, as I understood, it would also boil down to assault by not offering medical assistance.

Adv Potgieter: Is this assault by you on Mr Biko?

Mr Siebert: That is the implication as I interpreted it.

Adv Potgieter: By you?

Mr Siebert: Yes, I gave the instruction to handcuff him.

Adv Potgieter: No, we are now talking about the medical assistance.

Mr Siebert: Yes, by implication, that is how I understood that it could boil down to assault.

Adv Potgieter: No, let us forget about that, that could be a legal argument. I want to know where your guilt lies? What guilt do you have in the fact that the person was not given medical assistance?

Mr Siebert: Well, I am not being difficult, if it has to do with a legal argument, then I do not know.

Adv Potgieter: Thank you.⁹⁷

⁹⁶ Potgieter was one of the commissioners during the amnesty hearing.

⁹⁷ Amnesty Hearing of Daniel Siebert, held on December 8, 1997 in Port Elizabeth. Case number: 3915/96. <http://www.justice.gov.za/trc/amntrans/pe/2biko1.htm>

Siebert's contention that improper medical attention amounted to assault ultimately revealed the implicit failures of his application for amnesty. In the amnesty committee's decision, they ruled that the negligence of medical care was indicative of a deeper sense of "ill-will or spite towards Biko," and that the injuries to Biko's brain were allegedly incurred while the security police restrained Biko from attacking Siebert.⁹⁸ Instead of clarifying direct actions that would have caused Biko's death, Siebert suggested that his faults rested in his failure to offer medical care, an admission that failed the expectations of the amnesty process which required the elaboration of a political motive, and refused amnesty for actions based out of personal ill-will.⁹⁹

Ethics as Contemporary Pedagogy

In the final section of this chapter, I want to analyze the continued importance of Biko's health to conversations about medical ethics¹⁰⁰ by examining a recent article (2003) from the journal *Developing World Bioethics*.¹⁰¹ In 2003, Professors G.R. Mclean and Trefor Jenkins, both of the University of the Witwatersrand, published an article in *Developing World Bioethics* titled "The Steve Biko Affair: A Case in Medical Ethics".¹⁰² The journal itself was started in 2001 to fill "an obvious gap in the bioethics

⁹⁸ "Amnesty Decision, Snyman, Siebert, Beneke, Marx, AC/99/0020"
http://www.justice.gov.za/trc/decisions/1999/99_snyman.html

⁹⁹ Promotion of National Unity and Reconciliation Bill, No.30 of 1995.

¹⁰⁰ Another recent example is an article by Hillel David Braude, "Colonialism, Biko and AIDS: Reflections on the Principle of Beneficence in South African Medical Ethics," *Social Science and Medicine*, 68 (2009) 2053-2060. It is not just in debates about medical procedure that Biko remains relevant in South Africa and abroad. In 2007, reference to Biko's treatment was made by medical professionals involved in criticizing the role of medical professionals in torturing detainees at Guantanamo Bay, see Dr. Nicholl, et.al. "Biko to Guantanamo: 30 Years of Medical Involvement in Torture," *The Lancet*, Volume 370, Issue 9590, p.823.

¹⁰¹ 'Developing' in *Developing World Bioethics* refers primarily to the developing world, but also to the development of a bioethics literature for, from, and about the developing world.

¹⁰² G.R. Mclean and Trefor Jenkins, "The Steve Biko Affair: A Case Study in Medical Ethics", *Developing World Bioethics*, Volume 3, Number 1, 2003, pp.77-95.

literature with regard to developing countries”.¹⁰³ Both Mclean and Jenkins were members of the Steve Biko Centre for Bioethics at the University of the Witwatersrand,¹⁰⁴ and in the 1980s Jenkins helped author the appeal to the SAMDC described above.

The article was one based in pedagogy as the authors opened the article by stating that they used the Biko case to teach students about medical ethics. Reflecting this pedagogical intent, the article divided into two parts. The first part presented a vivid narrative of Biko’s detention to describe his symptoms, the conditions of his prison cell, and the responses offered by the doctors. As the authors put it: “[w]e present an outline of the relevant parts of the history of the case, and we guide the students, interactively, through an ethical analysis of what that history reveals.”¹⁰⁵ Their timeline did not differ from the submissions discussed above, and it also borrowed heavily from Mary Rayner’s discussion of the Biko case published in *Turning a Blind Eye?*(1987).¹⁰⁶ Following this description, the authors went through the ethical issues raised, and as they put it “[h]aving recounted the history of this phase of the case, we invite the students to evaluate the clinical performance of the doctors.”¹⁰⁷ The second part of the article reviewed the response by medical practitioners in the 1970s and 1980s

¹⁰³ “Why A Developing World Bioethics Journal”, by Willem A Landman and Udo Schüklenk in *Developing World Bioethics*, Vol. 1, No. 1, 2001, pp. iii-v

¹⁰⁴ The Steve Biko Centre for Bioethics was opened on February 8, 2007 as a collaborative research center focused on issues of bioethics, human rights, and health law. See their website, <http://web.wits.ac.za/Academic/Health/Entities/Bioethics/Home.htm>.

¹⁰⁵ G.R. Mclean and Trefor Jenkins, “The Steve Biko Affair: A Case Study in Medical Ethics”, *Developing World Bioethics*, Volume 3, Number 1, 2003, pp.77-95, p.78.

¹⁰⁶ Mary Rayner. *Turning a Blind Eye? Medical Accountability and the Prevention of Torture in South Africa*. Washington, D.C.: American Association for the Advancement of Science, 1987.

¹⁰⁷ G.R. Mclean and Trefor Jenkins, “The Steve Biko Affair: A Case Study in Medical Ethics”, *Developing World Bioethics*, Volume 3, Number 1, 2003, pp.77-95, p.80.

who called attention to the professional conduct of Drs. Lang and Tucker. This section detailed the responsibility of all medical practitioners to treat patients ethically.

“The Steve Biko Affair: A Case in Medical Ethics” instructed students in ethics by posing histories of the treatment Biko received and then asking readers to envision the circumstances in order to develop a perception of why these conditions were unethical. Like the earlier examples cited above, this article used vivid evidence of Biko’s ailing body to conjure a revised historical account. By describing Biko’s detention and the care offered, the article forced the reader to analyze the ethics at stake from the external perspective of a witness. Yet, the article also made a distinct movement away from the earlier submissions discussed above. With an emphasis on teaching ethics instead of implicating the actions of the responsible doctors, less attention was paid to proving that Biko could have lived. In the 1980s, complainants had to prove to the South African Medical and Dental Council that Biko’s doctors had behaved in an unethical fashion. To make this argument, they challenged the security police’s arguments and proved that conditions existed under which Biko could have survived if he had been in the presence of ethical practitioners. Mclean and Jenkins wholly accepted in their article that Lang and Tucker behaved unethically, thus, they did not need to create an argument proving the absence of ethics. After accepting that the doctors behaved unethically, Mclean and Jenkins explained the case by articulating why Lang and Tucker behaved in the manner in which they did, concluding that the doctors suffered from a psychological condition in which they did not see blacks as their human equals. This argument allowed the authors to place the doctors who treated Biko instead of Biko himself as the subjects in need of healing.

To make a case about ethical medical procedure and practice, the article recounted moments from Biko's detention. In the sub-section of the article titled "What wrongs occurred?" Mclean and Jenkins described different instances in which Lang and Tucker failed to follow ethical practices. They did this by raising an issue and then describing the reasons why the situation was unethical (the explanation is offset by italics). In their discussions of the medical examinations they offered these and other examples:

(ii) The medical examinations were inadequate in many respects. Neither doctor asked Biko how he sustained his injuries; the security police were also not asked. In fact, the doctors failed to take a history. *The taking of a detailed and accurate history is essential if a correct diagnosis is to be made...*

(iv) The doctors were subservient to the police, allowing Col. Goosen to be present throughout their examination of Biko. They were influenced by Goosen's opinion that Biko may be shamming. (After all, he had been a medical student.) *If the doctor-patient relationship is to be effective, the doctor must ensure that his examination is independent of any interference and, if possible, that it is performed confidently and privately. The doctor must proceed with full independence of mind if he is to make a properly objective, unprejudiced diagnosis...*

(ix) Dr Tucker acquiesced in the plan of the police to send Biko to a prison hospital in Pretoria (1200km away) and did nothing to ensure that the transport arrangements were adequate; he failed to insist that an ambulance be used or that there must be a medical attendant; and he failed to provide a medical report or a referral letter to accompany the patient. *It is the doctor's professional judgement that must determine the nature of the patient's care, and the doctor must not allow any extraneous factor to interfere with that judgement. When a doctor transfers a patient to another doctor, it is essential that the second doctor be provided with a full record of the relevant medical facts.*¹⁰⁸

The method of analysis deployed in this presentation of information emphasized the specific moments when care was not properly afforded to Biko while also defining in more universal terms how all doctors should act in similar situations. Although Mclean

¹⁰⁸ G.R. Mclean and Trefor Jenkins, "The Steve Biko Affair: A Case Study in Medical Ethics", *Developing World Bioethics*, Volume 3, Number 1, 2003, pp.77-95, pp.81-82

and Jenkins referred effectively to the history of Biko's medical care, they did so in a capacity that made Biko available for the broader instruction of medical ethics.

