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Final Thesis

Literature review on the success of the TRC and the effects of the media

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Abstract:

In the late 20th century, South Africa experienced the most significant moment in its history since the country's founding. Nelson Mandela, as leader of the African National Congress (ANC), became president of the Republic of South Africa in 1994, abolishing apartheid once and for all and allowing the black population to vote for the first time in democratic elections. In the wake of this, and to alleviate the racial tensions still present in South African society, Mandela approved the creation of the Truth and Reconciliation Commission (TRC) in 1996, which sought to achieve justice for the victims of apartheid by allowing them to recount their experiences and the perpetrators to confess their crimes. The goal was to foster forgiveness between both sides so that they could move forward together toward the future. In this paper, we will evaluate the success of the TRC and the media in carrying out this complex and momentous undertaking.

Resumen:

A finales del s. XX, Sudáfrica pasó por el mayor momento de su historia desde la creación del país. Nelson Mandela, al frente del Congreso Nacional Africano (ANC) por sus siglas en inglés, se convirtió en presidente de la República de Sudáfrica en 1994, aboliendo el *apartheid* de una vez por todas y permitiendo a la población negra votar por primera vez en unas elecciones democráticas. A raíz de esto, y para paliar con las tensiones raciales todavía presentes en la sociedad sudafricana, Mandela aprobó la creación de la Comisión para la verdad y la reconciliación en 1996 (TRC por sus siglas en inglés), que buscaba alcanzar justicia para las víctimas del apartheid, permitiendo a estas relatar sus experiencias y a los perpetradores confesar sus delitos. De esta manera se buscaba lograr el perdón entre ambas partes para alcanzar la manera de avanzar unidos hacia el futuro. En este trabajo evaluaremos el éxito del TRC y de los medios de comunicación para llevar a cabo esta empresa tan compleja y trascendental.

1. Introduction

In 1948, the white-minority South African government introduced a system of institutionalized segregation where the population was divided into racial groups, restricting the rights of black, Indian and coloured[1] people in South Africa. This caused great unrest for many decades as the majority of the population fell under these groups, and through both peaceful and violent actions the black, Indian and coloured populations fought back. It was not until 1994 when Nelson Mandela, who had been imprisoned for leading the political and armed struggle against apartheid, was set free and elected president of the country, leading to the abolition of this institutionalised segregation. The Truth and Reconciliation Commission (TRC) was created in 1995 following the end of apartheid in South Africa as part of the country's transition toward democracy and national unity. Established under the Promotion of National Unity and Reconciliation Act, the Commission's aim was to investigate human rights violations committed between 1960 and 1994 during the apartheid era. Led by Archbishop Desmond Tutu, the TRC sought to uncover the truth about political violence, provide victims with a platform to share their experiences, and promote reconciliation between divided communities. Unlike traditional courts, the Commission emphasized restorative justice rather than punishment, allowing perpetrators to apply for amnesty if they fully disclosed politically motivated crimes. Trust and reconciliation commissions are a court-like judicial body that is created with the specific purpose of allowing both sides of events of human rights violations to be heard and initiate a reconciliation process, and are dissolved once the process is complete. The establishment of the TRC represented a significant moment in South African history, as it attempted to address decades of racial oppression and violence without causing further conflict in the newly democratic nation. By giving victims a voice through public hearings and testimonies, the commission exposed the realities of apartheid to both South Africans and the international community. Although the TRC received

[1] Coloured South Africans is a term used to describe people descended from the interracial marriages between Dutch settlers and natives of South Africa, as well as with slaves brought from many parts of Asia during the 17th century.

criticism for limitations in achieving complete justice, it remains an important example of transitional justice and national healing in post-conflict societies.

The following dissertation has been made with the objective of understanding the reality behind the Trust and Reconciliation Commission through the lens of theories such as Critical Race Theory, Transitional Justice Theory, Framing Theory and Agenda Setting Theory. These theories have been chosen to evaluate the success of the TRC in reaching its goals and the role the media played in South Africa during the development of the Commission's hearings. This dissertation comes from a curiosity to explore a nation as complex as South Africa, which has an immensely rich history of colliding and contrasting cultures, realities and ideologies and has been able to show the world the power unity can have to overcome the deepest of divisions. The TRC in particular is a fascinating subject of investigation as it is the mark of a bold attempt at finding reconciliation in the face of complete hatred and division. In a society that for centuries had suffered segregation and racism, arguably more than in other places like the US or Europe, the TRC, following in Mandela's efforts to unite the country, sought to reconcile the perpetrators and the victims of injustice by bringing truth and transparency to the forefront of justice. Not without criticisms, the TRC undertook the colossal task of, in the authors eyes, reconstructing and healing a society that, not too many years prior, had still been suffering violence in the streets because of apartheid.

2. Notice Regarding the Use of AI

In the preparation of this Bachelor's Thesis, limited use has been made of Artificial Intelligence tools, exclusively to assist with instrumental tasks (such as gathering sources, organizing ideas, or generating preliminary proposals). Under no circumstances have these tools replaced the personal research, writing, and analysis that form the basis of this thesis.

In accordance with university policy, it is expressly stated that:

- Artificial Intelligence has not been used for the entire text or for the preparation of substantial parts of the thesis.

- Any use of AI tools has been critically and independently reviewed, reworked, and adapted by the author.
- The author bears full responsibility for the content, analysis, and conclusions.

Consequently, this Bachelor's Thesis complies with the provisions of the University's General Regulations, which consider the use of AI to create complete works or significant portions thereof without proper citation, authorization, or acknowledgment to be plagiarism

3. Historical and political context

South Africa is a complex nation with a deeply influential history shaped by colonization, racial division, and resistance. European powers such as the Dutch and later the British established colonies in the region between the 17th and 18th centuries, gradually taking control of land and resources while displacing Indigenous African communities. Colonization created lasting economic and social inequalities, reinforcing racial hierarchies where the privileged white minority ruled over the Black majority. These divisions eventually led to the formal establishment of apartheid in 1948, a system of state-sponsored racial segregation and discrimination that controlled nearly every aspect of life in South Africa. Apartheid left a profound impact on the country's political, social, and economic development, shaping many of the challenges and transformations that continue to influence South Africa today (Stuit, 2013).

