



+27 21 202 4071

info@ijr.org.za

<https://www.ijr.org.za>

Stay updated and follow us on social media



THE IJR WEEKLY LENS

20 February 2025 Column

By Kate Lefko-Everett

RESOLVING THE PAST IS FUTURE FOCUSED

Recent years have seen a growing international movement focused on pursuing accountability and reparations for crimes and atrocities committed by states responsible for colonialism and the transatlantic slave trade.

Advocacy, diplomatic negotiations and litigation have resulted in settlements for survivors, their descendants and broader communities in a number of high-profile cases. Countries such as the UK, Netherlands, Germany and Italy – among others - have paid financial and other forms of compensation for past crimes such as torture, massacres, mass displacements and genocide in former colonies including Kenya, Indonesia, Namibia and Libya respectively.

Adding to this momentum, the leaders of Commonwealth member countries – many former British colonies – announced after meeting in Samoa in October of 2024 that they had agreed that the “time has come for a meaningful, truthful and respectful conversation” about the slave trade, and one that aimed “forging a common future based on equity.”^[i] Building on a multi-regional partnership with Caribbean nations to advance compensation claims, the African Union (AU) named 2025 the year of “Justice for Africans and people of African descent through reparations.”^[ii]

“SOUTH AFRICA’S RECONCILIATION REMAINS INCOMPLETE

— GLOBAL REPARATIONS EFFORTS COULD INSPIRE A RENEWED COMMITMENT TO JUSTICE, EQUITY, AND ECONOMIC REDRESS

Reparations in South Africa

I reflected on this rising reparations movement as I developed the 2024 Reconciliation Barometer Survey Report. Thirty years have passed since the Truth and Reconciliation Commission (TRC) was formed through the Promotion of National Unity and Reconciliation Act of 1995. The Commission investigated gross human rights violations perpetrated during apartheid, specifically between 1960 and 1993. Its final report, tabled in Parliament in 2003, recommended far-reaching reparative measures, ranging from individual cash grants to community rehabilitation, memorialisation and institutional reform to prevent any recurrence of such human rights violations.

These recommendations, however, received a cool response from the government of the day. Then-President Thabo Mbeki cast reparations as an affront to the “nobility of the human spirit”, which would be “demeaned, denied and degraded by any suggestion that these heroes and heroines are but mere ‘victims’, who must receive a cash reward for being simply and deeply human.”[iii] Mbeki urged lawmakers to instead focus resources on the national reconstruction and development agenda. About 17,000 survivors received once-off grants of R30,000 (equivalent to around R84,000 in 2024), but this was less than a third of the amount proposed by the Commission.

The impact and value of these cash grants has been the subject of retrospective scrutiny, with questions of how this amount weighed against the gravity of the crimes committed and amid the competing pressures on the fiscus administered by the new democratic government. The gross human rights violations that survivors experienced were spoken aloud in public hearings and remain accessible through the TRC archives. One survivor interviewed in 2004 explained, “I need medical treatment and psychological treatment, and these things require of me to use money. So, with the R30,000 that I received I am trying to buy myself the best treatment ever available, but the money is about to finish.”[iv]

Conversations about apartheid reparations have largely been closed since the TRC concluded and final grant payments were made, save for the ongoing calls by a small group of activists and civil society organisations. This is despite the accrual of nearly R1.9 billion by the President’s Fund, which was established to finance additional reparations. As of 2022, the Fund had only paid out about R98 million over the preceding five years. [v]

Economic Irreconciliation in South Africa Today

In hindsight it is clear that the reparations paid following the TRC did not fully “restore to good condition something that has been damaged”, as the term intends. [vi] More broadly, the country’s vision of a reconciled

and equitable nation remains unrealised. Neither the “political miracle” of the democratic transition, in the terms of late Emeritus Professor Sampie Terreblanche, nor the TRC succeeded in disrupting South Africa’s extreme economic and social inequalities, rooted in colonialism and apartheid.[vii] More than half of all South Africans still live in poverty, income inequality remains highest in the world, and almost two-thirds of young adults of working age are unemployed.

Counter to the narratives recently advanced by US President Donald Trump and White House special adviser Elon Musk, most South Africans bearing the brunt of inequality and injustice are not counted among the land-owning elite, endowed with historic privilege and generational wealth.

Even outside of the recent rhetoric and US Executive Order, opaque news headlines can give the impression that inflation, rising food prices, job losses and economic stagnation affect all people equally, and this is simply not the case. National and international data reveals and continually reaffirms staggering and highly racialised differences within the South African economy. The latest Income and Expenditure Survey (IES), released by Statistics South Africa (Stats SA) only a few weeks ago, reports that the average annual income of white-headed households (R676,375) was almost five times higher than that of black-headed households (R143,632) in 2022/23.[viii] In 2024, black women experienced unemployment (39%) at a rate almost five times higher than white men (8%).[ix]

Young children are among the most affected by economic injustice. Over 60% (4.2 million) under the age of six live in households too poor to afford their basic needs.[i] One in four South African children under five years old experience stunting as a result of malnutrition.[x]