After discussing the ethical issues, the article transitioned to explain why Biko's doctors behaved in the way that they did. This portion of the article posed a major shift in the process of diagnosis that did not appear in the earlier readings of Biko's medical care as Mclean and Jenkins focused on assessing the mental condition of Biko's doctors. In their diagnosis of Biko's doctors, Mclean and Jenkins offered that:

Derrick Silove, a South African-trained psychiatrist who practises in Australia, has provided a helpful analysis of the factors that shape the kinds of attitudes displayed by Drs Tucker and Lang. Writing in 1990, Silove pointed out that 'a number of powerful social and psychological influences undoubtedly contributed to the Biko doctor's gross lapses in judgement...the most general influence which affects all members of South African society is the all-pervasive ethos which portrays the black person as an *'untermensch'*, an inferior being, whom one simply does not accord the same respect as one does to a white person.' Medicine had become as tainted by apartheid as had any other sphere of interaction between people in South Africa. Furthermore, because Drs Lang and Tucker had for decades been working alongside the police, they could, very naturally, have assumed those attitudes as their own, and have become accustomed to the conduct within those institutions. We can readily imagine that they had found themselves on a 'slippery slope' of declining standards leading to a condition of 'unethical compliance with acts of brutality.' They had become 'habituated' to the methods used by the security police when they dealt with black people; they had ceased to see prisoners and detainees, particularly when they were black, as their patients.¹⁰⁹

For Mclean and Jenkins, diagnosing the psychological ailments of Biko's doctors worked to extend an analysis of Biko's medical care. Although they reconciled with the idea that Biko's death helped to expose particular ethical conditions, they also wanted to conclude their analysis by including Lang and Tucker as subjects of the diagnostic process. Whereas critics of the Biko case in the 1970s and 1980s sought to expose the

¹⁰⁹ G.R. Mclean and Trefor Jenkins, "The Steve Biko Affair: A Case Study in Medical Ethics", *Developing World Bioethics*, Volume 3, Number 1, 2003, pp.77-95, pp.84-85

complicity in action of the doctors with the security police and the apartheid state, Mclean and Jenkins instead emphasized a psychological victimization that explained the disintegration of medical care.

Conclusion

Discussion of Steve Biko's medical care has changed in significant ways in the more than thirty years since his death. In the late-1970s and 1980s, talk of the absence of treatment while Biko was in detention made it possible to perpetuate discussions about Biko. For critics who raised questions about Biko's death and submitted their arguments to national medical associations, there were striking ethical, political, and professional reasons for taking action. The abhorrent conditions of Biko's death and the complete lack of basic medical care exposed the fundamental conditions of apartheid's violence, and it cleared space to develop a critique of how the state's agents retold histories of Biko's medical care. For some, Biko's death encapsulated the intrinsic immorality of an apartheid state that still saw itself as somehow legitimate and ethical. To render arguments about unethical behavior, critics had to carefully read evidence and develop historical accounts in which death was never a foregone conclusion. Such accounts carefully described scenarios of care that could and should have been pursued, conditions that would have allowed Biko to live. Even with the passing of apartheid, discussion of Biko's medical care remains a pivotal point for elaborate engagements with that past. During the TRC, the example of Biko's medical care stood in as a striking example of abuses within the broader health sector. Moreover, the decision to not provide care factored as a central subject during the security police's amnesty

hearings. Finally, Biko's case has remained an important subject in the post-TRC period as people continue to engage with the ethical meaning of Biko's death. In the next chapter, I move away from scientific and medical evidence of Biko's death and into an analysis of how Biko's own words have been used to form histories of his death.

Chapter Five: Biko ‘On Death’ and ‘Biko on Death’

Version 1 from ‘On Death’ in *I Write What I Like*:

You are either alive and proud or you are dead, and when you are dead, you can’t care anyway. And your method of death can itself be a politicising thing.

Version 2 from ‘Biko on Death’ in *The New Republic*:

Interviewer: [Tanzanian President] Nyerere was on US television a couple of months ago and made the statement that, "The only power the oppressor has is to be able to say 'I will kill you,' and as soon as the oppressed says 'go ahead and kill me,' he loses his power.

Steve Biko: Right. That's absolutely correct. And of course, you see, the dramatic thing about the bravery of these youths is that they have now discovered, or accepted, what everybody knows, that the bond between life and death is absolute. You are either alive and proud or you are dead, and when you are dead, you can't care anyway. And your method of death can itself be a politicizing thing.¹

While preparing an exhibit on the life and death of Steve Biko to be displayed at Johannesburg’s Apartheid Museum in early 2008, curators sought the right words to describe the importance of Biko’s death in detention and his subsequent reemergence as a martyr in the struggle against apartheid. Discussion of Biko’s death was the exhibit’s keystone.² Preceding panels described Biko’s place in the pantheon of anti-apartheid heroes, and subsequent panels argued that Biko’s death reignited opposition to apartheid. To convey the magnitude of Biko’s sacrifice, curators turned to the well-known and oft-cited quotation that Biko gave shortly before his death: “You are either alive and proud or you are dead, and when you are dead, you can’t care anyway. And your method of death can itself be a politicising thing” (version 1 above). For the curators, the quotation suggested the weight of Biko’s intellect and the clarity of his

¹ ‘Biko on Death’ was published January 7, 1978 in *The New Republic*. *I Write What I Like* was published later that same year.

² Oral Interview: Emilia Potenza, May 14, 2008. Potenza helped curate the exhibit.

vision; foreseeing his approaching death, Biko accurately realized that the political fallout of his passing would far exceed any benefits the apartheid state would gain by killing him. A well-chosen quote, it seems, helped to elaborate the broader vision and intent of the exhibit in ways that no other words could.

Since the late-1970s many interested readers have similarly reused quotations from 'On Death' in books, articles, speeches, political pamphlets, and everyday conversations to ensure that Biko's words about the circumstances and political effects of his death remained alive. Out of a broader interest in preventing the security police from having the final say on Biko's death, readers have taken Biko's words and extended them into productive realms of political thought. In the mid-1980s, quotes from 'On Death' were reprinted by members of the Azanian People's Organization to affix political relationships with the martyred Biko³; in 1986 authors of the *Revolutionary Worker* utilized Biko's comments to describe the history of political upheaval against apartheid in the 1970s⁴; and interpretations of Biko's thoughts on his approaching death often appeared in the interviews I conducted with some of Biko's former colleagues who attempted to convey their sense of Biko's personality.

This chapter traces the historical and political implications of selectively reading and editing a single iconic text produced by Steve Biko. The famous quotation from Biko (version 1 above) comes from the final chapter of his posthumously published book *I Write What I Like*, titled 'On Death.' 'On Death,' drawn from an interview Biko gave a few months before his death and originally published as a longer version in *The*

³ "Biko Lives," *Frank Talk*, Vol. 2, September 1987, pp.8-10.

⁴ "Biko Lives! Commemorate the Anniversary of the Murder of Steve Biko" reprinted from *Revolutionary Worker* September 8, 1986, p.2.

New Republic as ‘Biko on Death’ (version 2)⁵, has been widely interpreted as Biko’s final word on his own life and a prediction about his impending death. In ‘On Death’ Biko described the extreme violence present in interrogations carried out by South African police, suggested that he always fought back against his captors, and asserted that he refused to allow the police to humiliate him.⁶

Despite the importance of ‘On Death’, and the frequency of quotations from the piece, little is said about the original and longer version, ‘Biko on Death’. Whereas ‘On Death’ involved Biko speaking prophetically about his own death, I argue that ‘Biko on Death’ presented a broader historical analysis of apartheid’s methodologies. Instead of predicting one martyr’s approaching death, ‘Biko on Death’ extensively theorized fear and the presence of death in political life, and recast the struggles of a broader generation of South Africans instead of just Biko himself. Why have Biko’s thoughts on death so consistently reappeared in the thirty-three years since his death? What do the readings and usages of this text tell about the history of Biko’s life, death, and afterlife?

This chapter argues that the different readings made possible by these two versions reflect the types of histories that can be composed with Biko’s words, histories that met and continue to meet different political needs. The reading of ‘On Death’ as a predictive statement, I show, emerged to both challenge the apartheid state’s concealment of Biko’s death and to express the importance of Biko’s own sacrifice. In this assessment, ‘On Death’ not only described what happened to Biko in a fashion that

⁵ *New Republic*, January 7, 1978

⁶ ‘On Death’, *I Write What I Like*

was more detailed and accurate than the security police's account, it also proved that Biko willingly gave his life to a broader cause. My own reading of 'Biko on Death' sets a different method of inquiry and shows that Biko's commentary, rather than present a prediction, conveyed a history of the apartheid state's methods for intimidating political dissidents.

My analysis in this chapter picks up where chapters three and four left off by further exploring the range of meanings and interpretations associated with Biko's death. I continue to analyze how select commentators have described the specificity of Biko's death while also using the event to critique the practices and procedures of apartheid. In the absence of reliable facts about Biko's detention, readers use(d) 'On Death' to confidently speculate about and imagine the circumstances of Biko's torture and death. Like the discussions of medical care (chapter four) and references to Biko being kept naked (chapter three), careful assessments of Biko's words in 'On Death' provided evidence with which critics challenged the apartheid state's attempted control over Biko's death while creating space to consider supplementary political issues. Reading Biko's descriptions of prior encounters with the police in his own words helped affirm the importance of Biko's intellectual legacy while also suggesting the conditions under which his death occurred. In this, usages of 'On Death' allowed for continued commentary on the conditions of Biko's death while also considering Biko's place as an intellectual and martyr. The meaning of 'On Death,' however, was only established by editing 'Biko on Death,' paring it into a shortened version that spoke exclusively about Biko's own impending death.