Prof. D. J. P. Haasbroek stated back in 1971 that apartheid originates from the combination of religious views and Western European ideas of race superiority and the elect nation concept. In his essay "The Origin of Apartheid in South Africa" (p.9) he explains how the theological interpretations of the 19th century Afrikaners and their Anglo-Saxon heritage shaped South Africa's racial policies at the start of the 20th century. Quoting from D.W. Kruger (1960), Haasbroek defines apartheid in 1948 as "the segregation of the most important ethnic groups and sub-groups in their own areas where every group (would) be enabled to develop into a self-sufficient unit" (p.404). Despite having seemingly favourable intentions in separating the different ethnic groups to allow them to each govern themselves, the English colonisers did this to garner greater control over the native tribes, and by allowing them very poor self-governance, limit their rights and establish a set of racial policies we now know as apartheid.

In 1910 South Africa was united for the first time into a single nation known as the Union of South Africa. The majority of blacks, along with white women, were denied the vote by the National Party which was in power at the time. The two dominant politicians at the time, Jan

Smuts and J. B. M. Hertzog, were the main instigators of this segregation which would later become institutionalised as apartheid. (EBSCO, 2021a).

In 1948, following Daniel François Malan's victory in a whites-only election, the National Party became the ruling party and enforced the institutionalisation of the racism and discrimination which had been subjugating blacks in South Africa for centuries (EBSCO, 2021). In the following years, apartheid became the main political structure used by the government to strip black, Indian, or mixed South Africans of their basic privileges and rights. As seen in "South Africa Establishes a Truth and Reconciliation Commission":

> Two landscapes were constructed, one white and one black. Racial segregation was realized in every geographic, social, and political space in South Africa. More than 80 percent of black South Africans were confined to less than 20 percent of the land. "Homelands" were designated for large ethnic groups of black South Africans, and urban black South Africans were relocated involuntarily to "townships" on the outskirts of cities. The Bantu Education Act of 1953 denied black South Africans access to education equal to that available to whites. Miscegenation was banned, and public amenities—including the most basic, such as buses, restrooms, telephone booths, and entrances to public services—were racially segregated. Whites were free to cross any geographic and social spaces, but blacks had to carry passes and were subjected to inspection at any time anywhere. Those without passes were arrested. These and other racist laws completed the structural disfranchisement of black South Africans. (EBSCO, 2021c, p .1)

With the establishment of apartheid, a set of laws that were passed, such as the 1949 Prohibition of Mixed Marriages and the 1950 Immorality Act, which outlawed sex between whites and non-whites (Facing History & Ourselves, 2018). More notably, the Group Areas Act of 1950 legally codified segregation by creating distinct residential areas for each race. Every citizen was given a serial number which determined their rights and privileges. South Africa is composed by many different ethnic groups -- Black Africans (~81.7%), Coloureds (~8.5%), White South Africans (~7.2%), and Indian/Asian South Africans (~2.6%). The vast majority of the black population encompasses numerous indigenous African ethnic groups such as Zulu, Xhosa, Ndebele, Tswana, Swazi, Tsonga and Venda peoples (Alexander, 2026). Whites South African enjoyed all rights and privileges, while Black and Indian South Africans were not

allowed to vote or had their voting options restricted. Indian South Africans are a part of the population who descend from Indian migrant workers from British India who arrived on South Africa during the late 19th century and early 20th century. In addition, the Group Areas Act separated the population into white and black urban areas, evicting many black from where they once lived and, with the Native Resettlement Act of 1954, the government was allowed to demolish black homes to make space for new White South African residences. This resulted in black and coloured populations to be relegated to townships in the outskirts of South African cities, which were often far removed from centres of employment and resources such as hospitals and recreation spaces.

Through apartheid law, black, Indian and coloured South Africans were essentially stripped of the citizenship by being assigned to Bantu homelands, also called Bantustans. The term "Bantustan" was used during apartheid to refer to the 10 homelands the South African government established to displace the black population from the main urban areas. Millions of people were forcibly taken to these "autonomous" states where they had arbitrarily been allocated alongside many others from different ethnic groups (Stuit, 2013). Even though government portrayed this as a system to offer black South Africans independence and self-government, it was really arranged to separate the groups which had formed within the black communities against white oppression and disseminate them into small communities of mixed ethnicities with which they felt no solidarity. The government avoided any criticisms for not permitting black South Africans to vote in South Africa by designating them citizens of Bantustans. This, however, created a system of migrant labour where the black population, who lived in the rural and underdeveloped homeland areas, had to travel to urban areas and live provisionally in townships. The South African government was ensured a cheap source of labour for white businesses and homes due to the harsh situation people endured in the homelands. Only 13% of South Africa's territory was allocated to black South Africans, who made up nearly 70% of the total population

Through this system, the government ensured that the black population was effectively stateless, while subverting international criticism on the matter by arguing that they had been given a semi-independent status through the Bantustan arrangement. This allowed the introduction of the Passbook system, where black workers required a passport of sorts to travel from Bantustans and townships to their places of work in white areas. These passbooks

had a convoluted bureaucracy behind them, which made them very difficult to keep to date and gave the authorities an easy excuse to detain black South African men unreservedly. It is therefore not surprising that these measures were met with backlash. Known as the Defiance Campaign, or "Campaign of Defiance against Unjust Laws" (African National Congress, 1952), it came about in 1952 when the African National Congress of South Africa (ANC) and the South African Indian Congress (SAIC) launched a joint nation-wide movement to counteract the unjust legislation that controlled South Africa. Both the ANC and the SAIC had been founded and admitted by the government in 1912 and 1921 respectively to represent and advocate for black and Indian South Africans[2] and from 1948 onwards, after, focused on countering the oppressive policies of the National Party's government. Both groups, alongside other minor organisations, rallied in non-violent demonstrations to protest the racist laws of South Africa, defying curfews, and contravening segregation measures. The Campaign generated a massive support in pursuit for freedom amongst black and coloured South Africans, and notably amongst some whites too. The ANC rose from 7,000 members to 100,000 during the campaign, which was due partly to Nelson Mandela, President of the ANC Youth League, who was appointed Volunteer-in-Chief of the Campaign. His outstanding qualities as a mass leader led to his election as the Transvaal President and Deputy National President of the ANC in 1952, and from then on he became a key figure in South Africa's struggle for freedom.

