



## HUMAN AND SOCIAL SCIENCE: HSSC4

### LESSON 16

#### UNIT STANDARD: US 115477 SO 2-4

#### INTRODUCTION

I hope you are still following our lessons as they unfold with many interesting themes and topics. You will realise that we are now picking up some topics on the themes that did not receive adequate attention. One of them that we are visiting now is based on Social justice, human rights and democracy.

Theme: **The relationship between Social justice, human rights and democracy.**

Topic: **Truth and reconciliation Commission (TRC).**



After the end of apartheid, as well as the release of political prisoners in the early 90s and the country's transition from repressive rule (*harsh and evil rule*) to democracy in 1994, South Africa witnessed the establishment of the Truth and Reconciliation Commission in 1995 which formed a crucial (*important*) component of the transition to full and free democratic country. The TRC was established by the first democratic president Nelson Mandela under the Promotion of National Unity and Reconciliation Act of 1995 and Archbishop Desmond Tutu with Dr Alex Boraine were appointed as its chairperson and vice chairperson respectively.

The Truth and Reconciliation Commission (TRC) was court –like body after the end of apartheid, which gave hearing to victims and perpetrators (*those who did wrong*) of violence during apartheid.



## Background

The unbanning of the liberation movements and opposition political parties in 1990 by Pres. **F.W. de Klerk**, the release from prison of **Nelson Mandela**, and the lifting (*doing away*) of the state of emergency in South Africa paved (*made it possible*) the way for a negotiated peace settlement between the apartheid regime and those who fought against it.

This brought an end to the struggle against colonialism (*a period in which one country controls another for economic gain e.g. SA was under Britain*) and apartheid that had lasted in South Africa for more than 300 years. The negotiations (talks) resulted in the establishment of a date for the country's first democratic elections and for an interim (*temporary*) constitution to be enacted (*put in action*).

A major obstacle (*big disturbance*) to finalizing the interim constitution was the question of accountability for those guilty (*responsible for the wrong*) of gross human rights violations during the years of apartheid. It became clear during the negotiations that the political right and many in the security forces (*e.g., police and army*) were not loyal to President de Klerk and posed a major threat to stability (peace) in the country. They demanded that President de Klerk issue them a blanket amnesty (*official pardon or forgiveness to people who did wrong things to the society*) for past actions. The dominant view among the liberation movements at the time, however, was that there should be accountability for past crimes, along the lines of the Nürnberg trials. (*Is harsh punishment such as death penalties given to Germans/ Nazis for they were accused of causing the World War 2*)

Those negotiating for the apartheid regime (*rule*) insisted that a guarantee of general amnesty be written into the interim constitution. Without it, it is unlikely that the apartheid government would have given up power. The strength of the amnesty deal was that it was part of a package of initiatives (*things that were formulated*) contained in the interim constitution that set the country on the road to becoming a democratic, constitutional state. This included a strong and justiciable bill of rights. The terms (*agreements*) of the amnesty were to be decided on by the country's first democratically elected government once elected in 1994.

## WHY WAS THE TRC ESTABLISHED?

It was established as a means of political compromises (*to accept for peace sake*) that were reached towards the end of apartheid by the opposing political parties and the government. The TRC was established to heal the country. It aimed to bring about reconciliation to South Africans by telling the truth about human rights violations that happened during apartheid. The TRC also promoted unity among South Africans. It was established to investigate politically motivated crimes. It had to listen and record the outcry of the victims and in some cases, grants amnesty to the perpetrators of human rights violations. It had to offer reparations and rehabilitation of victims.



## WHAT WERE THE ACHIEVEMENTS OF THE TRC?

- The TRC was able to promote peace. Victims of apartheid were able to forgive people who killed their loved ones.
- Amnesty was granted to perpetrators of apartheid who qualified.
- Forensic records of apartheid era human rights abuses were compiled and could no longer be denied.
- It encouraged the culture of accountability.
- It uncovered most of the truth about gross violations of human rights abuses.
- Many victims were able to get closure with the *atrocities (bad and evil actions inflicted or done physically on people such as killings and torture)*
- The TRC was a step towards reconciling the South African society.

## WHAT WERE THE FAILURES OF THE TRC?

- The TRC failed to meet the needs of many victims.
- It failed to reveal the full truth in many cases.
- Many political and military leaders were left off the hook. (*were let free*).
- It failed to focus on the effects of the apartheid system as a whole.
- Of the 7000 applicants, only 10% received amnesty.

**Try this activity.**

## ACTIVITY



- 1.1 Name any 3 'Apartheid – Era Crimes.'
- 1.2 What do the people near the crocodile represent?
- 1.3 Why do you think was the reason for cartoonist to relate 'Apartheid –Era crimes' with the crocodile?
- 1.4 What is your opinion on statement made by the people standing near the crocodile?
- 1.5 Mention the achievements and failures of the TRC.
- 1.6 When was the TRC established?
- 1.7 Who chaired the TRC?
- 1.8 What is amnesty?
- 1.9. What was the TRC?
- 1.10 Mention only 5 reasons for the establishment of the TRC.