



Reconciliation: The South African Truth and Reconciliation Commission's contribution to dealing with the past, reconciling and building the nation

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Abstract

Reconciliation: The South African Truth and Reconciliation Commission's contribution to dealing with the past, reconciling and building the nation

International experience has shown that addressing past human rights violations is a necessary step in the process of reconciliation and nation building. How was post-apartheid, democratic South Africa to deal with its past human rights violations? Would it go the way of retribution in order to settle the scores of the past? Would it go the way of blanket amnesty in the name of political expediency and ignore the fate of its victims?

The Promotion of National Unity and Reconciliation, Act 34 of 1995, which established the TRC envisaged that national unity and reconciliation could be promoted by determining the extent, and the fate and whereabouts of the victims, of such human rights violations; giving opportunity for story-telling; recommending reparations and measures to prevent future violations; and by providing a full report. In order to do so the Commission had the power to grant amnesty to those making such disclosures.

This article, while not uncritical of the Commission, is generally positive about its contribution both in attempting to deal with the past, and in building a democratic, human rights and restorative justice culture based on the rule of law. It examines the definitions of reconciliation that emerged during the Commission in the light of a Christian definition where

South African Truth And Reconciliation Report

AN Whitehead



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Truth and Reconciliation in South Africa Hugo van der Merwe, Audrey R. Chapman, 2008-02 Of the truth commissions to date the South African Truth and Reconciliation Commission TRC has most effectively captured public attention throughout the world and provided the model for succeeding bodies Although other truth commissions had preceded its establishment the TRC had a far more expansive mandate to go beyond truth finding to promote national unity and reconciliation to facilitate the granting of amnesty to those who made full factual disclosure to restore the human and civil dignity of victims by providing them an opportunity to tell their own stories and to make recommendations to the president on measures to prevent future human rights violations

The Limits of Transition: The South African Truth and Reconciliation Commission 20 Years on Mia Swart, Karin van Marle, 2017-08-28 The South African Truth and Reconciliation Commission was a noble attempt to begin to address the continuing traumatic legacy of Apartheid This interdisciplinary collection critiques the work of the TRC 20 years since its establishment Taking the paralysing political and social crises of the mid 1990s in South Africa as starting point the book contains a collection of responses to the TRC that considers the notions of crisis judgment and social justice It asks whether the current political and social crises in South Africa are linked to the country's post apartheid transitional mechanisms specifically the TRC The fact that the material conditions of the lives of many Apartheid victims have not improved forms a major theme of the book Collectively the book considers the unfinished business of the TRC

Truth & Reconciliation in South Africa Charles Villa-Vicencio, Fanie Du Toit, 2006 This series of articles by leading researchers activists and government officials describes the response of government and other agencies to the unfinished business of the Truth and Reconciliation Commission It also reflects on the role of the media art and cultural exponents who grappled with South Africa's past

Truth and Reconciliation in South Africa Lyn S. Graybill, 2002 Graybill mind and human interaction U of Virginia provides students not only the facts about the South African Truth and Reconciliation Commission but also the broader context in which it operated She asks whether it led to reconciliation and healing what criteria were used to decide whether to pardon or punish whether politics necessitated the compromise and other questions Annotation copyrighted by Book News Inc Portland OR

Photography, Truth and Reconciliation Melissa Miles, 2020-08-05 Photography Truth and Reconciliation charts the connections between photography and a crucial issue in contemporary social history The book examines the prevalence of photography in cultural responses to processes of truth and reconciliation and argues that photographs are a valuable means through which stories can be retold and historiography can be rethought Five compelling case studies from Argentina Canada Australia South Africa and Cambodia underscore the special role that this medium has played in facilitating processes of recovery and in reconstructing suppressed histories even when a documentary record of the events does not exist The diverse practices addressed in this book including artistic protest institutional archival legal and personal photography prompt a new consideration of photography's links to presence place

time spectatorship and justice Collectively these practices attest to photography's key role in transitional justice and in shaping historical understanding internationally Important reading for students taking photography visual culture history and media studies courses Photography Truth and Reconciliation explores key historical and theoretical themes including photography and testimony international discourses on human rights and justice and problematic notions of public and collective memory The introduction and conclusion of this book are freely available as a downloadable Open Access PDF under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license available at <http://www.taylorfrancis.com>

Crime, Truth and Justice George Gilligan, John Pratt, 2013-01-11 This book is concerned to analyse the production of criminological knowledge with particular reference to one of the most important institutions in the western world involved in this the official inquiry The core focus of this book is thus to investigate the structures and processes of official discourse and the ways in which this produces knowledge on crime and justice a much neglected topic in comparison to the attention that has been played to the role of the media in this process The mechanisms that produce official discourse vary according to different jurisdiction but some clear themes nevertheless emerge