During the continuous civil disobedience and strikes organised by the ANC, other anti-apartheid groups and labour leaders, the main liberation groups came together to create The Freedom Charter in Kliptown in 1955 (Zubane, 2021). Earlier that year, 50,000 volunteers had travelled all around the country talking to citizens about their political hopes for South Africa's future. With the information gathered, The Freedom Charter was redacted and published. The main objective, established in its introduction, is as follows:

> South Africa belongs to all who live in it, black and white, and no government can justly claim authority unless it is based on the will of the people …the rights of the people shall be the same regardless of race, color or sex… all apartheid laws and practices shall be set aside… (African National Congress, 1955).

[2] Indian South Africans were classified as "2nd class citizens" by the government and also faced discrimination, albeit to a lesser extent than the black population (Pillay, 2019)

As a result of this declaration and the non-violent civil protests, the authorities tightened their control on black South Africans, making more evident the consequences of apartheid. One of such consequences was the Sharpeville massacre of 1960, where 5,000 people had gathered in protest of the pass laws. 69 people were killed and hundreds injured. Many of those who received treatment were arrested in their hospital beds. Later, in 1963, the police would grow in number, adopt more brutal measures, and receive more power through the General Law Amendment Act. (EBSCO, 2021b). After the massacre, the government drew up the Unlawful Organizations Act of 1960, which outlawed the ANC and PAC (Pan- Africanist Congress, another anti-apartheid group that had organised the Sharpeville demonstrations). As a result of this, the anti-apartheid movement concluded that non-violent action would not be effective on its own. This led to the creation in 1961 of Umkhonto we Sizwe ("Spear of the Nation"), also known as MK, led by Nelson Mandela. It was the armed wing of the ANC created to fight apartheid in response to the Sharpeville massacre, when the ANC decided that violent action would have to be the way forward. Mandela left South Africa and travelled the continent to receive training in armed guerilla tactics and transfer this newly learnt knowledge to the MK members when he returned (South African History Online, 2011). In 1963, Mandela, alongside other MK leaders, was put on trial for carrying out several sabotage campaigns throughout South Africa, and was sentenced to life imprisonment in what became known as The Rivonia Trials. They were charged with 193 sabotages and an attempt to overthrow the government. Meanwhile, South Africa was facing harsh international backlash after ANC leader Oliver Tambo campaigned against apartheid overseas. This led to South Africa being removed from the British Commonwealth in 1961, and the UN applying a trade ban on the country's economy in 1962, followed by a partial arms ban a year later. Further international pressure against South Africa's discriminatory policies came from the International Olympic Committee, which first suspended South Africa from participating in the 1964 Tokyo Olympics and then formally banned the country from the Olympics in 1970 (Facing History & Ourselves, 2018). The Rivonia trials meant that the internal resistance movements saw themselves severely debilitated for nearly a decade, leaving most of the insurgency to MK groups stationed in Tanzania and Zambia. Their objective was to bring armed rebellion to South Africa, which was rendered nearly impossible as South Africa's neighbours at the time were allied to the apartheid government.

The Soweto Uprising of 1976 marked a new chapter in South Africa's fight against apartheid. After the government introduced a law establishing Afrikaans as the main language in education, thousands of secondary and primary students took to the streets in Soweto to protest the new reform. It was met with violent police action that claimed the life of hundreds of students, epitomized by 12-year-old Hector Pieterson's death (Marschall, 2006). This led to further protests by South African students, who once again exercised non-violence in the face of possible torture, imprisonment, and death, whilst militants were persuaded to resume armed resistance to achieve liberation. Many young volunteers joined these freedom fighters. From 1976 to 1990, 1,200 South Africans were killed, many between the ages of 13 and 16. People gathered in the tens of thousands at the funeral processions of fallen rebels, undermining the restrictions imposed by the government and rendering the laws ineffective. Against the National Party's wishes, the people grew more and more attached to the ANC and its leaders than ever before, and Nelson Mandela was seen as a key figure even from prison.

After his release, Mandela engaged in talks with the government that opened a possibility for further dialogue (Government of South Africa, 2018). In 1989, Frederik W. de Klerk took over from Pieter W. Botha as leader of the Nationalist Party. He did not see apartheid as being sustainable, and decided to free all ANC prisoners except Mandela. After the Fall of the Berlin Wall in 1989, de Klerk realised that the world was quickly changing, which led him to act and meet with his cabinet to discuss the legalisation of the ANC and the liberation of Mandela (Sampson, 2011). Despite opposition from many of its members, de Klerk followed through with his proposal and met with Mandela in prison. The following year, Mandela was released unconditionally and all banned political parties were legalised.

Following Mandela's release and the 1993 Nobel Peace Prize (shared with de Klerk), South Africa held its first democratic non-racial elections in 1994 after great national and international pressure. Nelson Mandela became president of South Africa as head of the ANC. The following year, under the Promotion of National Unity and Reconciliation Act, the Trust and Reconciliation Committee (TRC) was created to investigate gross human rights violations committed between 1960 and 1994. It was the centrepiece of South Africa's transitional justice model and was chaired by Archbishop Desmond Tutu. It had 3 main roles: gather testimonies from victims to establish a complete account of the atrocities committed, grant amnesty to perpetrators who provided "full disclosure" of crimes committed with a political

objective and advise in the creation of policies for long-term victim reparations and providing short-term relief (South African History Online, 2011). At the same time, the Land Claims Court was established to address land expropriation claims during the apartheid period.

South Africa in the mid 1990's was facing the biggest moment in its 80 years of history as a nation, and it was doing so under great uncertainty as to what the future could bring to its people. The majority black, Indian and mixed populations sought retribution for the decades of institutionalised discrimination and brutality that had decimated them economically and socially, meanwhile the white population saw themselves in inferiority and feared that the backlash from other sectors of society could threaten their way of life. The TRC appeared as a tool of reconciliation which allowed both parties the space to dialogue about the incidents brought to the Committee. The role of race, the pursuit of restorative rather than a retributive justice, and the role of the media are vital in understanding the success of the TRC.

