



Centre for  
Human Rights and  
Restorative Justice

# REFERENCES TO SLAVERY OR SLAVES

South Africa Truth Commission

## Abstract

A list of references to slavery and slaves in the South Africa Truth Commission.

Chelsea Barranger

## Links to Data Visualization

This section contains links to all data visualization for the South Africa report.

### Comparison Charts

- [References to Slavery and Slaves chart](#)
- [References to Slavery and Slaves excel list](#)

### Word Trees

- [Slavery](#)
- [Slaves](#)

## References to Slavery and Slaves

This section contains all references to slavery and slaves from the South Africa report.

<Files\\Truth Commission Reports\\Africa\\SouthAfrica.TRC\_.Report-FULL> - § 12 references coded [0.03% Coverage]

### Reference 1 - 0.01% Coverage

committed in the course of:

a The importation of slaves to the Cape and the brutal treatment they endured between 1652 (when the first slaves were imported) and 1834 (when slavery was abolished).

b The many wars of

### Reference 2 - 0.01% Coverage

The International Law Commission (ILC).

16 In its Draft Articles on state responsibility, the ILC defines an international crime as a breach of an international obligation so essential for the protection of the fundamental interests of the international community that it is recognised as a crime by that community as a whole. Among such crimes, the ILC lists slavery, genocide and apartheid<sup>42</sup>.

International courts

The International Court

### Reference 3 - 0.01% Coverage

The Mandate: Appendix PAGE 97

basic rights of the human person, including protection from slavery and racial discrimination. Some of the corresponding rights of protection have entered into the body of general international law; others are conferred by international instruments of a universal or quasi-universal character. 44

19 The International Criminal Tribunal

### Reference 4 - 0.01% Coverage

into personal and social responsibility.

104 At the practical level, the vexed issue of apartheid as a crime against humanity impinges perhaps more directly on moral than on legal culpability. A simple focus on the criminal culpability of isolated individuals responsible for apartheid can ignore the broader responsibilities presently under discussion. It is not enough merely to identify a few high-profile ‘criminals’ as those responsible for the atrocities of the past – and thus give insufficient attention to a deeper analysis of the underlying nature, cause and extent of apartheid. The essential nature of a crime against humanity, suggests Professor Denys Schreiner, does not lie in the detail or nature of the actual deeds involved in a particular system that is judged to be a crime.<sup>29</sup> Rather, it relates to the political structures which result in sections of the society being seen as less than fully human. It condemns the identified group to suffering and violence as a matter of birth, over which the individual concerned has no influence, control or escape. It excludes a section of the population from the rights afforded to others. It denies that same group participation in the selection of government

and in government itself. It facilitates the promotion of extra-legal actions by the dominant group further to suppress those judged to be the 'enemy' - whether Jews, slaves or blacks. Finally, it promotes moral decline within the dominant group and the loss of a sense of what is just and fair. Briefly stated, it involves systematic racial discrimination which, by definition, constitutes the basis of apartheid.

105 A pertinent question is

#### Reference 5 - 0.01% Coverage

1990 PAGE 62

1960–1966

78 During this period, there was little organised resistance to South Africa's occupation and no armed struggle. Even so, the apartheid system was enforced with even more rigidity in South West Africa than in South Africa itself and the human rights of the people of South West Africa were constantly and systematically violated, in particular through the system of contract migrant labour. During the 1960s and 1970s, up to two-thirds of South West African workers were subjected to this form of labour control and coercion. Contract workers were required to leave their families in the 'homelands' and to sign contracts that rendered them powerless to choose their employer or to negotiate a wage. Those who resigned from their jobs or broke their contracts were liable to deportation back to the 'homeland'. This was a systematic violation of basic human rights which established a system of quasi-slavery. It also served to depress wages and prevent labour organisation. While modifications were made to the system after the 1971–72 contract workers' strike, the system remained in place until 1977.