A return to 'Biko on Death' makes it possible to revisit fundamental aspects of Biko's political and analytical project of Black Consciousness in some otherwise unforeseen ways. My rereading of 'Biko on Death' does not devalue the dominant meaning attributed to 'On Death', nor does it seek to clarify a purified notion of Biko's intellectual work. My reading of 'Biko on Death' instead suggests that there is more to be said with Biko's commentary than an illumination of the death scene. In 'Biko on Death', Biko crafted a substantial analysis and history of the politics of fear under apartheid, an analysis with important links to the project of Black Consciousness. 'Biko on Death' did not just account for a set of now moribund procedures deployed by the apartheid state to interrogate one detainee (the dominant reading of 'On Death'), but rather posed a critique of the more subtle forms that racist power took in South Africa.

Finally, this chapter examines histories of Biko's death that utilized different types of evidence related to Biko's body. Whereas histories of Biko's medical condition or his naked and tortured body paid acute attention to evidence produced about Biko's corporeal body, the focus in this chapter is on evidence that was produced by Biko about his own body. As interpretations of 'On Death' developed from an interest in challenging the modes through which the security police wrote histories of Biko's death, the ability to deploy Biko's description added a measure of authority that came from the revived presence of Biko's own voice.

I Write What I Like Version

In the immediate aftermath of Biko's death in detention, the security police moved quickly to conceal evidence of causing Biko's death. They coordinated an

argument that saw apartheid as legitimate and free of wrongdoing, and structured readings of Biko's death to comply with this logic. In the earlier chapters, I closely examined how the forensic details of Biko's death were debated. However, it was not just in these conversations that meaning was attributed to Biko's death. Indeed, the state also recognized the continued importance of Biko's intellectual presence that extended beyond the life of his body. The apartheid government issued a banning order on Biko in 1973, an order that was supposed to last for five years. Immediately following his death, the state made it clear that this order would continue to remain in place. An article published in the *Daily Dispatch* three days after Biko's death described how "[e]ven after death a banned person may not be quoted in any newspaper, magazine or publication of any sort in South Africa. Mr Steve Biko was a banned person and thus could not be quoted."⁷ This decision to ban Biko also extended into the realm of censoring other publications. Included in this was the censorship of Biko's posthumously published *I Write What I Like*, a book first published in 1978. Records from the apartheid government's censorship office show that *I Write What I Like* was considered an "undesirable text." A censor's review from 1985, for example, expressed concern that the text would further enhance Biko's status as a martyr among young black readers.⁸ Why was there such a need to control the text? The explanation rests in the effectiveness of Biko's words, through his writings, to reach beyond his death and subvert the state's version of his death. His words achieved this in measured tones that effectively limited the state's claim (by killing him) to Biko. The state's

⁷ Gavin Robson, "A ban that goes to the grave" *Daily Dispatch* September 15, 1977.

⁸ P85/9/65 Steve Biko – I Write What I Like, National Archives of South Africa – Cape Town Branch, IDP-Files

version of Biko's death was subverted by the publication of *I Write What I Like*, and in particular, the chapter 'On Death' which offered an alternative historical explanation – in Biko's own voice – that could be drawn upon to counter the state's version of Biko's death.

The most well know reading of 'On Death' directly emerged from its publication in *I Write What I Like*, and had its meaning shaped by the book's editor Aelred Stubbs. Although the text originated from Biko's writings, its dominant meaning was ultimately inferred by those who published and made use of the text after Biko's death. The pressure to derive a particular meaning out of 'On Death' emerged during a historical moment when the terms of Biko's death in detention were very much in flux. Although the security police initiated the conversation about Biko's death, theirs was hardly the last word. To prevent the police and the apartheid state from having the final say on Biko's death, and in an attempt to prove Biko's significance as a martyr, 'On Death' was analyzed as a prediction and a statement of impending sacrifice. In this section, I follow the Aelred Stubbs' recommended reading of the text to analyze its implications and meaning, and end by showing how this reading also reappeared in the political projects of a variety of groups.

'On Death' was published as the last chapter of Biko's writings in *I Write What I Like*, and was only followed by a memoir chapter written by the book's editor, Aelred Stubbs, titled 'Martyr of Hope.' Although *I Write What I Like* was published in 1978 with the editorship of Stubbs, the content of the book was mostly assembled under the guidance of an American lawyer, Millard Arnold. In the late-1970s, Arnold worked with the Lawyers Committee for Civil Rights Under Law as head of the Southern Africa

project.⁹ During that time, Arnold assisted South African political prisoners in their defenses, including those activists tried in the SASO/BPC trial. At the time, South African lawyers defending the SASO/BPC defendants accumulated Biko's writings on Black Consciousness and used them to help prepare Biko for his testimony. The materials were gathered by the lawyers and Gail Gerhart (who had been writing a book titled *Black Power in South Africa: The Evolution of an Ideology*, published in 1978). Arnold retained copies of these materials written by Biko in addition to copies of Biko's testimony from the SASO/BPC trial.¹⁰

Soon after Biko's death, Arnold went to Random House publishers with three book proposals that made use of the Biko materials.¹¹ The first book proposal drew together a selection of Biko's writings, a second reproduced the transcript of Biko's testimony from the SASO/BPC trial, and the third was a book of Biko quotations meant to resemble Mao's "Little Red Book."¹² Random House agreed to print the trial transcript (*Black Consciousness in South Africa*), but did not want to publish the collection of Biko's writings, fearing that a book of collected writings would later suffer if a new and otherwise unknown work by Biko was discovered after publication. As a consequence, Arnold made the collection of Biko's writings available to a group in Britain who published them as *I Write What I Like* (hereafter *IWWIL*) under the

⁹ Oral Interview: Millard Arnold, May 12, 2008

¹⁰ Oral Interview: Millard Arnold, May 12, 2008

¹¹ Oral Interview: Millard Arnold, May 12, 2008

¹² Oral Interview: Millard Arnold, May 12, 2008

editorship of Aelred Stubbs. In 1987, the collection of quotations from Biko was published by Arnold in South Africa as *No Fears Expressed*.¹³

In the introductory comments to *IWWIL*, Stubbs defined the content of the text after presenting a series of biographical details about Biko. He wrote that the majority of the writings:

belong or refer to the period 1969-72, when Steve was active in the Black Consciousness Movement, of which he is now regarded as the “father”. After his banning in March 1973 he could no longer travel, speak in public, or write for publication. It seems logical, therefore, to place these before the memoir [‘Martyr of Hope’], which deals mainly with the period after he was banned. The evidence at the BPC-SASO Trial in Pretoria was given in the first week of May 1976, but refers to events which took place during the earlier period. Thus the book follows a chronological sequence as far as can be ascertained.¹⁴

Stubbs established in this ‘biographical summary’ the method through which a reader should approach *IWWIL*. Stubbs argued that readers look at *IWWIL* to gain insight, through Biko, into the project and program of Black Consciousness. The majority of the book’s chapters were made up of Biko’s writings that he composed on behalf of the South African Students’ Organization, first as President, and later as Chairman of SASO Publications. In this role as Chairman, Biko wrote his column ‘I Write What I Like’ under the pseudonym of ‘Frank Talk.’¹⁵ In all of the chapters, with the exception of ‘On Death’, Biko wrote or spoke (two chapters are court testimony and two are interviews) on behalf of the broader political and intellectual programs of SASO and Black Consciousness. Indeed, if one follows Stubbs’ definition of the book’s content

¹³ I turn to a discussion of *No Fears Expressed* below.

¹⁴ Stubbs, “Biographical Summary” in *I Write What I Like*, p.2

¹⁵ The book title *I Write What I Like* owes its origins to the name of Biko’s column.

(as listed in the quote above), ‘On Death’ stands out from the other chapters of *IWWIL* because it referred neither to Biko’s work as “father” of Black Consciousness or to events from the period 1969-1972.

In Stubbs’ arrangement, ‘On Death’ sits apart from the content that precedes it, and instead is attached to the memoir composed by Stubbs that stands as the text’s last chapter, ‘Martyr of Hope: A Personal Memoir’. Within the editorial choices made by Stubbs, ‘On Death’ does not discuss the project of Black Consciousness as the earlier chapters of *IWWIL* had already done. Instead, ‘On Death’ offered Biko’s perspective on his life after banning, filled as it was with repeated detentions. Within the introduction offered by Stubbs, ‘On Death’ suggested a probable path, not of political change, but of death and martyrdom. Stubbs’ introductory comments to the chapter confirmed this perspective:

These words, extracted from an interview with an American businessman given some months before Steve’s final detention and death, but not printed in *The New Republic* until 7 January 1978, need no further comment.¹⁶

Again, as with all of *IWWIL*, Stubbs tried to create a space in which Biko spoke for himself. Instead of articulating a theoretical project, for Stubbs, ‘On Death’ does the work of confirming Biko’s place as a martyr, a clear thinking prognosticator of his own death.

A deeper evaluation of ‘On Death’ illuminates the transition the chapter makes from Biko describing the broader theoretical collective of Black Consciousness to providing a history of his own self. Whereas the other chapters of *IWWIL* were

¹⁶ ‘On Death’, *I Write What I Like*, p.152

dominated by Biko talking about the project of Black Consciousness, 'On Death'

presented Biko's account of his prior detentions. The chapter opens with the following evocative sentences:

You are either alive and proud or you are dead, and when you are dead, you can't care anyway. And your method of death can itself be a politicizing thing. So you die in the riots. For a hell of a lot of them, in fact, there's really nothing to lose - almost literally, given the kind of situations that they come from. So if you can overcome the personal fear for death, which is a highly irrational thing, you know, then you're on the way.¹⁷

Here, Biko used the generic "you" to refer generally to all people, including himself (the first person "I"). By constituting and clarifying in general terms a deeper truth about the relationship between life and death, Biko included himself as an acknowledger of this broader truth. Therefore, the passage may also be read as 'I am either alive and proud or I am dead, and when I am dead, I can't care anyway. And my method of death can itself be a politicizing thing.' His reference to those that die in the riots confirmed an assessment of the universally accepted relationship of life and death. With this example in mind, Biko returned again to clarify his own recognition of the deeper truth by stating (again with the substituted pronouns) 'So if I can overcome the personal fear for death, which is a highly irrational thing, you know, then I'm on my way.'