Enormous wealth coexists alongside this poverty and economic exclusion. Johannesburg and Cape Town are the richest cities in Africa and home to 19,700 US dollar millionaires.[xi] According to the United Nations University World Institute for Development Economics

Research (UNU-WIDER), the wealthiest 10% of South Africans possessed 85% of net personal wealth in the country in 2020.[xii]

Reimagining Apartheid Reparations

In a new book entitled *Spectres of Reparation in South Africa Re-encountering the Truth and Reconciliation Commission* (Routledge, 2024), University of Cape Town law professor Jaco Barnard-Naudé charges that Mbeki’s “bold promises” of reconstruction and development are today “belied by an apartheid landscape that harrowingly reflects systemic and endemic poverty, unemployment, deprivation, ongoing de facto segregation and destitution.” He recalls the caution of the late activist and politician Joe Slovo, who warned that “without reparation, no law will stop the apartheid ghost from haunting our society.”[xiv]

This apartheid ghost appears comfortably established in South Africa today. The lack of structural change within the economy jeopardises reconciliation and prospects for an equitable, cohesive and peaceful future. Buoyed by the international movement and with a new multi-party government in place, how could South Africa reimagine its own approach to reparations?

The 2024 Reconciliation Barometer report positions the South African reparations



question within Alasia Nuti's (2019) framing that "historical and present injustices should be regarded as the same injustice." [xv] The report presents four main sections, including a mapping of the unshifting dimensions of the economy such as poverty, inequality and employment.

Secondly, the report also confronts the "impracticality" objections that often silence reparations debates. As experienced by the TRC and truth commissions and transitional justice processes elsewhere, making reparations requires exploring complex questions about the nature and impact of harms caused; individuals and groups affected; and about how to assign responsibility and remit

compensation. These challenges become even greater with the passing of time – and can bolster arguments that reparations are too technically, ethically, administratively and/or financially unfeasible to attempt.

Yet these complexities have not stopped others pursuing reparations and using these to advance the goals of greater equality, justice and fair compensation. Colombia, for example, aims to pay cash reparations to 7.4 million people by 2031 following decades of armed conflict, through the 2011 Victim's Law. The government has urged recipients to use reparations payments to improve household well-being by investing in secure housing, tertiary education and small businesses. Although the programme is not without limitations, setback and criticism, analysis of government micro data has confirmed a range of positive effects among grant recipients, including better working conditions, higher wages, improved business survival rates, increased educational attendance. [xvi]

California is one of a number of US states and cities to initiate reparations investigations aimed at remedying issues such as racial housing segregation, unequal education, legal injustices and mental and physical harm. After two years of intensive work, the Reparations Task Force recommended individual payments of up to \$1.2 million each to eligible recipients, as well as a range of institutional and community interventions. [xvii]

Compensation discussions also feature in many other international cases involving large-scale damages such as the wars in Ukraine and Gaza, and for people and communities disproportionately affected by climate change.

Thirdly, the report presents Reconciliation Barometer survey data from 2003 to 2023 showing that most South Africans continue to agree about apartheid historical injustices and the need to support survivors of human rights abuses. Survey data also shows that there is moderate majority support for reparations measures that have been variously proposed and practiced in the country already. Of these, support tends to be lowest for

removing apartheid and colonial symbols and highest for the idea of an apartheid compensation fund.

Finally, in advancing the idea that South Africa could revisit and reimagine the future and our own national reparations programme, the report presents four hypothetical pathways envisioning different directions for the country over the next ten years. Pathway 1: Growth First, Justice Later explores a future in which the South African government continues on its current economic policy trajectory, focusing on prioritising growth and macroeconomic stability. Pathway 2: A Nation Invested considers the potential impact of a substantive increase in social spending to prioritise equity, such as in the area of higher education. Pathway 3: Champion for Global Justice casts South Africa as a leader in the international reparations movement; while Pathway 4: A New Political Order imagines a decade of public discontent and political fractures, opening up space for a surge in far-left party support.

Looking Ahead to a Shared Future

Amid roiling changes in the international sphere and as the Government of National Unity (GNU) charts a course for the country, critical questions remain about what is needed for South Africa to secure a united, secure and productive shared future. Scrutinising the unreconciled dimensions of apartheid and colonialism are not, as some critics charge, evidence of ruminations about the past detracting from future focus. Our past injustices are also our current injustices.

While South Africa was once pressed to consider how the country could afford funding reparations, we must now ask whether we can afford not to.