1966–1971

79 The second

#### Reference 6 - 0.01% Coverage

1960 and 1990 PAGE 67

THE ABDUCTION OF ANGOLAN CITIZENS AND SOUTH WEST AFRICAN REFUGEES FROM ANGOLAN SOIL, THEIR TORTURE AT THE OSHAKATI MILITARY BASE AND THEIR FORCIBLE DETENTION AT MARIENTAL WHERE THEY WERE DENIED BASIC RIGHTS AND FORCED TO UNDERTAKE HARD LABOUR AMOUNT, IN THE COMMISSION'S VIEW, TO ILL TREATMENT AND DEPORTATION TO SLAVE LABOUR AND, AS SUCH, TO GROSS VIOLATIONS OF HUMAN RIGHTS. FOR THIS, THE COMMISSION FINDS PRIME MINISTER BJ VORSTER, MINISTER OF DEFENCE, PW BOTHA, AND THE CHIEF OF THE SADF, GENERAL MAGNUS MALAN, TO BE RESPONSIBLE FOR THE PERPETRATION OF GROSS HUMAN RIGHTS VIOLATIONS IN THE CASE OF THE MARIENTAL DETAINEES. IT ALSO REGARDS AS INDIRECTLY RESPONSIBLE (DOLUS EVENTUALIS) ALL THOSE PRESENT AT THE SSC MEETING OF 23 APRIL 1979.

95 The extent of the

#### Reference 7 - 0.01% Coverage

membership became increasingly black.

Islam

21 Islam traces its origins in South Africa to the arrival of political prisoners and slaves at the Cape from the late seventeenth century. Conversion to Islam was widespread in the Cape, due to the exclusion of slaves from the Dutch church (the chief reason for which was insistence by the Dutch East India Company that Christianised slaves be manumitted). In this environment, Islam provided a political haven

for slaves and 'free blacks' and provided them with basic religious rites they were denied by the church. In the early twentieth century, Indian traders who settled in the Transvaal and Natal also introduced Islam. Important class differences, expressed in theological distinctions, are rooted in these communities.  
22 Formed in the Cape

#### Reference 8 - 0.01% Coverage

are engaged in this work.  
Whatever houses I may visit, I will come for the benefit of the sick remaining free of all intentional injustice, of all mischief and in particular of sexual relations with both female and male persons, be they free or slaves.  
What I may see or

#### Reference 9 - 0.01% Coverage

needs to be further contextualised.  
58 I have already alluded to the fact that apartheid policy from 1948 to 1960 was applied alongside the practices of colonialism. Measured by the contemporary yardstick of international human rights, it always was a crime against humanity. Slavery is a crime against humanity. Yet Paul, in his letters to the Ephesians and Colossians, is uncritical of the institution and discusses the duties of slaves and their masters. Given a different international balance of power, colonialism too might have been found a crime against humanity. Yet apartheid was first declared a crime against humanity by the United Nations General Assembly in 1973 – and not unanimously so. Moral imperatives are phenomena of their times and locations.  
59 The Commission does not

#### Reference 10 - 0.01% Coverage

t was held personally liable.  
33. There was a call for reparations for the African slave trade and the consequences of European colonialism at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance at Durban in September 2001.  
51 Hilao v Marcos, 103

#### Reference 11 - 0.01% Coverage

family structures. Women who had accompanied their male partners and husbands to the compounds were 'endorsed out' or sent back to the homelands. A corollary to the slave-like conditions of work on the mines, women were left to rear children and cultivate fields ultimately on behalf of the mine owners. When occupational hazards ejected invalid workers, the social security of homesteads helped absolve companies of providing adequate compensation and/or pensions.  
48. In mitigation of its

#### Reference 12 - 0.01% Coverage

as a crime against humanity

19. The International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the United Nations (UN) General Assembly in 1973, states in Article 1 that apartheid is a crime against humanity. The Convention is one of a series of General Assembly and Security Council resolutions condemning apartheid as a crime against humanity. This legal categorisation has been echoed in the jurisprudence of the International Court of Justice and the International Law Commission's Draft Articles on State Responsibility and Crimes against the Peace and Security of Mankind. The classification of apartheid as a crime against humanity has been confirmed, and apartheid has been treated as similar to other egregious crimes such as genocide, slavery and colonialism in international sources as wide-ranging as the African Charter on Human and People's Rights and the International Criminal Tribunal for the former Yugoslavia.

VOLUME