These opening comments from Biko in 'On Death' signal that he understood the irrationality of fearing death while also recognizing the political effects that a death could have. With this acknowledgement in place, Biko moved to an analysis of how

¹⁷ 'On Death', *I Write What I Like*, p.152

these notions applied during his periods of prior detentions. In the next section he offered that:

And in interrogation the same sort of thing applies. I was talking to this policeman, and I told him, "If you want us to make any progress, the best thing is for us to talk. Don't try any form of rough stuff, because it just won't work." And this is absolutely true also. For I just couldn't see what they could do to me which would make me all of a sudden soften to them. If they talk to me, well I'm bound to be affected by them as human beings. But the moment they adopt rough stuff, they are imprinting in my mind that they are police. And I only understand one form of dealing with police, and that's to be as unhelpful as possible. So I button up. And I told them this: "It's up to you." We had a boxing match the first day I was arrested. Some guy tried to clout me with a club. I went into him like a bull. I think he was under instructions to take it so far and no further, and using open hands so that he doesn't leave any marks on the face. And of course he said exactly what you were saying just now: "I will kill you." He meant to intimidate. And my answer was: "How long is it going to take you?" Now of course they were observing my reaction. And they could see that I was completely unbothered.¹⁸

In this section of 'On Death', Biko articulated that his preferred method of engaging with interrogating police was one based on peaceful interaction. Describing his prior detention, Biko pointed out that the police had used physical violence to coerce him into cooperating, but that Biko refused to comply with the violence, and instead fought back. Moreover, Biko revealed that the police had employed threats of death, and that, instead of replying with fear, he responded "How long is it going to take you?"

The remainder of 'On Death' further substantiated the point that Biko and others made about the processes of detention. As he elaborated:

If they beat me up, it's to my advantage. I can use it. They just killed somebody in jail—a friend of mine—about ten days before I was arrested. Now it would have been bloody useful evidence for them to assault me. At least it would indicate what kind of possibilities were there, leading to this guy's death. So, I wanted them to go ahead and do what they could do, so that I could use it. I wasn't really afraid that their violence might lead me to make revelations I didn't

¹⁸ 'On Death', *I Write What I Like*, p.152

want to make, because I had nothing to reveal on this particular issue. I was operating from a very good position, and they were in a very weak position. My attitude is, I'm not going to allow them to carry out their program faithfully. If they want to beat me five times, they can only do so on condition that I allow them to beat me five times. If I react sharply, equally and oppositely, to the first clap, they are not going to be able to systematically count the next four claps, you see. It's a fight. So if they had meant to give me so much of a beating, and not more, my idea is to make them go beyond what they wanted to give me and to give back as much as I can give so that it becomes an uncontrollable thing. You see the one problem this guy had with me: he couldn't really fight with me because it meant he must hit back, like a man. But he was given instructions, you see, on how to hit, and now these instructions were no longer applying, because it was a fight. So he had to withdraw and get more instructions. So I said to them, "Listen, if you guys want to do this your way, you have got to handcuff me and bind my feet together, so that I can't respond. If you allow me to respond, I'm certainly going to respond. And I'm afraid you may have to kill me in the process even if it's not your intention."¹⁹

In this final section of 'On Death', Biko further revealed the relationship between the use of denial by the police and the presence of extraordinary violence. Talking about the death of his friend, Biko referenced the well-known practice (occurring even before his death) in which detainees died in the hands of police who were later excused of having any culpability in the deaths. Biko knew well that the police would not take any measure of responsibility for the deaths of detainees, and he felt that his own encounters with the police could prove "what kind of possibilities were there, leading to this guy's death."²⁰

More than working against a context of violence, this last section of 'On Death' also repeated Biko's stated interest in always fighting back against the police. Biko saw interrogations as an opportunity to fight back, to turn the proceedings into an uncontrolled fight. If resisting the police was Biko's praxis, it was safe to project this

¹⁹ 'On Death', *I Write What I Like*, p.152-53

²⁰ 'On Death', *I Write What I Like*, p.152-53

praxis into this period of his final detention, and know that Biko would have struck back at those security police in Port Elizabeth who caused his death. Additionally, in the conclusion of ‘On Death’, Biko clearly anticipated what likely happened during the period leading up to his death, ““Listen, if you guys want to do this your way, you have got to handcuff me and bind my feet together, so that I can't respond. If you allow me to respond, I'm certainly going to respond. And I'm afraid you may have to kill me in the process even if it's not your intention.” Indeed, from the inquest of 1977, it was well known that the police had kept Biko chained up and had admitted as much. Speculating with the content of ‘On Death’ lead to the conclusion that this was the time – when Biko was in chains – that the violence leading to death could have occurred.

Usages of Biko’s Statements ‘On Death’

‘On Death’ has been read in many ways and has helped to explain Biko’s death. From the late-1970s up to the present day, commentators have used quotations from ‘On Death’ to show that Biko was fearless in the presence of death, and prepared to accept death as a consequence of his political life. In the September/October 1984 issue of their journal *Frank Talk*, the Azanian People’s Organization (AZAPO) commemorated and retold the history of Steve Biko’s death in detention. Founded in 1978 after the apartheid state banned all existent Black Consciousness organizations, AZAPO had grown in prominence during the early-1980s.²¹ AZAPO’s members saw themselves as the political inheritors of the Black Consciousness Movement, and they

²¹ Organizations that fit under the umbrella of Black Consciousness were all banned on October 19, 1977, just over a month after Biko’s death in detention.

staked out an intellectual lineage that directly descended from Biko.²² Their commemoration of Biko started with a biographical summary of Biko's life and work that framed an idealized version of the living man. The subsequent pages offered descriptions of Biko's death using the evidence offered by the security police responsible for his death. Most importantly, the discussion of Biko's death culminated with an image of Biko's dead body lying in a casket, set within the text of Biko's famous statements 'On Death.'²³

For AZAPO's membership, Biko stood as the exemplar of a formidable and idealized past, a period cut off from the present moment by agents of the immoral apartheid state. Detailing the elements of Biko's biography helped to rally political support through the inspirational symbolism of Biko's courage. Moreover, showing how the police murdered Biko and subsequently attempted to cover-up their actions described the illegitimacy of apartheid and the pressing need for sweeping change. Yet, perhaps most importantly, ending the commemoration with an image of Biko's corpse surrounded with the statement 'On Death,' revealed that Biko was willing to risk and had indeed given his life to a greater cause. AZAPO's story reified Biko's sacrifices in the service of a greater good. Using 'On Death,' therefore, made political sense as it confirmed to AZAPO's members a higher standard of political commitment to which they needed to pledge themselves, while also challenging the state's history of Biko's death.

²² Indeed the name of their publication, *Frank Talk*, was borrowed from the pen name that Biko used to write his most well known articles in the SASO newsletter of the early 1970s.

²³ *Frank Talk*, Vol.1, No.4, September/October, 1984.

No Fears Expressed, edited by Millard Arnold, and first published in South Africa in 1987 brought together short quotations from Biko's writings in a small-sized book. When Arnold designed the book, he patterned it on Mao's "Little Red Book", both in size and portability, and its articulation of quotations. As Arnold described, the book:

was intended almost consciously to give people an opportunity to politicize, I mean, you know, taking excerpts from various documents and speeches and transcripts that Steve was involved in and reducing it to a sentence or a paragraph at most. I think the greatest thing, the greatest single compliment that I was paid was when I was told that when that book came out, *No Fears Expressed*, students were wearing it around their necks on a chain so that they would pull it out an quote from Steve Biko. And that to me made it-, was the most satisfying thing that I could-, that I think I have ever received in terms of the two books that I did on Biko because that's what it was intended to do. It was intended to be something that people would understand his thinking.²⁴

The emphasis on posthumous quotation is clarified in *No Fears Expressed* both through the book's structure and through the introduction composed by Arnold. The thematic sections established by Arnold and filled with Biko's statements offered readers portable quotations that had use in new contexts. Yet, the reliability of Biko as a source for quotation was further enhanced in the book's introduction. As Arnold wrote, "To some degree the life and death of Steve Biko epitomise the age-old question of whether the man creates the times or the times create the man. In the case of Biko, there is no answer to the riddle but it can be said with the greatest of assurance that he was a man of his times, perhaps THE man of his times."²⁵ Here, Arnold conferred the importance of Biko's voice as being somehow the representative fixture of the times, the source for careful assessment of the broader world.

²⁴ Oral Interview: Millard Arnold, May 12, 2008

²⁵ Arnold in *No Fears Expressed*, p.xi

Arnold also established in the introduction a reading of Biko's death that was consistent with the broader analysis of 'On Death'. Arnold pointed out that:

Biko did not merely articulate the need for a lack of fear, he was himself the physical embodiment of fearlessness. 'To understand me correctly,' he noted, 'you have to say that there were no fears expressed.' Because of what he characterised not surprisingly, fifteen months after Hector Peterson was killed, Steve Biko died brutally while under South Africa's notorious security laws. 'You are either alive and proud or you are dead,' he had stated, 'and when you are dead you can't care anyway.' Physically, Steve Biko was gone; psychologically he was everywhere.²⁶

Here, Arnold deployed Biko's own quotations to show that the measure of Biko's physical body was in part defined by a disregard for fear and death. Arnold read and oriented Biko's comments from 'On Death' to substantiate an argument about Biko's lasting importance and place in South African political life.

