

- ◆ From Rhetoric to Responsibility: Making reparations to the survivors of past political violence in South Africa. This can be obtained from:
Centre for the Study of Violence and Reconciliation; PO Box 30778 Braamfontein, Johannesburg, South Africa; Website: www.wits.ac.za/csvr, Email: info@csvr.org.za. (This booklet is optional, but highly recommended and can be obtained quickly.)
- ◆ Reparations by Mpho Leseka Centre for the Study of Violence and Reconciliation
Website: www.wits.ac.za/csvr. Email: info@csvr.org.za.
(This booklet is optional but very highly recommended and can be obtained quickly.)
- ◆ Reparations Study Questions Handout
- ◆ Reparations Study Questions Key
- ◆ Computer with Internet connection. Or print the documents.
- ◆ Generic rubrics to assess political cartoons: www.rubrics.com & www.newmeasure.com

Instructional Procedures:

[Note to Teacher: Students must already be knowledgeable about South Africa’s former policy of apartheid, and the Truth and Reconciliation Commission. Explain that “the least publicized of the three Truth and Reconciliation Commission (TRC) committees is the Reparations and Rehabilitations (R&R) Committee. Unlike the Amnesty Committee and the Human Rights Violations, this committee did not hold public hearings for either perpetrators or victims. The R&R Committee was a working committee. Based on the findings of the other two committees, it was given the mandate to develop policy on how best to assist those found to be victims.” *From Rhetoric to Responsibility*, edited by Brandon Hamber and Tlhoki Mofokeng. It is recommended that videos such as *Facing the Truth* or *Long Night’s Journey into Day* be shown prior to this lesson.]

1. Have students imagine that they are going to study in South Africa. While there, they visit many tourist spots but they also go to two townships, Soweto and Langa, where they see the remaining horrors of apartheid evidenced by the extreme poverty. They talk to several township residents who criticized the TRC, but they also know others thought positively about the TRC. Your students have also discovered since being in South Africa that reparations was one of the three subcommittees of the TRC, but many apartheid victims have not received any reparations.

2. Explain that your students’ quest is to examine the primary sources and the booklets to evaluate complex material in addressing TRC reparations. Distribute the primary sources and booklets. Instruct the students to analyze them, and then have them complete the Reparations Study Questions Handout. [Note to Teacher: To better help students answer the questions, see the Reparations Study Questions Key.]

3. After the students have analyzed the documents and answered the questions, collect their work. Conclude by choosing three or four of the questions and conduct a Socratic Seminar. Encourage the students to share their particular points of view.

Assessment:

1. Students' research and answers.
2. Students' participation in Socratic seminar showing listening, sharing of ideas, respectful behavior, and inquiry.
3. Essay: Can there be True Reconciliation Without Reparations? An essay rubric is included.

Extensions:

1. Have students present oral reports on what they have learned from reading the primary sources.
2. Have students send letters to the editor of *Mail and Guardian* or other South African newspapers.
3. Have students make political cartoons showing their understanding of the reparations issue.

Bibliography:

Burying South Africa's Past, The Economist, November 1, 1997.

From Rhetoric to Responsibility – Making Reparations of the survivors of past political violence in South Africa. Edited by Brandon Hamber and Tlhoki Mofokeng, October 2000.

No Future Without Forgiveness, Desmond Tutu.

The Catharsis and the Healing – South Africa in the 1990s. Zeki Ergas, Janus Publishing Company, London, England.

Zapiro-The Hole Truth Cartoons from Sowetan, Mail and Guardian and Cape Argus.

Reparations Study Questions Handout

Name _____ Class _____

Date _____

Please examine the primary sources and the booklets by answering these questions:

1. How did the negotiated transition of power create the TRC?
2. What were the three subcommittees of the TRC?
3. What does the Promotion of National Unity and Reconciliation Act say about reparations?
4. What was the Reparations and Rehabilitation Committee designed to do?
5. Looking at the five aspects of the Reparation and Rehabilitation policy, how would you define reparations?
6. Contrast the meanings of reparations and compensation. Why would this be important to a victim?
7. What obligations does the TRC have to make reparations to apartheid victims?
8. What are the legal ramifications and moral ramifications for reparations?
9. How was justice traded for truth?
10. If amnesty is given to perpetrators shouldn't reparations be given to victims? Explain.
11. Who do you believe has really benefited from the TRC? Why?
12. Should perpetrators who have been granted amnesty contribute to the reparations fund? Explain.
13. The new South African government has to pay reparations for the human rights abuses done by the apartheid regime. What do you think about this?

Reparations Study Questions Key

Please examine the primary sources and the booklets by answering these questions:

1. How did the negotiated transition of power create the TRC?

It was created out of the compromises during the years 1990-1994 between the apartheid government and the liberation movement. This was a way to transfer power to prevent a civil war. Amnesty would be given to those who grossly violated human rights if it was politically motivated and there was full disclosure of the truth.

2. What were the three subcommittees of the TRC?

Human rights Violations (HRV) Committee, the Amnesty Committee, and the Reparations and Rehabilitation (R&R) Committee.

3. What does the Promotion of National Unity and Reconciliation Act (hereafter TRC Act) say about reparations?

That the TRC should make recommendations to the President on: “the policy which should be followed or measures which should be taking of other measures aimed at rehabilitating and restoring the human and civil dignity of victims” (TRC Act, Section 40-f).

4. What was the Reparations and Rehabilitation Committee designed to do?

To determine how the victims could be helped.

5. Looking at the five aspects of the Reparation and Rehabilitation policy, how would you define reparations?

The five aspects are urgent interim reparations, individual reparation grants, symbolic reparation, community rehabilitation programmes, and institutional reform. Thus showing that reparations were to be for immediate physical needs, as well as those of the soul and the spirit of community.

6. Contrast the meanings of reparations and compensation. Why would this be important to a victim?

Reparations acknowledge wrongdoing with material or non-material gain, but it does not attempt to be proportional to the loss. Compensation would try to make up for or replace the loss. This is important to victims because they would want it known that it is impossible to replace a murdered loved one.

7. What obligations does the TRC have to make reparations to apartheid victims?

The TRC Act requires the Reparations and Rehabilitation Committee to develop and ensure reparations for those victimized during apartheid.

8. What are the legal ramifications and moral ramifications for reparations?

Legal ramifications. In a decision concerning the constitutionality of the TRC, the judge said that the state would grant reparations. There are international agreements that South Africa has signed that make the country obligated to grant victims fair compensation.

Moral ramifications. The TRC states that if “we are to transcend the past and build national unity and reconciliation, we must ensure that those whose rights have been violated are acknowledged through reparations and rehabilitation.”

9. How was justice traded for truth?

Victims could not see offenders serve time in prison. Offenders would get amnesty for full disclosure of politically motivated human rights violations.

10. If amnesty is given to perpetrators, should reparations be given to victims? Explain.

Without reparations, the victims still lose but the offenders win. Since the victims are not permitted to seek prosecution for the offenders,' victims must have one of the five aspects of reparations granted to them.

11. Who do you believe has really benefited from the TRC? Why?

The offenders who received amnesty and were able to retain their livelihood. The lawyers who represented the perpetrators.

12. Should perpetrators who have been granted amnesty contribute to the reparations fund? Explain.

Answers will vary.

13. The new South African government has to pay reparations for the human rights abuses done by the apartheid regime. What do you think about this?

Answers will vary.