The Commission investigated violations committed by all sides during apartheid, and was revolutionary in that it broadcast all the hearings to the South African population through the use of radio, television and newspapers, regardless of who was giving the hearing or what it was about (Rousseau, n.d.). The TRC became part of the lives of all South Africans through the media, through which it tried to make its goals those of all South Africans. In the next part of this dissertation, we will explain the relevant theoretical frameworks and analyse the existing literature on the topic.

4. Theoretical framework

In order to address the topic of this dissertation, I must first introduce a set of theories on which I will base my analysis. These theories have been chosen as they are relevant in the workings of the TRC through the optics of race and transitional justice. They explain how racism can shape society and how it can affect a nation as it transforms. Moreover, the work of the TRC was broadcast to the nation via mass media, and it is fundamental to evaluate how it framed its point of views and what it chose to depict in its hearings. Therefore, the 4 theories which have been chosen are: Critical Race Theory, for its relevance in understanding the use of racism by governments to impose power and subjugate others in a society; Transitional Justice, to understand the process through which nations, particularly South Africa, attempted to bring together a country that had been divided by racism and injustice for decades through the establishment of the Truth and Reconciliation Commission; Framing, to evaluate how the Committee wanted the South African people to think about the reconciliation process through the media broadcast; and Agenda-setting, for the way it helps us understand the role the media played in creating a common narrative for the South African people of what the TRC was.

4.1 Critical Race Theory (CRT)

As Jean Stefancic and Richard Delgado (2001) state in their book *Critical Race Theory*, it can be described as the continuation of the civil rights movement, but broadens its focus onto disciplines such as economics, history, setting, group and self-interest… CRT is in itself a movement formed by scholars and activists to understand the relationship between race, power and racism, focusing primarily on American society. It argues that racism is more than the result of individual beliefs and prejudice, and it's in fact systemic.

The main beliefs of CRT are, in general terms, the following - although not all critical race thinkers conform to the same tenets: Firstly, racism is to be considered ordinary, a "normal science" (p.3) as the authors describe it. It is the common, every day experience for people of colour in the US, and due to its ordinariness and lack of acknowledgement, racism is difficult to eradicate or cure. Secondly, the dominant group benefits greatly from the white

hierarchical system in society. Sometimes called material determinism or interest convergence, the second belief explains that both white elites and working-class whites have no interest in eradicating racism because it advances their interests, where the elites benefit materially and the working-class benefits psychologically.

A third theme the majority of critical race theorists share is the idea that race is a social construct, which holds that race is a product of social thought and not an objective, inherent or fixed reality. It is a category which society implements or takes away when convenient. Human beings all share a vast amount of genetic information, and no matter how people from different regions may differ in certain physical traits, this variation does not determine personality, intelligence or morality. It is the society which decides to ignore these truths and create races, labelling them with whatever characteristics best interests us. This ties in with differential radicalization, the fourth tenet which states that the dominant society racialize minorities at different times in response to needs such as changes in the labour market. For instance, during WWII, Japanese people in the US were given unfair treatment and even put in war relocation camps while other minorities where given jobs in factories during the war effort.

The theme of intersectionality, being the fifth tenet of CRT, describes how everyone is defined by several identities, such as a white feminist, Jewish, working-class woman or an African American gay activist. Everyone has potentially overlapping identities and allegiances. Finally, the notion of the “voice of colour” holds that Black, Asian and Latino authors may be able to communicate to their white counterparts their stories of oppression that they probably don’t know. Their status as a minority enables them to speak about race and racism, and urges them to speak out about their experiences with the legal system.

4.2 Transitional Justice Theory

Martha Minow (1998) describes how nations and societies recover from periods of mass violence and genocide, seeking to prioritize national healing while managing the dual motivations of vengeance and forgiveness, where societies must find a way to confront the past and while avoiding repeating the cycle of violence and or leaving the victims unhealed. The primary goals of Transitional Justice are to discover and publicise the truth, make a

symbolic break from the past, promote the rule of law and strengthen democratic institution, deterrence for past violators such as the military, punishment for the perpetrators and healing the victims to achieve social reconstruction. States attempt to reconstruct society by responding to their past through these goals being deeply affected by widescale atrocities. Their success depends on the socially reconstructing a nation where the presence of certain groups that do not accept the new terms may ignite more violence.

One of the main ways in which Transitional Justice works is through the criminal trial, which aims to produce individual accountability and create a credible record of past atrocities. However, trials are often limited by legal strictures and may not provide the comprehensive societal healing required for community repair. Truth commissions have emerged as a, sometimes preferred, alternative to trials. These official, temporary bodies investigate patterns of past abuse over time rather than specific events, aiming to conclude with a final report. They emphasize restorative justice over retributive justice, prioritizing the needs of victims by providing a space for them to narrate their stories.

Transitional justice also encompasses reparations and restitution, which are efforts to acknowledge and repair injuries that can never be fully undone. These can be in the form of financial payments, symbolic memorials, or public apologies. International law increasingly recognizes an inalienable right to the truth, establishing a state obligation to investigate past crimes and inform victims of the fate of the disappeared.

The theory identifies four primary target audiences for transitional justice: perpetrators, who must be held accountable; victims, who require healing; bystanders, who must be convinced of the truth to support a new national narrative; and the international community, which often provides aid in the reconstruction of the nation.

4.3 Framing Theory

According to Robert Entman (1993), Framing Theory provides a framework for understanding how a communicating text exerts influence over human consciousness. To frame is to select some aspects of a perceived reality and make them more noticeable, meaningful or

memorable, in a way that promotes a specific interpretation. Frames perform four essential functions: they define problems, give causes, make moral judgments, and suggest solutions.

Frames are located in four parts of the communication process: the communicator, who makes conscious or unconscious framing judgments; the text, which contains keywords and stereotyped images; the receiver, whose beliefs guide their conclusions; and the culture, which in itself can be defined as a set of frames shared by a group of people. In general terms, framing refers to the ways of presentation communicators use to simplify complex issues for regular audiences. At a microlevel, it describes how individuals use these features to process information and form impressions.