Beyond the introduction to *No Fears Expressed*, Biko's words from 'On Death' were repeated in the section titled 'On Self-Perception'. Here, the Biko quote read again, "You are either alive and proud or you are dead, and when you are dead, you can't care anyway" and "If you allow me to respond, I'm certainly going to respond. I am afraid you may have to kill me in the process even if it's not your intention."²⁷ Within a text that intended to make Biko's quotations politically useable, 'On Death' was pared down to express two fundamental truths, first about the relationship of life and death, and second about Biko's continuous persistence in fighting back against the police.

²⁶ Arnold in *No Fears Expressed*, p.xvi-xvii

²⁷ *No Fears Expressed*, p.169

No Fears Expressed built upon a conception of Biko as being self-aware of his impending martyrdom, a quality against which young activists needed to measure their own dedications to the dismantling of apartheid. These sentiments and ideas of Biko as an activist willing to die for a larger cause thematically recurred in other venues including the book *Bounds of Possibility*, one of the most significant assessments of Biko's life and life's work. In the opening of this text, which emerged out of a 1990 conference held in Harare, Zimbabwe to commemorate and celebrate Biko, Lindy Wilson offered a biography of Biko. Writing in the early 1990s, Wilson stated that:

Biko foresaw his death in the nature of what he was doing, and was prepared to die. Thus, along with many others, he became a martyr in the struggle for freedom in South Africa. He fulfilled his own concept of obedience to God, which was, as he explained, 'at the heart of the conviction of most selfless revolutionaries, a call to men of conscience to offer themselves and sometimes their lives for the eradication of evil' (SB in a document to DR, 1973). To kill has always been the basic instinct of frightened men, of men who refuse to accept change or, in particular, those who stop neither at corruption nor torture nor murder to entrench power and control: Christ, King, Cabral, Allende, Malcolm X, Gandhi...and in South Africa, where the list is very long: Tiro, Mohapi, Turner, Goniwe, the Mxenges...²⁸

In this passage, Wilson stated that Biko "foresaw his death" through a realization of the implications that his political project and dedication to the struggle in South Africa conferred. Wilson claimed that Biko understood that his death was coming, a statement that added weight to the biographical context in which 'On Death' was read.

Other authors, reflecting back on their relationships with Biko also have suggested that Biko grasped the types of violent circumstances in which his death could

²⁸ Lindy Wilson "Bantu Stephen Biko: A Life" in N. Barney Pityana, Mamphela Ramphela, Malusi Mpumlwana, and Lindy Wilson, eds. *Bounds of Possibility: The Legacy of Steve Biko and Black Consciousness*. Cape Town: David Philip, 1991, p.74

occur. Mosibudi Mangena, a fellow leader in the Black Consciousness movement, writing in 1989, considered the conditions of Biko's death:

I knew for example that our towering pillar of strength, Steve Biko, who was the gentlest of giants, would fight back with all he had if hit by some white fellow in whatever capacity. It seems while organisationally non-violent, at a personal level we were politically motivated not to turn the other cheek for elements of the racist white power structure.²⁹

Linking Biko's propensity to fight back to the organizational politics of SASO and theories of Black Consciousness helped Mangena sort out the details of Biko's death.

Writing again seven years later, he elaborated by stating that:

Those of us who knew Steve rejected the allegation that he starved himself to death. He was not a man who could do a thing like that. 'If they tried to assault him or abuse him in any way whatsoever as they generally do,' commented Strini on one of those early days as we sat speculating about how he could have met his death, 'Steve would hit right back. He wouldn't allow anybody to humiliate him. They might have assembled a coterie of their sadistic assault boys to straighten him out, and they simply beat him to death.'³⁰

Again, this passage spoke to Biko's reputation that he would always choose to fight back against the abusive security police.

The theme of fighting back, substantiated in 'On Death', also reappeared in an interview I conducted with one of Biko's friends, Francis Wilson. Wilson told me that:

I mean Steve always said-, I mean, I don't think that they meant to kill him put it that way, but he always said 'listen, I am a reasonable man and if you talk to me reasonably I will discuss with you reasonably, but if you hit me I will hit you, back' and he always said that, always said that. And so they were scared of him. They were scared of him. And so they got him in jail where there were three or four around him in a small room, and they just beat him, and he beat them back, and they beat him, you know, I think that's what happened. Then I think that

²⁹ Mosibudi Mangena, *On Your Own: Evolution of Black Consciousness in South Africa/Azania*. Florida Hills: Vivlia, 2002 (1989), p.31.

³⁰ Mosibudi Mangena, *Quest For True Humanity: Selected Speeches and Writings*. Gauteng: Bayakha Books, 1996, p.35.

they went, maybe after the event, they thought my goodness me what have we done, although before the event they thought, oh we are going to show this guy. You know, who knows what went through their minds. Umm, but I think that they-, you see, Biko was not, I mean he would be very courteous and very polite if they were courteous and polite to him. But he was going to give as good as he-, good as he got, so in that sense they were more scared of him then they might have been of Mandela who was always very, umm, courteous, you know, the way he handled things.³¹

Here, Francis Wilson offered a similar analysis of past conversations he had with Biko to speculate in the same capacity that made possible readings of 'On Death'. With a similar set of quotations about Biko's refusal to accept the violence of interrogation passively, Wilson created a sense of the scene in which his friend died. Elsewhere in the interview, as we talked about the content of *I Write What I Like* and particularly 'On Death', Wilson added that "there is stuff in *I Write What I Like* ... which indicates that he recognizes that he could be chopped up. I mean he understood the realities of power in this country extremely well. And the Eastern Cape is a very rough place."³² Here Wilson again added to the interpretation that 'On Death' permits, in which Biko anticipated the approaching conditions of death.

The most common reading of 'On Death,' first substantiated by the editorial work of Aelred Stubbs in *I Write What I Like*, made analytical sense. Biko's description of previous periods of detention suggested a set of circumstances under which his death would ultimately occur. Moreover, the clarity of Biko's vision showed that he was a willing martyr to the broader struggle against apartheid. These assessments of 'On Death' have operated in the aftermath of Biko's death when interested readers have attempted to both describe Biko's death without giving too

³¹ Oral Interview: Francis Wilson, April 15, 2008

³² Oral Interview: Francis Wilson, April 15, 2008

much attention to the security police's version of events, and to affirm Biko's importance as a political martyr.

***The New Republic*, 'Biko on Death'**

In the final section of this chapter, I want to turn my attention to the original printed version of the interview that became 'On Death'. I want to suggest that 'Biko on Death' provides Biko's history, not just of his own detentions, but of a wider set of practices used by the apartheid state to intimidate and repress dissidents. More than anticipating what will happen to Biko and defining in advance the conditions of his martyrdom, 'Biko on Death' expressed the violent possibilities brought about by apartheid, a system predicated upon the authority of fear.

It is unclear what precedes the conversation printed within *The New Republic*, but presumably Biko and the interviewer had been discussing youth uprisings in South Africa.³³ The statement from Nyerere that opens 'Biko on Death', "The only power the oppressor has is to be able to say 'I will kill you,' and as soon as the oppressed says 'go ahead and kill me,' he loses his power" directs the conversation towards an analysis of power substantiated through fear.³⁴ Biko's response that "Right. That's absolutely correct. And of course, you see, the dramatic thing about the bravery of these youths is that they have now discovered, or accepted, what everybody knows, that the bond between life and death is absolute" affirmed Nyerere's theoretical insight with specific examples of those youths protesting the apartheid state. Here, Biko pointed out a

³³ I am trying to discover who conducted the interview, and if an even longer version of this original exists.

³⁴ 'Biko on Death', *The New Republic*, January 7, 1978, p. 11.

relationship of fear, power, and protest, not by speaking about himself, but in speaking about the “bravery” of many other young people, specifically those who participated in the uprising. The deployment of the third person voice to analyze Nyerere’s statement is central, because it sets up Biko’ next point in the conversation (and the next sentence) in which he says:

You are either alive and proud or you are dead, and when you are dead, you can't care anyway. And your method of death can itself be a politicizing thing. So you die in the riots. For a hell of a lot of them, in fact, there's really nothing to lose almost literally, given the kind of situations that they come from. So if you can overcome the personal fear for death, which is a highly irrational thing, you know, then you're on the way.³⁵

In this version of the text, Biko argued that the youths realized that the fear of death was irrational, and that there is an absolute relationship between being alive and proud and without fear of the threat of death, and being dead. Biko expanded on Nyerere’s point by showing the fundamental *process* through which the oppressed can come to a position where they can state ‘go ahead and kill me’. Linking the defiance of the youths to their pride established through an absence of fear filtered Nyerere’s ideas through the project of Black Consciousness which was ultimately about abandoning a fear of one’s own identity.

In distinction from ‘On Death’, in ‘Biko on Death’, Biko initially speaks from the vantage of the third person, not the first person. His statement that “You are either alive and proud or you are dead, and when you are dead, you can't care anyway. And your method of death can itself be a politicizing thing” relates to a direct evaluation of the acts of defiance and fearlessness that were being carried out by the youths. By

³⁵ ‘Biko on Death’, p.12

realizing what all know, youths abandoned a fear of apartheid's power. Here, from Biko, we have a historical sense of the very power of the youth movement in South Africa. In their defiance, the youths were taking away from the South African state a fundamental element in the project of oppression – namely that by not fearing death, tied as it was to the material conditions under which so many youths lived, led to a dramatic challenge to the apartheid project.