Principles of International Criminal Law Gerhard Werle, Florian Jeßberger, 2020-10-09 Principles of International Criminal Law is one of the most influential textbooks in the field of international criminal justice This fourth edition builds on the highly successful work of the previous editions setting out the general principles governing international crimes as well as the fundamentals of both substantive and procedural international criminal law It provides a detailed understanding of the sources and evolution of international criminal law demonstrating how it has developed and how its application has changed The book assesses in detail the four key international crimes as defined by the statute of the International Criminal Court genocide crimes against humanity war crimes and the crime of aggression The new edition revises and updates the work with developments in international criminal justice since 2014 It includes substantial new material on critical perspectives on international criminal justice the fragmentation of international criminal law new war crimes of prohibited means of warfare and the prosecution of crimes committed in Syria and Northern Iraq The book retains its highly acclaimed systematic approach and consistent methodology making it essential reading for both students and scholars of international criminal law as well as practitioners and judges working in the field

Truth Commissions and Transitional Societies Eric Wiebelhaus-Brahm, 2010-01-05 This book uses a multi method approach to examine the impact of truth commissions on subsequent human rights protection and democratic practice and features cross national case studies on South Africa El Salvador Chile and Uganda

Transitional Justice and Corporate Accountability from Below Leigh A. Payne, Gabriel Pereira, Laura Bernal-Bermúdez, 2020-04-30 Bruno Tesch was tried and executed for his company's Zyklon B gas used in Nazi Germany's extermination camps This book examines this trial and the more than 300 other economic actors who faced prosecution for the Holocaust's crimes against humanity It further tracks and analyses similar transitional justice mechanisms for holding economic actors accountable for

human rights violations in dictatorships and armed conflict international foreign and domestic trials and truth commissions from the 1970s to the present in every region of the world This book probes what these accountability efforts are why they take place and when where and how they unfold Analysis of the authors original database leads them to conclude that corporate accountability from below is underway particularly in Latin America A kind of Archimedes lever places the right tools in weak local actors hands to lift weighty international human rights claims overcoming the near absence of international pressure and the powerful veto power of business

Political Transition Paul Gready,2003-04-20 In the twentieth century many countries around the globe experienced rapid and often traumatic political transformations From East Germany and Northern Ireland to Argentina Chile and Zimbabwe political transition has been momentous and has had a deep impact on the individual culture of each society This collection explores these periods of political transition and the impact that they have had through an analysis of memory identity space place and voice Concentrating in particular on post colonial and post oppressive regimes in Europe Southern Africa and Latin America the contributors assess how individuals come to terms with rapid political change and the enduring legacies of the past in the present They examine how political transformations affect people s memories and identities reworking spaces places and voices and how both official and unofficial mechanisms set up to cope with these changes impact on these issues Juxtaposing different country and regional experiences and different historical eras this is a comprehensive guide to the vast range of issues involved in political transition

Remembering Transitions Ksenia Robbe,2023-10-04 This volume offers critical perspectives on memories of political and socioeconomic transitions that took place between the 1970s and 1990s across the globe and that inaugurated the end of the Cold War The essays respond to a wealth of recent works of literature film theatre and other media in different languages that rethink the transformations of those decades in light of present day crises The authors scrutinize the enduring silences produced by established frameworks of memory and time and explore the mnemonic practices that challenge these frameworks by positing radical ambivalence or by articulating new perspectives and subjectivities As a whole the volume contributes to current debates and theory making in critical memory studies by reflecting on how the changing recollection of transitions constitutes a response to the crisis of memory and time regimes and how remembering these times as crises renders visible continuities between this past and the present It is a valuable resource for academics students practitioners and general readers interested in exploring the dynamics of memory in post authoritarian societies

Transforming Societies after Political Violence Brandon Hamber,2009-06-12 Paraphrasing Descartes we may say that one method is to take the reader into your confidence by explaining to him how you arrived at your discovery the other is to bully him into accepting a conclusion by parading a series of propositions which he must accept and which lead to it The first method allows the reader to rethink your own thoughts in their natural order It is an autobiographical style Writing in this style you include not what you had for breakfast on the day of your discovery but any significant consideration which helped you arrive