A critical aspect of framing is the power of omission. By highlighting certain features of reality, frames can direct attention away from other aspects effectively obscure alternative explanations or remedies. Unlike agenda-setting, which tells audiences what to think about, framing influences how they think about an issue. David Tewksbury (1997) states that framing works by suggesting a connection between concepts in a way that audiences accept that a question such as "raising or lowering taxes" versus "unemployment" is applicable to the issue (Price & Tewksbury, 1997). This is known as the applicability effect.

The effectiveness of framing usually depends on the compatibility between the suggested frame and the receiver's existing knowledge. Because framing operates on applicability rather than just accessibility, it is more persistent over time.

4.4 Agenda-Setting Theory

Agenda-Setting Theory, pioneered by Maxwell McCombs and Donald Shaw (1972), proposes that the news media play a primary role in bridging the gap between what we perceive in our minds and what the reality outside of it. The theory’s central thesis is the transfer of perceived prominence, also known as salience, from the media agenda to the public agenda. This is usually a result of news exposure rather than deliberate programming, as the media must focus on a small number of topics at any given time.

There are three levels of effects. The first level focuses on object salience, influencing which public issues people deem as most important: telling the public what to think about. The

second level, also named attribute agenda-setting, deals with the prominence of specific characteristics of those issues, therefore influencing what people think about them. It is The third level of agenda-setting states that the media can transfer the salience of an integrated network of associations, bundling issues and attributes together in the public mind simultaneously.

Agenda-setting is considered an accessibility model for processing information, where it is easy to bring associations to the public mind. The effect is motivated by the audience's need for orientation, which is defined by how relevant something is to an individual and the degree of uncertainty they feel about it. High relevance and high uncertainty create the strongest agenda-setting effects.

5. Methodology

In order analyse the literature on the topic of the media and the process of the Truth Commission in South Africa, we will carry out a qualitative textual analysis of a variety of papers, from official TRC documents to journal articles through the lens of the theories previously stated in our framework. The main purpose of this analysis is to evaluate the success of the TRC and the media in achieving reconciliation after the events of apartheid in South Africa. To do so, we will analyse secondary sources on the topic of the TRC and the use of the media during the hearings. Our main objectives are:

- To understand the purpose of the TRC
- To analyse the literature on the topic to assess if the TRC managed to achieve its goal
- To understand the role of the media during the TRC process

To summarise, our research question is as follows: How successful were the TRC and the media in achieving reconciliation after the end of apartheid in South Africa?

The literature used for the analysis has been gathered through sources like Google Scholar and ResearchGate, databases such as EBSCO, the African National Congress online database, the Perplexity AI model and the TRC Final report.

For my analysis I will focus on how the theories proposed in my Theoretical Framework describe the role of the TRC and the impact the media had in broadcasting its process. I will reflect on how these theoretical models fit the TRC and how the critiques from several authors compare. This way we will be able to judge the success of the TRC as a truth commission and evaluate how media impacted the development of the transition of South Africa after apartheid during the process of the TRC hearings.

Our method may suffer from potential biases as some authors will have probably referenced each other's work. In addition, there isn't much literature available exclusively on the media during the TRC process, so achieving a full evaluation on its success may result challenging. On the other hand, a qualitative textual analysis of the literature selected offers us a wide range of arguments, studies and opinions to better carry out our evaluation, and it let's us focus on the intangible consequences of the TRC rather than the quantitative results many other investigations have contributed about apartheid.

6. Analysis

The following analysis has been carried out by focusing on the main critiques authors have about the TRC. I have applied the theories presented in the Theoretical framework to what the authors have said and compared them to the TRC final report. This way, we can understand what the TRC set to achieve, what the literature argues about the TRC's success and whether the theories previously stated apply to the TRC or not. The analysis will start by focusing on race and racism, followed by the TRC as a mechanism for transitional justice, and finally it will look at the role of the media through the lens of framing and agenda-setting theories.

A common denominator in the analysis of the literature regarding the TRC is the critique authors have on the handling of the concept of race by the Commission. As stated previously, apartheid was mainly motivated by racism and the TRC's goal was to heal the wounds caused by the decades of violence and discrimination. As Madeleine Fullard (2004) notes, the TRC ignored the systemic nature of apartheid, displacing race from the equation and focusing on independent episodes of aggression and brutality. Yet racism was still present in the Committee through the testimonies of many black South Africans who blamed racism for the injustices they suffered. Nevertheless, the TRC had difficulty in acknowledging racism in apartheid as one of the main proponents.

> The TRC adopted a narrow definition of gross human rights violations, looking at violations that occurred in direct political repression and strife, rather than those incurred through the wider impact of apartheid. Yet the policy of apartheid was itself a 'gross human rights violation' and was declared a crime against humanity by the United Nations. Although the TRC endorsed this position, it confined its gaze to the physical and repressive dimensions of apartheid rule and did not address the more structural violence of apartheid (Fullard, 2004, pp .8-9).

As the author points out, the TRC mainly focused on the individual incidents of violence from 1960 to 1994 rather than the general discriminatory bodies governing and instituting apartheid.

Other critics, most notably Kader Asmal, Louise Asmal, and Ronnie Roberts (1996), as well as Mahmood Mamdani (1996, 2000), argue that the TRC's focus on physical harm overlooked the general structural violence of apartheid. In their view, it extended beyond physical abuses to include the systemic racial oppression that shaped everyday life under apartheid. Consequently, the TRC presented a reduced and limited reflection of the violence that took place during these years, concentrating primarily on the relatively small number of individuals who experienced direct physical abuse.

This interpretation limited violence to individual bodily harm rather than recognising the collective suffering imposed on entire social groups. While tens of thousands endured imprisonment, torture, and political repression, millions more lived under the state-wide machinery of apartheid throughout their lives and even in death, by means of segregated burial systems. Policies such as racial classification, pass laws, migrant labour systems, forced removals, the creation of distant homelands, and the denial of land and citizenship systematically dehumanised black South Africans.