The statement about being 'alive and proud or dead' links to an evaluation of the youths, and only after explaining this does Biko turn to a broader discussion. An analytical break therefore occurs in Biko's response between his example of the youth uprising in revealing how power is taken away from the oppressor, and talking about himself as the central example in challenges to apartheid, an analytical break that is lost in 'On Death' which is only in the second person (which serves as proxy for the first person), and does not provide the context of the uprising. While responding to the Nyerere quotation allowed Biko to speak generally about the grossest forms of oppression occurring on the broadest of scales in South Africa, he used himself and his own personal experiences in detention to speak about some of the specific practices and methods of oppression permitted by the apartheid state.

After illuminating the irrationality of fear of death, Biko transitioned from talking about the youth riots to discussing the methods of interrogation used by police. His answer expanded by referring to specific incidents during his own interrogation when the police attempted to intimidate him. Quoting himself from an earlier detention, Biko states:

And in interrogation the same sort of thing applies. I was talking to this policeman, and I told him, "If you want us to make any progress, the best thing is for us to talk. Don't try any form of rough stuff, because it just won't work." And this is absolutely true also. For I just couldn't see what they could do to me which would make me all of a sudden soften to them. If they talk to me, well I'm bound to be affected by them as human beings. But the moment they adopt rough stuff, they are imprinting in my mind that they are police. And I only understand one form of dealing with police, and that's to be as unhelpful as possible. So I button up. And I told them this: "It's up to you." We had a boxing match the first day I was arrested. Some guy tried to clout me with a club. I went into him like a bull, I think he was under instructions to take it so far and no further, and using open hands so that he doesn't leave any marks on the face. And of course he said exactly what you were saying just now: "I will kill you," He meant to intimidate. And my answer was: "How long is it going to take you?" Now of course they were observing my reaction. And they could see that I was completely unbothered.³⁶

Here Biko revealed – in his own experience – that during interrogations, the police attempted to instill fear in the minds of detainees through physical and psychological violence. In this quotation, Biko again returned to Nyerere's statements about the threat "I will kill you", but analyzed Nyerere's ideas through his own engagements with an expression of state power. Here, Biko gave a very specific example of the effects of not fearing death, and being able to understand that the police used a threat of death to instill fear. Biko pointed out that he understood that the project of the police during interrogation was to use fear as a distinct methodology for uncovering information from the detainee. Moreover, Biko discussed the violent, physical element utilized within these methods of instilling fear. He revealed that an interrogating policeman "tried to clout me with a club" as an act of proving that he (the policeman) was capable of actually harming the detainee (Biko). Here, Biko showed that the psychological praxis of stating 'I will kill you' accompanied a physically violent practice, and that the most effective response to this iteration of the threat was to respond with a counter attack.

³⁶ 'Biko on Death', p.12

While Nyerere dealt with the basic threat of death that is negated by stating ‘go ahead and kill me’, a topic which Biko analyzed with the example of the youths, Biko’s analysis of the physical threats goes a step further. Biko showed that a physical counter attack against the policeman, reducing the violence to a ‘boxing match’, helped to counteract the threat of the police. The intent of instilling fear and gaining power over the detainee through the use of physical and psychological violence was lost when Biko fought back.

Biko continued a description of this use of violence by revealing the ways in which physical attacks were an essential part of the state’s interrogation techniques. As he stated:

If they beat me up, it's to my advantage. I can use it. They just killed somebody in jail—a friend of mine—about ten days before I was arrested. Now it would have been bloody useful evidence for them to assault me. At least it would indicate what kind of possibilities were there, leading to this guy's death. So, I wanted them to go ahead and do what they could do, so that I could use it.³⁷

Here, Biko described a full awareness that the conditions of his interrogation were experienced by many other detainees, including those detainees who had died during interrogations. Biko recognized that the apartheid state deployed extraordinary violence while interrogating detainees, but also revealed that the state worked to obscure how the deaths occurred. As with Biko’s death in 1977, those preceding deaths in detention were marked by an absence of admitted culpability by the police. Detainees were often blamed for creating the conditions of their own death. The ‘friend’ Biko likely referred to in this interview was Mapetla Mohapi, a leader in SASO, who died on August 5,

³⁷ ‘Biko on Death’, p.12

1976 after nearly a month in detention.³⁸ The security police alleged that Mohapi had hung himself in his prison cell at the Kei Road Police Station, but those close to him refused to believe this version of events.³⁹ Mamphela Ramphele who was present at Mohapi's autopsy pointed out in her memoir that Mohapi "was throttled by his captors and then hung up when they realised they had gone too far."⁴⁰ Mohapi's friends also doubted the authenticity of a suicide note addressed to the police captain Schoeman, and Ramphele described that Mohapi had given his wife a secret note two days previous to his death, written on toilet paper, "reassuring her of his ability to cope."⁴¹

Biko and others were well aware that detainees were dying in prison under conditions that suggested the police were at fault, yet the state always denied any culpability.⁴² An awareness of the possibilities of violence in detention not only helped Biko anticipate and plan for his encounters with the police and steel himself against the prospect of violence. His recognition of the 'useful evidence' that would be inscribed upon his body by the police violence would prove that police interrogators used extraordinary force and therefore had proven roles in the deaths of detainees. Strini Moodley, one of Biko's friends and political colleagues also spoke recently about the ways in which detainees like Biko knew what to expect in detention:

³⁸ Mohapi was a friend of Biko and the two worked together. In the interview, Biko states that his friend died in detention 'about 10 days before I was arrested.' Biko was arrested on August 27, 1976, not long after Mohapi's death on the 5th of August.

³⁹ See a further discussion of Mohapi's death in Mamphela Ramphele, *Across Boundaries: The Journey of a South African Woman Leader*. New York: The Feminist Press, 1995, p. 111, and in Lindy Wilson "Bantu Stephen Biko: A Life" in N. Barney Pitso, Mamphela Ramphele, Malusi Mpumlwana, and Lindy Wilson, eds. *Bounds of Possibility: The Legacy of Steve Biko and Black Consciousness*. Cape Town: David Philip, 1991, p.62.

⁴⁰ Ramphele, *Across Boundaries*, p.111.

⁴¹ Ramphele, *Across Boundaries*, p.111.

⁴² These deaths, and the inquests of investigation that frequently permitted the state to deny culpability – including Biko's death – are described in exceptional detail in George Bizos, *No One to Blame: In Pursuit of Justice in South Africa*. Cape Town: David Phillip Publishers, 1998.

Basically, I think we were able to survive on Robben Island for several reasons. One, we had a couple of older men and women who actually supported us – you know, Steve [Biko], myself – and were able to tell us stories. That this is going to happen to you, they're going to make you stand on two bricks, they're going to take all your clothes off, they're going to make you stand there, they're going to do this to you, are you prepared for that? Can you handle that? So from there, already, psychologically, we were being prepared to deal with torture. I mean, people ask me, "why are all your teeth gone?" I say, "because I got fucked up." I mean, when you get smashed in your mouth and your – fortunately, I got a very strong nose. That's the only thing that didn't break. But, everything else broke. I mean, my leg was broken on both sides. A whole lot of things. The one thing we knew – that we could take all that. I mean, physical pain is one thing. If you're mentally prepared for that, you can handle it. Three and a half months in solitary, beaten up almost every day. For three and a half months. Primarily I survived because I had a belief in a fact that we as black people can deal with anything.⁴³

The awareness that Moodley, Biko and others had about the possibilities existing during interrogations permitted an advance planning for what was to come. As Biko continued in 'Biko on Death', he illuminated this perspective on planning ahead for the interrogation:

I wasn't really afraid that their violence might lead me to make revelations I didn't want to make, because I had nothing to reveal on this particular issue. I was operating from a very good position, and they were in a very weak position.⁴⁴

Here Biko showed that he was able to anticipate the effects of violence on the possibility of his revealing any important details. Biko assessed his situation, and realized in advance that the police would not in any capacity make him fear them – and subsequently reveal information – through the use or threat of violence.⁴⁵

⁴³ "Interview with Strini Moodley" conducted in June, 2005 by Naomi Klein, and Avi Lewis, with Ashwin Desai in conversation with Moodley in Andile Mngxitama, Amanda Alexander, and Nigel C. Gibson, *Biko Lives!: Contesting the Legacies of Steve Biko*. New York: Palgrave Macmillan, 2008, p.268.

⁴⁴ 'Biko on Death', p.12

⁴⁵ I will return to the centrality of fear as the central analytical subject of 'Biko on Death' below.