at your idea In particular you say what your aim was what problems you were trying to solve and what you hoped from a solution of them The other style suppresses all this It is didactic and intimidating J W N Watkins Confession is Good for Ideas Watkins 1963 pp 667 668 I began writing this book over 12 years ago It was started in the midst of the South African Truth and Reconciliation Commission TRC It is an exploration of what I have learned from the process During the TRC I was working at the Centre for the Study of Violence and Reconciliation CSVR in South Africa primarily with people who testified before the Commission but also on a range of research and policy initiatives in the area that is now called transitional justice I have written about the TRC process extensively *Understanding African Philosophy* Richard H. Bell, 2002 First Published in 2002 Routledge is an imprint of Taylor Francis an informa company **Black Britain and Nelson Mandela** Elizabeth Williams, 2024-11-14 In *Black Britain and Nelson Mandela Pulling the Branch of a Tree* Elizabeth Williams leads a cast of renowned scholars to explore the impact of Nelson Mandela's legacy on Black intellectual thought on race and social justice in Britain This engaging book presents an original collection of chapters authored by leading Black voices across the academy foregrounding the Black British perspective in historical discourse for the first time This fresh take on Mandela the Man rather than the enduring myth around his branding explores the life of Nelson Mandela his contribution to the peace in South Africa and the impact of British law on Mandela and his legal jurisprudence Not only does this innovative collection highlight the lessons which can be learned from Mandela's life it also connects with contemporary issues of race in Britain today taking in the Rhodes Must Fall movement and Black Lives Matter movement The result is a much needed revival of existing literature and a collection which will be of interest to students and scholars of Black British History *Truth Commissions and Criminal Courts* Alison Bisset, 2012-04-16 This detailed evaluation of the relationship between trials and truth commissions challenges their assumed compatibility through an analysis of their operational features at national inter state and international levels Alison Bisset conducts case study analyses of national practice in South Africa East Timor and Sierra Leone evaluates the problems posed by the International Criminal Court and considers the challenges presented by the possibility of bystander state prosecutions At each level she highlights potential operational conflicts and formulates targeted proposals to enable effective coexistence **The South African Truth Commission** Dorothy C. Shea, 2000 In the latter half of the 1990s South Africa's Truth and Reconciliation Commission TRC offered the country the chance to build a better future by facing up to its past Amid saturation media coverage victims of human rights abuses told their harrowing stories and perpetrators confessed to horrendous acts Meanwhile the commissioners grappled with decisions that would not only apportion responsibility and grant or deny amnesty but also have a profound political and social impact To this highly charged controversial subject Dorothy Shea brings a rare combination of objectivity thoroughness and a firm grasp of both the principles and the political interests at stake She begins by investigating the origins of the TRC in South Africa's transition from apartheid to democracy and she examines the extent to which it learned from the experiences of earlier Latin

American commissions Then she focuses on how the politics of the TRC were played out in issues such as amnesty reparations and prosecutions Her report on the TRC offers a generally positive assessment and explains not only how South Africa measured up but also why Finally Shea draws lessons from the TRC experience that may help to inform future efforts to shape and establish truth commissions in other transitional societies

Current Issues in Transitional Justice Natalia Szablewska,Sascha-Dominik Bachmann,2014-10-27 This volume is an inter disciplinary scholarly resource bringing together contributions from writers experienced academics and practitioners working in fields such as human rights humanitarian law public policy psychology cultural and peace studies and earth jurisprudence This collection of essays presents the most up to date knowledge and status of the field of transitional justice and also highlights the emerging debates in this area which are often overseen and underdeveloped in the literature The volume provides a wide coverage of the arguments relating to controversial issues emanating from different regions of the world The book is divided into four parts which groups different aspects of the problems and issues facing transitional justice as a field and its processes and mechanisms more specifically Part I concentrates on the traditional means and methods of dealing with past gross abuses of power and political violence In this section the authors also expand and often challenge the ways that these processes and mechanisms are conceptualised and introduced Part II provides a forum for the contributors to share their first hand experiences of how traditional and customary mechanisms of achieving justice can be effectively utilised Part III includes a collection of essays which challenges existing transitional justice models and provides new lenses to examine the formal and traditional processes and mechanisms It aims to expose insufficiencies and some of the inherent practical and jurisprudential problems facing the field Finally Part IV looks to the future by examining what remedies can be available today for abuses of rights of the future generations and those who have no standing to claim their rights such as the environment

Reconciliation Discourse Annelies Verdoolaege,2008 This volume is a research monograph analysing the South African Truth and Reconciliation Commission TRC from an ethnographic linguistic point of view The central proposition of this book is that the TRC can be regarded as a mechanism that leads to the hegemony of specific discourses thus exercising power The analysis illustrates how through a certain type of reconciliation discourse constructed at the TRC hearings a reconciliation oriented reality took shape in post TRC South Africa Basically the study points to the long term implications a truth commission can exert on a traumatised post conflict society The book is unique on several levels TRC discourse is explored in depth on the basis of personal stories from TRC testifiers a combination of Poststructuralist and Critical Discourse Analysis approaches form the theoretical foundations and an extensive bibliography provides an impressive database of TRC publications

Positive Nations and Communities Helena Águeda Marujo,Luis Miguel Neto,2013-08-13 This book approaches the field of positive psychology from a post modern perspective It explores the consequences of combining current trends and models with supplementary participatory and transformative methods The book brings a more collective qualitative culturally sensitive and transformative approach to

the processes of making sense and implementing the science of positive psychology It moves beyond the individual level towards a knowledge community and knowledge of the communities The book is an invitation to more participatory and polyphonic dialogues in the field of positive psychology Shadows of War Efrat Ben-Ze'ev, Ruth Ginio, Jay Winter, 2010-02-25 Silence lies between forgetting and remembering This book explores how different societies have constructed silences to enable men and women to survive and make sense of the catastrophic consequences of armed conflict Using a range of disciplinary approaches it examines the silences that have followed violence in twentieth century Europe the Middle East and Africa These essays show that silence is a powerful language of remembrance and commemoration and a cultural practice with its own rules This broad ranging book discloses the universality of silence in the ways we think about war through examples ranging from the Spanish Civil War and the Israeli Palestinian conflict to the Armenian Genocide and South Africa's Truth and Reconciliation Commission Bringing together scholarship on varied practices in different cultures this book breaks new ground in the vast literature on memory and opens up new avenues of reflection and research on the lingering aftermath of war

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