Furthermore, Mamdani (1996) describes the forced displacement of approximately 3.5 million people as "South Africa's gulag" (p. 40). Although around 25,000 people were killed in political violence between 1960 and 1994, far more suffered under conditions of racially enforced poverty and social neglect. As the TRC itself acknowledged, countless "human lives withered away" during apartheid. These victims of structural oppression, sometimes referred to as victims of "racist deaths", included mineworkers who lost their lives in industrial accidents which could have been prevented and children in the Bantustans who died before reaching the age of five due to the poor conditions they lived in. Such deaths reflected both the material consequences of racialised poverty and the apartheid state's systematic disregard for black lives. But because they were not direct victims of violent incidents, the TRC's scope did not cover them. However, in chapter 4 of the first volume of the TRC's Report, the following two points are made on the topic of Racism:

> There were cases in which people were victims of racist attack by individuals who were not involved with a publicly known political organisation and where the incident did not form part of a specific political conflict. Although racism was at the heart of the South African political order, and although such cases were clearly a violation of the victim's rights, such violations did not fall within the Commission's mandate.
>
> Cases which were interpreted as falling inside the Commission's mandate included instances where racism was used to mobilise people through a political organisation as part of their commitment to a political struggle, or where racism was used by a political organisation to incite others to violence. Examples of these were instances when white 'settlers' or farmers were killed by supporters of the PAC or the ANC, or where black people were killed by supporters of white right-wing organisations (TRC, 1998, p. 84).

As it is clear to see, the TRC's objective was to focus on the actions committed by political affiliated individuals where racism was used as a motivator for said actions, but in doing so they failed to see the bigger picture in which segregation served as a political tool to oppress vast percentages of the population. It could be argued that the TRC was therefore inconsequential in their actions because it did not carry out the task it had set itself. Critical Race Theory, as stated previously, suggests that racism is not supported by any objective or empiric truths, and that it is rather a product of social thought. Therefore, the Commission does not meet the characteristics of CRT because it did not consider racism as a social tool used by the government to carry out its policy of apartheid. The TRC could not realistically undertake a project such as the investigation of human rights violations for the goal of reconciliation in South Africa without putting at centre-stage the racist nature of the apartheid government that perpetrated and motivated the incidents presented in the hearings, therefore Critical Race Theory would not be applicable in this case.

As Fullard indicates, quoting F. Ross (2003, p. 16):

> Understanding violence in terms of gross violations of human rights flattens the complex social terrain instituted by colonialism, apartheid and various resistances, and eliminates an investigation of the subjects produced by these processes. In effect, then, the Commission's work effaced certain of power's historical dimensions.

The reported incidents of a prototypical testimony were either cases where a person died, received bodily harm or severe mental trauma by the actions of another who was politically motivated. The TRC was unable to encompass the racist undertone of these hearings. Fullard further enquires in note 12 of her report:

> It is perhaps worth noting that an obvious but unaddressed question arises from the TRC's focus on bodily violations – why were black bodies the overwhelming recipients of violence? (Fullard, 2004, p. 45).

In March 1997, a coalition of South African NGOs appealed to the TRC to widen the scope of the term "severe ill-treatment", which the Commission used to define the incidents it investigated. The NGOs petitioned that it also adapted to violations of the right to access to housing, freedom of movement, choice of residence, education, health, access to resources, and welfare and social security, all of which had become part of the Bill of Rights created at that time by the new government in 1994. The TRC responded by acknowledging the importance of widening their view on the matter, but argued that it did not have the resources necessary to do so and that "the category that required most attention was that of 'severe ill treatment' (…) the Commission resolved that its mandate was to give attention to human rights violations committed as specific acts, resulting in severe physical and/or mental injury, in the course of past political conflict. As such, the focus of its work was not on the effects of laws passed by the apartheid government, nor on general policies of that government or of other organisations, however morally offensive these may have been" (TRC, 1998, pp. 63 – 64). Hence, the TRC did acknowledge its importance but decided not to include the wider effects of apartheid into its focus. Fullard notes that the definition of "severe ill-treatment" lacked clarity as, according to the Commissioner meeting minutes of 20 and 21 February 1997, "statement takers are currently being asked to make judgement calls on the category of severe ill treatment", in addition to the fact that discussions were still necessary throughout the period of hearing to agree on whether terms such as "detention without trial", "forced removals" and "arson" could be labelled as gross human rights (Fullard, 2004, p. 46).

Finally, another criticism the TRC faces regarding its report is the attempt it makes at establishing South Africa as a "rainbow nation", or as Rev. Desmond Tutu puts it in the Chairperson's Foreword of the TRC's Report:

> My appeal is ultimately directed to us all, black and white together, to close the chapter on our past and to strive together for this beautiful and blessed land as the rainbow people of God (TRC, 1998, pp. 23).

Critics argue that in the pursuit of establishing a nation where people of all races could live together in harmony, it concealed how race was the motivator of past human rights violations, and the topic was mainly avoided in the Mandela era (1994-1999). Throughout the TRC report, as already stated, responsibility is placed on political organizations and labels them the perpetrators and inducers of acts of brutality and “sever ill-treatment”. However, in Volume 5 of the TRC Report, the following is stated:

> Racism therefore constituted the motivating core of the South African political order, an attitude largely endorsed by the investment and other policies of South Africa's major trading partners in this period. A consequence of this racism was that white citizens in general adopted a dehumanising position towards black citizens, to the point where the ruling order of the state ceased to regard them as fellow citizens and largely labelled them as 'the enemy'. This created a climate in which gross atrocities committed against them were seen as legitimate (TRC, 1998, Vol.5, p. 222).

This late admission of race as the main motivator for violence, along with others scattered throughout the report, make it difficult to develop a comprehensive argument for the document as a whole, it loses clarity on whether it is either racism or political conviction which has to be investigated and therefore if the TRC’s focus is justified. As a text destined to inform the public of the findings of the TRC, it has difficulty landing some of its most vital points, particularly those about the significance of racism in the violations of human rights during apartheid.