Biko's comments on the preparations made in anticipation for interrogation are continued in his next sentences in which he further points out that police interrogators worked from a set methodology. For Biko, the methodologies of interrogation could be subverted through the actions of the detainee:

My attitude is, I'm not going to allow them to carry out their program faithfully. If they want to beat me five times, they can only do so on condition that I allow them to beat me five times. If I react sharply, equally and oppositely, to the first clap, they are not going to be able to systematically count the next four claps, you see. It's a fight. So if they had meant to give me so much of a beating, and not more, my idea is to make them go beyond what they wanted to give me and to give back as much as I can give so that it becomes an uncontrollable thing. You see the one problem this guy had with me: he couldn't really fight with me because it meant he must hit back, like a man. But he was given instructions, you see, on how to hit, and now these instructions were no longer applying, because it was a fight. So he had to withdraw and get more instructions. So I said to them, "Listen, if you guys want to do this your way, you have got to handcuff me and bind my feet together, so that I can't respond. If you allow me to respond, I'm certainly going to respond. And I'm afraid you may have to kill me in the process even if it's not your intention."⁴⁶

Here Biko showed that the police entered interrogations with a set methodology that could be disrupted. Like his earlier statement in the interview, "I went into him like a bull, I think he was under instructions to take it so far and no further, and using open hands so that he doesn't leave any marks on the face," this quotation showed that the police went into an interrogation with a calculated plan of action. In this example, the policeman wanted to beat Biko five times, but as Biko described, a counter attack reduced this premeditated violence to a fight in which it was no longer possible to count the number of "claps." Once the planned and methodological interrogation broke into a fight in which open-handed slaps became uncontrolled punches, the police lost their sense of imposed fear and control over the detainee who engaged them in a fight.

⁴⁶ 'Biko on Death', p.12

Although this did not suggest a sense of equality between the detainee and the interrogator, it at least disrupted the smooth methods the police intended to deploy.

Biko's discussion of his detention and the challenge he posed to the interrogating police revealed the effectiveness of his interpretation of violence and fear. Once the violence was shifted from a methodology of interrogation to a fight, the policeman had to "hit back, like a man." Biko showed that a fundamental shift occurred in which the policeman temporarily stopped being a policeman and instead became a man engaged in a fight and not an interrogation. In the absence of this status as policeman, the man in Biko's presence was without instructions, and divorced from his education in the methods of interrogation. As a result, the man had to leave, to "get more instructions" to engage Biko again as a policeman. As Biko's last sentence in the above passage - which draws on self-quotation - reveals, the methods of the police (in which claps are counted) only applied if Biko was not offered a chance to respond, and that Biko could die in his response to the police violence. Thus, Biko reiterated that his project was to directly interrupt the methods of interrogation deployed by the police.

Whereas 'On Death' ended with Biko stating "Listen, if you guys want to do this your way, you have got to handcuff me and bind my feet together, so that I can't respond. If you allow me to respond, I'm certainly going to respond. And I'm afraid you may have to kill me in the process even if it's not your intention," the text of 'Biko on Death' continued. The interviewer followed Biko's comments by asking "How did they [the police] deal with that [the disruption of their methods]?" Biko's response illuminated an expanded consideration on the methods of interrogation:

Well, the next day, everybody was telling me that they are not going to hit me at all. They don't use that form of interrogation, and so on. I was interrogated with my cigarettes next to me, smoking, sitting down, talking, being given coffee and tea. That's because they had assessed my response. I told them, "I regard being forced to stand a form of torture. I'm not going to stand and answer your questions. I don't do that normally. It's got to be as normal as possible if you want to continue."⁴⁷

The follow-up question from the interviewer and Biko's response in which he described the circumstances of detention on the following day confirmed the effectiveness of his challenge issued to the police. Biko's subversion of those methods of interrogation involving violence showed he was unwilling to conform to a methodology based in the creation of fear. Echoing an earlier moment in this interview when he stated that "If they talk to me, well I'm bound to be affected by them as human beings,"⁴⁸ Biko again revealed that an interrogation without violence resembled a more human interaction. When the police stated that they would not use violence, and when they allowed Biko to sit down with cigarettes, coffee and tea, they proved that peaceful interactions prevailed in the absence of violence and fear. Thus, Biko proved in this passage that violence and fear were methodologies detached from a set of more human exchanges.

The final portion of Biko's discussion of interrogation methods revealed another evaluation of death. As he stated:

When I went into jail, as I said, my friend had just died. He was the 24th person to die in jail since 1973. When I came out, they were talking about number 27. And this is happening increasingly now, because of the frustration the police are having. They want quick information. Now, there is an extent to which a person can absorb beating without revealing information. But sometimes it so happens that, in fact, the person being assaulted doesn't [have the information]. And they simply go on and on and on hoping to get to the point where this guy will just have to give in. They go on and on with a towel around your neck saying "Speak"—and you say nothing - "Speak" - you say nothing - and the bloody

⁴⁷ 'Biko on Death', p.12

⁴⁸ 'Biko on Death', p.12

brutes are not trained well enough to realize when enough is enough. So by the time they release the towel you have probably been dead for a couple of minutes. They have not realized it, they are in such a frenzy. Now I've never experienced it myself, as I say. The guy who assaulted me really and truly could have done it in the street. It was a fight, let's put it that way.⁴⁹

In this final portion of his discussion, Biko pointed out that death occurred in detention, not just because political activists were willing martyrs, but because the police were coming against the limits of their own training. As Biko pointed out in this passage, the police used violence to force quick confessions, however, the interrogators were often not well trained enough to know when to stop the abuse.⁵⁰ Without appropriate training, the interrogators found it difficult to acknowledge the limits of violence. Moreover, in this section, Biko significantly defined deaths as a consequence of failed interrogation methods and a deep refusal by the police to treat detainees with any sense of dignity. In doing so, Biko returned to one of the initial phrases of the interview, the famous quote, “You are either alive and proud or you are dead, and when you are dead, you can't care anyway. And your method of death can itself be a politicizing thing.” A death caused by limited methods showed that the fundamental exercises of apartheid authority were deeply anti-human, and based only in fear and violence.

When read against the broader composite of ‘Biko on Death’, this last section of the interview about interrogation and detention carefully linked Biko’s commentary to the broader project of Black Consciousness expressed in *I Write What I Like*. Much of *IWWIL* was about assessing the ways in which the apartheid state, and the colonial state before it, depended on a politics of fear to substantiate its authority. In his 1971 article

⁴⁹ ‘Biko on Death’, p.12

⁵⁰ See the above discussion of Mapetla Mohapi for an example of this.

“Fear – An Important Determinant in South African Politics,” Biko had worked through a longer consideration of the role that fear and intimidation played for the apartheid state. In one passage, Biko wrote,

It sometimes looks obvious here that the great plan is to keep the black people thoroughly intimidated and to perpetuate the “super-race” image of the white man, if not intellectually, at least in terms of force. White people, working through their vanguard – the South African police – have come to realise the truth of that golden maxim – if you cannot make a man respect you, then make him fear you. Clearly black people cannot respect white people, at least not in this country. There is such an obvious aura of immorality and naked cruelty in all that is done in the name of white people that no black man, no matter how intimidated, can ever be made to respect white society. However, in spite of their obvious contempt for the values cherished by whites and the price at which white comfort and security is purchased, blacks seem to me to have been successfully cowed down by the type of brutality that emanates from this section of the community.⁵¹

The article continued by describing how fear made black people in South Africa unable to “behave like people – let alone free people.”⁵² For Biko, fear made it nearly impossible to actualize “peace, prosperity, and a sane society.”⁵³

In ‘Biko on Death’, Biko spoke about some of the same issues discussed in “Fear – An Important Determinant in South African Politics.” The two pieces operate together to indicate an analysis of fear as a central method of apartheid’s project. Read together, the pieces suggest that in both daily life in apartheid South Africa, and in the specific conditions of interrogation, fear was deployed as an agent of control. And just as Biko showed in ‘Biko on Death’ that the methods of apartheid could be challenged with a refusal to be afraid, “Fear – An Important Determinant in South African Politics” culminated by linking a refusal to fear to the broader program of Black Consciousness.

⁵¹ “Fear – An Important Determinant in South African Politics” in *I Write What I Like*, P.76

⁵² “Fear – An Important Determinant in South African Politics” in *I Write What I Like*, P.76

⁵³ “Fear – An Important Determinant in South African Politics” in *I Write What I Like*, P.77

In the last two sentences of the article, Biko wrote “The white strategy so far has been to systematically break down the resistance of the blacks to the point where the latter would accept crumbs from the white table. This we have shown we reject unequivocally; and now the stage is therefore set for a very interesting turn of events.”⁵⁴ Here, Biko contended that the broader Black Consciousness movement rejected the imposition of fear by the structures of apartheid society.

Reading ‘Biko on Death’ gives a broader insight into Biko’s intellectual history in ways that the more narrowly conceived (but still politically important) version contained in ‘On Death’ does not. While interested observers have effectively used ‘On Death’ to gain insight into both the conditions of Biko’s death and his impending martyrdom, ‘Biko on Death’ also helps to further dismantle apartheid as a methodological project. More than a self-illuminating statement on the encroachment of death, ‘Biko on Death’ suggests a political strategy through a confrontation with the politics of fear. As a history of detention and the methods of interrogation deployed therein, ‘Biko on Death’ allows us to use Biko’s detentions to say more about the methods of apartheid.

Conclusion

This chapter examined two versions of Biko’s commentary on death. The first section looked closely at the nearly iconic chapter from *I Write What I Like*, ‘On Death,’ a piece that has been read as Biko’s prediction of his death and impending martyrdom. ‘On Death’ was created by editors who pressed audiences to read its content to meet the political demands of the late-1970s and 1980s. Notably, ‘On Death’

⁵⁴ “Fear – An Important Determinant in South African Politics” in *I Write What I Like*, P.79

presented an account not mediated by the claims of the security police responsible for his death while also allowing readers to access Biko's intellectual work. The frequency with which 'On Death' has been used in the time since Biko's death affirms the success that the original editors of this piece had in directing readers' attention to it. Although 'On Death' has achieved such prominent status, it was drawn from a less often consulted and longer interview titled 'Biko on Death.' In that interview, Biko spoke less about his own impending death and more about the broader mechanisms through which apartheid ruled with fear and humiliation. In 'Biko on Death,' I argued, Biko critiqued these particular forms of power, an analysis that fit within the broader ideals of the Black Consciousness movement. Reading the pieces in tandem, and pointing out the differences between them, I have argued, is a productive space for thinking through the intellectual life of South African politics. Moreover, it extended my discussion of the modes through which people have deliberated upon the circumstances and meaning of Biko's death.