*Kate Lefko-Everett is senior project leader for the South African Reconciliation Barometer. The full **2024 Reconciliation Barometer report is available here.***

PREVIOUS ISSUES



Is it Finally Railing Odinga's Time



Charting a New Path for Africa in the Wake of Trump's Actions



A Bloody Start: Daniel Chapo's Controversial Rise to Power in Mozambique

[i] Redmayne, J. and Demony, C. 2024. Commonwealth leaders say 'time has come' for discussion on slavery reparations. Reuters, 26 October. <https://www.reuters.com/world/king-charles-queen-camilla-leave-samoas-commonwealth-summit-2024-10-26/>

[ii] AU 2025, 38th African Union Summit to Focus on Reparatory Justice and Racial Healing Under the Theme: "Justice for Africans and People of African Descent Through Reparations". <https://au.int/en/pressreleases/20250128/38th-african-union-summit-focus-reparatory-justice-and-racial-healing-under>

[iii] Presidency of the Republic of South Africa 2003. Statement by President Thabo Mbeki to the National Houses of Parliament and the Nation, on the Occasion of the Tabling of the Report of the Truth and Reconciliation Commission. Cape Town, 15 April. <https://static.png.org.za/docs/2003/appendices/030610presrec.htm>

[iv] Makhaemele, O. 2009. Still not talking: Government's exclusive reparations policy and the impact of the 30 000 financial reparations on survivors. Centre for the Study of Violence and Reconciliation. <https://csvr.org.za/docs/reconciliation/stillnottalking.pdf>

[v] Steyn, D. 2022. Nearly R2 billion for apartheid reparations is unspent, GroundUp, 12 December 2022. <https://www.groundup.org.za/article/unspent-money-the-r19-billion-fund-meant-for-apartheid-reparations/>

[vi] May, L. Reparations, Restitution and Transitional Justice. In: May L., Forcehimes A., eds. Morality, Jus Post Bellum, and International Law. ASIL Studies in International Legal Theory. Cambridge University Press, 2012:32-48. <https://www.cambridge.org/core/books/abs/morality-jus-post-bellum-and-international-law/reparations-restitution-and-transitional-justice/EC8D9065B98535666C60DBA4F92354BA>

[vii] Terreblanche, S. 2002. A History of Inequality in South Africa: 1652-2002. Pietermaritzburg: University of Natal Press, p.27.

[viii] Stats SA 2025. Media Release: Income & Expenditure Survey (IES) 2022/2023. <https://www.statssa.gov.za/?p=17995>

[ix] Stats SA 2024. Quarterly Labour Force Survey: Quarter 3 2024.

<https://www.statssa.gov.za/publications/P0211/Presentation%20Q1FS%20Q3%20Q3%202024.pdf>

[x] JET Education Services online. South African Early Childhood Review (SAECR) 2024.

[https://www.jet.org.za/news/news/south-african-early-childhood-review-saecr-2024#:~:text=Over%2060%25%20\(4.2%20million\),line%20\(SAECR%2C%202024\).](https://www.jet.org.za/news/news/south-african-early-childhood-review-saecr-2024#:~:text=Over%2060%25%20(4.2%20million),line%20(SAECR%2C%202024).)

[xi] Hall, K., Almelah, C., Giese, S., Mphaphuli, E., Slemming, W., Mathys, R., Droemer, L., Proudlock, P., Kotze, J., and Sadan, M. 2024. South African Early Childhood Review 2024. Cape Town: Children's Institute University of Cape Town and Ilifa Labantwana. https://ilifalabantwana.co.za/wp-content/uploads/2024/09/Early-childhood-review-2024FINAL_Sep-2024.pdf, p. 26

[xii] Henley and Partners 2024. The Africa Wealth Report 2024. <https://www.henleyglobal.com/publications/africa-wealth-report-2024>; <https://www.henleyglobal.com/publications/africa-wealth-report-2024/africas-wealthiest-cities>. The Outliner online. <https://theoutlier.co.za>

[xiii] UNU-WIDER online. <https://www.wider.unu.edu>

[xiv] Barnard-Naudé, J. 2024. Spectres of Reparation in South Africa Re-encountering the Truth and Reconciliation Commission. Oxon, UK and New York, USA: Routledge.

[xv] Nuti, A. 2019. Injustice and the reproduction of history: structural inequalities, gender and redress. Cambridge: Cambridge University Press; Butt, Daniel. "What Structural Injustice Theory Leaves Out. Ethical Theory and Moral Practice, vol. 24, no. 5, Nov. 2021, pp. 1161+.

[xvi] University of California Berkeley Social Science Matrix 2022. The Effects of Reparations: A Visual Interview with Arlen Guarín. 31 August. <https://matrix.berkeley.edu/research-article/the-effects-of-reparations-a-visual-interview-with-arlen-guarin/>; Guarín, A., Londoño-Vélez, J. and Posso, C. 2021. Reparations as Development? Evidence from Victims of the Colombian Armed Conflict.

https://www.jointdatacenter.org/wpcontent/uploads/2022/01/ReparationsGuarin_Dec17.pdf; Fried, C. 2021. The Transformative Potential of Financial Reparations. UCLA Anderson Review, 4 October. <https://anderson-review.ucla.edu/the-transformative-potential-of-financial-reparations/>

[xvii] Chavez, N., Elam, S. and Rappard, A-M. 2023. California reparations task force releases final set of recommendations. CNN, 29 June. <https://edition.cnn.com/2023/06/29/us/california-reparations-task-force-final-report-reaj/index.html>; California Task Force to Study and Develop Reparation Proposals for African Americans: Final Report. 2023. <https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>; Bunn, C. 2023. Everything you need to know about California's reparations report. NBC News, 13 June. <https://www.nbcnews.com/news/nbcblk/california-black-reparations-report-what-know-eligible-pay-rcna87811>.