The Truth and Reconciliation Commission (TRC) in South Africa is frequently regarded as one of the most influential examples of transitional justice in practice. As Azad (2025) indicates, quoting Rev. Desmond Tutu in 1999, describes it as a “third way” between retributive justice and national amnesia, seeking to bridge the gap between a society divided by racism and violence, and to promote peace and democracy in South Africa regardless of colour, belief or gender (p. 319). Azad further highlights that the TRC carries out a shift from retributive justice

toward restorative justice, which focuses on healing, harmony, and correcting imbalances rather than focusing solely on punishment. Citing Teitel (2000):

> …truth commissions serve as 'normative narratives'; they don't merely document violations but help redefine societal values and legal norms in periods of transition. Applying Teitel's framework, this research views the South African TRC as an institutional mechanism that helped construct a new moral and legal order, while deliberately avoiding destabilizing retributive justice (p.324).

Azad uses Teitel's and Minow's frameworks of Transitional Justice to describe the "gray zone" (p. 325) through which the TRC traverses in healing through truth telling, conditional amnesty and reparations.

The author states in his findings that "the South African Truth and Reconciliation Commission (TRC) made significant contributions to symbolic justice and national dialogue, but it fell short in delivering material reparations and achieving sustained social healing" (p. 327), describing how on one hand the TRC succeeded in creating a space for victims to share their experiences under apartheid, fostering a national conversation where the truth could be heard and forgiveness encouraged, but on the other action to compensate the victims was never properly achieved. The broadcast of these hearings, through radio and television, avoided any possible deniability and helped create a collective memory for all South Africans where many felt acknowledged. This process, according to Minow, creates a platform from which restorative justice, rather than retributive, can be obtained. Desmond Tutu refers to this in the Chairperson's Foreword (TRC, 1999, Vol. 1, p. 8) regarding the criticisms of the TRC:

> We have been concerned, too, that many consider only one aspect of justice. Certainly, amnesty cannot be viewed as justice if we think of justice only as retributive and punitive in nature. We believe, however, that there is another kind of justice - a restorative justice which is concerned not so much with punishment as with correcting imbalances, restoring broken relationships – with healing, harmony and reconciliation. Such justice focuses on the experience of victims; hence the importance of reparation.

Nevertheless, this comes with criticisms of its own. Firstly, the amnesty program focused more on keeping the country peaceful than on giving justice to victims. Some of those accused admitted to their crimes, but many others were never punished. As a result, many victims felt

that peace came at the cost of justice. Due to this morally ambiguous space between victim and perpetrator, it could be argued that these concessions were made in order to appease the old institutions and avoid any future conflict to arise (Rousseau, no date, p. 1). Secondly, the TRC was often called the "Kleenex Commission," suggesting it focused too much on emotions and storytelling instead of real justice. Although many people appreciated being able to share their experiences, the lack of proper reparations made some feel that the government only offered symbolic gestures rather than real support.

As Fraser (1997) would put it, a dual agenda should be followed in recognising state crime. Firstly, as victims stand at a disadvantageous position against the state and their ability to participate in society effectively is diminished, there must be an acknowledgement of identity. Secondly, simultaneous action must be taken in order for the victims to gain parity with the state, whether it be through legal or economical means. Azad points out that "the South African government distributed only a fraction of the promised reparations" (p. 327), or in other words, they were incapable of putting into action the policies they passed in the first place.

As pointed out previously, the TRC mainly focused on serious human rights abuses and did not fully address the full impact of apartheid and some of its other consequences, such as forced removals, unfair job policies, and loss of land. Because of this, many long-term problems created by apartheid remain unresolved. Jasmina Brankovic (2013, p. 17) points out that Transitional Justice in South Africa faced many limitations due to the difficulty of balancing the promotion of accountability and facilitating democracy, which caused great tension as the TRC ushered a widespread conditional amnesty meanwhile the state pushed for democratisation, leaving many South Africans without fair compensation for the injustices they had received. As noted in the conclusion of her article, this is still a work in progress:

> Civil society in South Africa continues to work towards transitional justice, victims continue to struggle for reparations and the public continues its discussion of what accountability and reconciliation might mean and look like, particularly as regards addressing the socioeconomic inequalities of apartheid and colonialism before it (Brankovic, 2013, p. 17).

Many critics justify that the TRC framed the transition in South Africa through the human rights framework, guiding the conversation away from political and social injustice. Fullard (2004, p. 32) states that "the TRC's adoption of international human rights as its juridical location and moral lodestar brought to it a constellation of limitations". Citing Mamdani (2000) and Nesiah and Keenan (2004, p. 18), the author makes the claim that by focusing on the human rights violations on a case-by-case basis, the TRC was not expected to investigate the ideological fabric behind these incidents. This method was adopted from Latin American truth commissions, from which the South African TRC took inspiration. As Mamdani puts it:

> The Latin [American] analogy obscured what was distinctive about apartheid. For the violence of apartheid was aimed less at individuals than at entire communities. And this violence was not simply political. It was not just about defending power but also about dispossessing people of the means of livelihood. … the Latin [American] analogy obscured the colonial nature of the South African context, the link between conquest and dispossession, between racialised power and racialised privilege, between perpetrator and beneficiary (2000, p. 179).

Nicky Rousseau (no date, p. 6) explains the role of media as a diffusor of the TRC's hearings: "Initially hearings were broadcast and televised live and while a weekly compilation of TRC testimony was watched by 1.2 million viewers. Newspapers also provided prominent coverage of TRC proceedings." The coverage had a great impact on the population, South Africans all around the country were witness to testimonies of victims and perpetrators of torture and killings, they could see the expressions of human pain in the faces of thousands of people affected by these injustices. This ties in with the criticism exposed previously by Azad concerning the nickname given to the TRC, the "Kleenex Commission". Many Black South Africans saw through the humanitarian story telling proposed by the TRC and critiqued the lack of real action after participating in the hearings for the recognition. Brankovic agrees with this, adding that:

> While the TRC managed to reach a large and diverse audience, a look at attitudes measured around the time of the TRC suggests that the majority of South Africans viewed the crimes disclosed largely in individual terms, as opposed to systemic or collective ones, and that the process may not have significantly changed attitudes of

> one race group towards another through engagement and awareness raising (Brankovic, 2013, p. 7).