Chapter 6 - Conclusion

In the introductory chapter of this dissertation, I began with a discussion of Bongani Diko's production of a play titled *Juda's Diary*. In *Juda's Diary*, Diko pursued three related stories. The first retold the history of Steve Biko's arrest in Grahamstown in 1977, the second described the 1986 death of the successful businessman Mick Mphelo after he was accused of selling out Biko to the security police, and the third demonstrated the continued importance of Biko's death to contemporary Grahamstown. As I noted, Diko described that while conducting his research for the production in 2007, he realized, "everyone was talking about Biko," but that his particular take on the history had never been fully articulated.¹ At the edges of what had been said, Diko modeled his work to address unresolved questions about Grahamstown's past. Diko's pursuit of "the Grahamstown Biko story," I argue, shares an analytical overlap with the critics whose histories of Biko's death I have analyzed in this dissertation.²

This dissertation showed that Biko's death has helped clarify avenues of political thought and action that have allowed commentators to say a great deal about their own past and present. I have argued that tracing histories of Biko's death not only allows us to witness how specific claims about Biko have been made, but also reveals larger insights into the political, social, and economic contexts in which people composed arguments. This dual emphasis on both the specific aspects of debate about Biko and the conditions that the arguments described, has led to a broadened

¹ Oral Interview: Bongani Diko, June 4, 2008

² Oral Interview: Bongani Diko, June 4, 2008

understanding of the forms that political debate takes. In Diko's interpretation, Biko's death looked like a local history, and he restored focus on the event to reconsider the content of existent political and economic tensions and debates. For Diko, Biko's death offered a starting point to evaluate topics of related political and social importance. Much the same was at stake in the arguments about Biko's death that are present in the previous chapters of this dissertation. Whether discussing how security policemen used torture, clarifying the meaning of political martyrs, or debating the structures and ethics of the South African medical system, commentators have found within the history of Biko's death the necessary reference points to draw together new arguments about the world around them. The necessity of re-working histories of Biko's death, I have shown, was built into the unique historical moment in which Biko's death occurred. The violence that caused Biko's death and the process through which members of the apartheid state attempted to conceal and withhold information about the conditions of Biko's detention linked to a larger historical context in the late-1970s when the security police increasingly used prolonged periods of detention and torture to suppress dissent (chapter two). Rather than become the final marker of Biko's political importance, however, Biko's death was transformed by critics to stage new critiques of apartheid.

At its core, this dissertation project has pursued how a broad variety of individuals and groups have attempted to make sense of Steve Biko's death. When I began the research, I was intrigued by the question of how one individual's death affected the political and social outlooks of people who meant to explain the death's implications. The answer to this question was only possible by utilizing a research plan that scanned widely for accounts of Biko's death. Instead of working to uncover a

single, unified response, I looked for sources that each told a slightly different account, not only about Biko, but also about the institutions, conditions, and contexts that helped infer added meaning to his death. For example, many people explained Biko's death by trying to pin culpability on agents of the apartheid state that caused the death by poring over the details of police reports and legal proceedings. Others dealt with the death by eulogizing Biko in plays, songs, and speeches in order to access Biko in new settings. Indeed, I have made use of police reports, inquest testimony, medical reports, lectures, biographies, political pamphlets, theater productions, newspapers, oral interviews, and academic texts, among other materials, to evaluate accounts of Biko's death.

In place of pursuing a strictly linear account of knowledge production about Biko, I instead traced how overlapping sets of evidence have been reused over the last three decades. My decision to focus on overlapping types of evidence within differing methods of presentation has been instrumental in recognizing the ways in which histories of Biko's death were constructed in a comparative fashion. In each chapter, I discussed how particular descriptors of Biko's detention and death emerged, and in what setting the information was initially used. My reasons for organizing material in this fashion were both methodological and substantive. In order to make sense out of how these very different sources addressed similar topics, I sought out continuities in particular types of evidence. These overlaps in evidence allowed me to renew focus on the substantive content of arguments that were made.

More specifically, as I showed in the introduction and in chapter two, one of the central conventions for work on Biko has been to follow a timeline that moves from his

emergence as a leader of student politics and the Black Consciousness Movement through the point of his death in detention. This framework succeeded by using Biko's life span to sort through the history of Black Consciousness, but also took the moment of his death as a transitional and passing moment against which new claims to the Black Consciousness Movement and Biko himself were readily staked. My concern is that within these accounts, Biko's death as an event serves as a backdrop, a form of inquiry that does not foster a sufficient critique of how the apartheid state was structured. As this dissertation has shown, past critiques of Biko's death have frequently called attention to the interior workings of the apartheid state. By tracing genres of evidence related to Biko's death, I have pointed out histories of apartheid state practices including the methods of interrogation and torture, the definition of deaths through the expert knowledge of medical practitioners, and the use of censorship to conceal and codify political repression.

Chapter three, which discussed Biko's torture, began by showing how the security police initially explained the evidence that Biko was frequently kept naked during the course of his detention. These policemen denied that enforced nakedness was a form of torture, and argued instead that it was used to prevent Biko from harming himself with his clothing. Critics of the apartheid state, including the liberal newspaper editor Donald Woods, picked up on this same piece of evidence, and offered an alternative explanation to reveal that the police had purposefully and cruelly tortured Biko. These contending interpretations of the same evidence also fit into preexisting political debates. For the security police, concealing evidence of torture helped – however feebly – to maintain a veil of legitimacy around the broader apartheid state.

Their denials, I have argued, were not only meant to conceal their own actions, but to also conceal that any employee of the state would use torture. For Woods, and for others, this evidence only enhanced analysis proving that the apartheid state as a whole depended upon extraordinary violence to preserve its authority. Focusing on the same piece of evidence as it reappeared in new settings, I argued, allowed for a sustained focus on the types of political arguments and arrangements that were made with histories of Biko's death.

Beyond specific discussions of how the security police tortured Biko during the final weeks of his life, additional conditions related to his detention also stood out. Chapter four examined how some South Africa medical professionals reconsidered the medical care offered to Biko by state-employed district surgeons in Port Elizabeth. Within medical and autopsy reports, inquest testimony and security police statements, these critics found evidence that those doctors who had observed Biko failed to provide medical assistance. These critics, who included members of the medical faculty at the Universities of Cape Town and the Witwatersrand, re-wrote medical case histories to reveal the conditions in which Biko could have survived his injuries, a form of comparative analysis that borrowed from existent types of expert medical knowledge. Moreover, the unethical practices that defined the conditions of Biko's death resonated with prior concerns over the standards of professional care in South Africa and the broader distribution of medical services across the country. In the hands of these critics, the indifferent medical care offered to Biko offered a new starting point to trigger debate about the responsibilities of an entire medical profession.

This sustained focus on historical argumentation about Biko's death has allowed me to pursue a broadened conception of history writing. In this dissertation, I showed that historical arguments about Biko's death have not been the primary focus of academic historians, but additionally developed and expanded in a myriad of ways outside of the academy. Moreover, my concern for the content of arguments and the particular recognition of evidence about Biko's body has added to an existent literature on the body in African studies. By pursuing accounts about Biko's body, I have traced how varying types of expertise, political interest, and historical context have altered the ways in which people think about the past. I have also added to existent scholarship that studies the relationship between the living and the dead by emphasizing the importance of Biko's continued political importance in the period after his death.

As I conclude this version of my research on Steve Biko's death, it is worth reiterating that this project represents a single starting point in what will be an ongoing piece of work that has broader implications for the study of African history. In finding new directions to take this study, I think that some of the most productive avenues of exploration will come from the further research of comparative histories. Before I began conducting research work in South Africa on Steve Biko, I was producing a comparative history of instances of state violence in colonial and post-colonial Africa. Biko was part of a larger study that was to examine the histories of Chief Mkwawa, a pre-colonial leader in Tanzania who died during a war over German colonial invasion, and that of Patrice Lumumba, the post-colonial leader of Congo who was murdered shortly after being named Prime Minister. I was intrigued by the question of why authoritarian states in colonial, neo-colonial, and post-colonial contexts had a recurring

habit of killing dissident leaders, and wanted to examine how each of these deaths affected local political discourses. Although I ultimately decided to narrow the focus of my study to the particular history of Biko's death in detention, I think that the possibility of thinking about his death in a more comparative fashion has a crucial importance. In future iterations of this project, I will move more extensively to elaborate the South African historical contexts in which Steve Biko's death was interpreted and debated, paying special attention to additional instances of torture and state violence in South Africa against other detainees. Although I have pointed out how critics sorted over the specific details related to Biko's death, it will be possible to lengthen my analysis of the political meaning of violence in South Africa under apartheid by thinking in a comparative fashion.

When I first arrived in South Africa in 2007, there was an abundance of conversation about Steve Biko's continued importance. Radio commentators spoke about Biko and asked what he would think about the new South Africa. Vendors sold t-shirts emblazoned with images of Biko's face. People that I met informally would discuss Biko's life and speculate about what Biko would do today if he had not died in detention. What all of this signaled, and what it continues to remind me, is that Biko's life and death still offers great possibilities for political, social, and cultural thought and ingenuity. As Biko's history continues to unfold, I hope that my own contributions to the dialogue will stand as a testament of my own admiration for the historical debates occurring around me.

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