Due to its narrow focus on gross human rights violations, the South African public was led to the conception that these incidents of brutality were the product of certain individuals' conducts, rather than systemic abuse.

Furthermore, according to Friedman and Gool (1997), many white South Africans were doubtful about the TRC process because they felt it specifically targeted white South Africans. This weakened efforts to unite the country because true reconciliation required people from all racial groups to acknowledge and take responsibility for the past. Brankovic cites an article from 1998 in which white South Africans were interviewed:

> Most of the 'ordinary' South African whites I have spoken to (…) worry about 'witch-hunting, scapegoating, and persecution.' Indeed, it seems that a great many white people in South Africa still fail to get the point behind the TRC (Scheper-Hughes, 1998).

Therefore, by adopting a humanitarian frame during the hearings, the TRC shaped the public's perception of apartheid as a series of individual acts of brutality and human rights violations instead of state-sponsored systematic oppression, and white South Africans saw themselves as targets of "moral persecution" for the crimes that some members of white society had committed.

The media was key in determining what the South Africans learnt about the TRC hearings. Some sources, like E. Baron's article (2021) describe how newspapers, radio and television in South Africa would focus on prominent figures like Vice-president de Klerk or the atrocities committed during apartheid by certain individuals such as Eugene de Kock[3], and other ill-treatments. He echoes Verdoolaege's (2005, p. 44-45) opinion that the media made a "theatrical representation" of the TRC process, and that instead the media could have reported on the TRC's developments by equally representing all segments of South African society to "cultivate, in its readership, a 'multi- 'perspective and approach towards the South African situation characterised by division, racial and ethnic conflict, prejudices, and discrimination." Ron Krabill focuses on the vital role mass media played in the transition

[3] Eugene de Kock is a former South African Police colonel sentenced for multiple counts of torture and murder

process and introduces the idea that the TRC broadcasts were media events. According to Dayan and Katz (1992, p. 1), a media event is a “new narrative genre that employs the unique potential of the electronic media to command attention universally and simultaneously in order to tell a primordial story about current affairs”. The live broadcasting of the TRC hearings interrupted the normal programming of TV channels, the same way the Apollo moon walk, Nelson Mandela's release from prison, or the 9/11 attacks did. They are significant because they shape collective consciousness, people remember where they were or what they were doing when these events took place, and prompt discussion and conversation with those around them when they happen.

In a fractured society such as South Africa in the 90’s, media events provided room for people to discuss the hearings and the issues behind them which transcended daily life. Krabill even suggests that by sharing terminology such as “gross violation of human rights”, South Africa’s transition from apartheid and the themes surrounding it became “ubiquitous” (p. 570), forming a common narrative around the issue. The live broadcast of the hearings as a media event added weight to the process as opposed to being held *in camera* as originally proposed, or if they had been reported after they took place. The lives of the spectators were interrupted purposely to reflect the relevance of the events that were taking place. This form of agenda setting sets the tone of the scale of the TRC’s task and its part in South Africa’s transition from apartheid in 1994. In the manner described, the TRC “had a greater opportunity to forge a basic foundation for discussing South Africa's apartheid past than it would have as mere news” (p. 571). Krabill concludes by stating that had the media not broadcast the TRC hearings, it would have merely been a news event and not a media event, which ultimately would not have set a realistic path towards national reconciliation.

Finally, Stanley (2005, p. 9) proposes that truth commissions focus too much on “identity” rather than “needs” by giving a space for victims to heal through sharing their experiences but not acknowledging their real needs. She argues that transitional states use truth commissions to direct the focus on identity politics and leave the social status of victims for a later moment, essentially making that recognition they were seeking “ineffective, and justice is abandoned”. This definition fits in with the South African TRC, and as the TRC’s primary phase drew to a close in 1998, it was increasingly bypassed or sidelined by growing national debates on racism and economic inequality (Fullard, 2004, p. 34), proving that the focus on

identity and the individual was no longer accepted by the government and that South Africa's concerns had shifted to more collective matters.

7. Conclusion

After analysing our literature, I can conclude that the TRC has been heavily criticised by many scholars for not truly achieving its goal. Firstly, its lack of focus on racism during the hearings invites many scholars to doubt if the TRC's goals were set in accordance to what was necessary at the time, and if the TRC was justified at all. The Commission, as proven earlier, seems unable to clarify if racism was a main proponent of the violations of human rights during apartheid, and as critics suggest, focusing solely on the human rights violations was a mistake as it didn't account for the institutionalized racism that made millions suffer during this time.

Secondly, the TRC was both a successful mechanism of Transitional justice, but at the same time fell short of achieving full restorative justice. It was en effective tool for allowing victims the space to share their experiences and, through the media, create a sense of unity and understanding in the country, yet on the other hand very few reparations were made to compensate the victims and many perpetrators were not punished for their crimes. This left much of the South African public feeling unsatisfied and used as emotional propaganda for the government.

In third place, the TRC framed the process from a humanitarian angle, which was transmitted through the media to the public. This shaped the public's perception by showing all the cases as individual acts of violence and human right's violations rather, which left the public unsatisfied as the bigger problem of institutionalised oppression was not being dealt with. Furthermore, white citizens perceived themselves as targets of persecution because the hearings showcased crimes committed by white individuals, putting the blame on them rather than the apartheid government.

Finally, the TRC's media events provided a point of convergence for all South Africans to reflect on the process and to set a common narrative for the events being investigated. Despite being called a "theatrical representation" for focusing on specific stories with great emotional impact, interrupting TV or radio programming was more effective at showing the public what was happening in the hearings than in a regular news report. It is argued that the TRC lost the chance to show a more diverse set of events that represented all segments of

South African society, but on the other hand, without these media events, the TRC aided notably in leading South Africa to reconciliation.

The TRC was, ultimately, an attempt at reconciling segments of South African society which had been set apart by the policy of apartheid by offering a space for dialogue and understanding. The media, although are literature on it has been limited, served as an amplifier and guiding signal for the public, that presented them with the need to collectively form a common narrative. The TRC, as is still evident nowadays, was not able to achieve full reconciliation as it failed to address certain key points, but through the media it did move South African minds to pursuit a new, better nation for all.

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