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RECKONING WITH THE PAST AND REIMAGINING THE FUTURE: A NEED TO ADDRESS REPARATIONS FOR COLONIAL CRIMES IN AFRICA

Introduction

Reparations for colonial crimes in Africa represent an important and essential step in addressing historical injustices and fostering transitional justice for the martyred continent. The colonial legacy in Africa is deep and enduring and is considered as one of the root causes of many ills the continent is confronted with. These include the lack of stability, endless conflicts, the poor political leadership, and the fact that Africa continues to lag behind in terms of development, despite the incredible resources it possesses. Of course, African political leadership played a negative role through its inability to solve the problems left by colonialism, and by

the creation of new challenges. This cannot be overstated. However, if colonial interferences were out of the equation, Africa would undoubtedly be different from what it is today.

“REPARATIONS
RESTORE
DIGNITY AND
ACKNOWLEDGE
HISTORICAL
WRONGS.”



Colonialism prevented Africa from crafting its own path

into history, and significantly delayed the continent from occupying its rightful place as an important player at the global stage. The scramble for Africa that in 1885 led to the drawing of artificial borders that ignored existing African societies and their specific identities, the dismantling of economic systems with the introduction of highly exploitative structures, and the imposed authoritarian governance that disrupted indigenous cultures, beliefs and social systems, all contributed to alienating Africa as a continent, and each African nation individually. These changes were imposed in the blood, and indeed they represented serious crimes and violations of human rights.

Are reparations for colonial crimes possible or even necessary today?

The debate on the necessity for reparations for colonial crimes has been raging for years. It is a discussion that touches on historical injustices, legal challenges and moral responsibilities. On the one hand there are pressing calls on former colonial powers to compensate affected nations and communities for crimes such as forced labor, land dispossession, and the systemic violence that was the hallmark of the interaction between the colonists and indigenous populations. Supporters of the necessity for reparations argue that colonialism caused economic exploitation, cultural destruction and systemic injustices that continue to affect African nations. They believe that reparations are necessary to address historical wrongs and promote true development.

The process of reparations would include the acceptance of the moral responsibility, which is based on the acknowledgment of committed atrocities and injustices done during the colonial period. It would also pay a particular attention on economic redress. This is a particularly important aspect of reparations that could play a role in the continent's positive transformation. Africa is considered as the poorest continent and one of the root causes for this terrible situation could be traced back to colonial times. African nations need to recover from the long-term economic disadvantage that resulted from highly exploitative and extractive practices of colonization. Another important aspect is linked to legal precedents regarding compensations already made in Namibia and in Kenya. In 2013, the United Kingdom reached a settlement of claims of Kenyan citizen who were victims of the violence unleashed to counter the Mau-Mau movement that emerged between 1952 and 1963. The UK agreed to pay 19.9 million to a group of 5228 victims of colonial crimes. In 2021 the German government reached an agreement to pay 1.1 billion euros to Namibia for the Genocide and other crimes committed between 1904 and 1908 against the Nama and Herero people.



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These initiatives set a good example of some of actions that need to take place in order to restore the dignity of African people who were victims of brutal and criminal acts of colonization. In these two cases, though insufficient, the legal battles have been won, bringing a sense of justice, restoration and dignity. However, the need for broader and continental reparations for Africa have remained contentious, with debates on whether financial compensation, institutional reforms, or symbolic gestures are the best approaches.

On the other hand, there is a contention that reparations measures would be difficult to implement due to the difficulty related to determining in an appropriate way, the amount of compensation that is due. The issue is made even more difficult because of legal and logistical challenges. Critics to reparations argue that such a process would be impractical or not necessary. They point to the importance of financial or development aid as a plausible alternative to reparations. In most cases, this position is held by people who have not been affected by colonial crimes, particularly members of former colonial empires.

However, a serious look at the impact of development aid shows that such a position is debatable. Without ignoring the fact that

development aid helped in addressing some emergency situations and prevented some governments from collapsing, but in most cases, it has played a negative role, especially with regard to reinforcing dependency on external support, instead of developing internal capacity. Prolonged development aid has prevented African nations from having strong and competitive economies while undermining the development of self-reliance. For many African countries, financial aid is misused as a result of endemic corruption, and this limits its effectiveness. When aid comes in a form of food, it sometimes disrupts local agricultural markets, thus perpetuating Africa's reliance on external support.

The existing international system and its institutions that could play a prominent role in advocating for reparations, and for some form of justice against colonial crimes, were not created to defend Africa's interests. Therefore, it would rather be naïve to expect such a system or institutions to advocate for reparations. What is needed today, especially in the context of the geopolitical shifts that are taking place, is for Africa to take the matter into its own hands, and fight for reparations as a continental objective. It is difficult for each African nation, victim of colonialism, to engage in such a process individually. Africa, with its experience in dealing with the past, can tackle this problem. In the framework of the African

Union **Transitional Justice Policy** (AUTJP), Africa must launch the reparation process by firstly engaging in a dialogue with former colonial powers, discussing the need to take seriously African grievances. These include the multitude of human rights violations, the violence and disruptions committed during the colonization era.

How can the process of reparations for African nations be implemented?

Looking forward, it will be paramount for Africa to stand and defend the continental interests as one entity, especially with regard to reparations. In this process, the African Union Commission will have to play a leading role, supported by AU member states, and regional blocs such as the East African Community (EAC), the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the Intergovernmental Authority on Development (IGAD) and many more.

Africa can foster reparations for colonial crimes within the framework of its own policy on transitional justice. By integrating historical injustices and requesting the former colonial powers to take their responsibility, and be accountable, Africa has a possibility of reversing the course of history. It is therefore recommended that:

- The African Union with its member states use the AUTJP to establish mechanisms that will help the continent address the legacy of colonial crimes by advocating for reparations at the global stage;
- African governments and civil society organizations use international avenues to demand reparations from former colonial

powers. This includes filing cases in international courts and leveraging diplomatic pressure;

- At the level of African Union and within member states, it is important to initiate activities aimed at raising awareness of African populations about colonial injustices and their lasting effects, and the need for reparations;
- It may be important to propose concrete actions that are likely to have a positive impact on African economies. Such actions may include the signing and implementation of fair-trade agreements, investments in African economies, in parallel with debt relief.

The above initiatives could serve as starting points and as some forms of reparative justice that Africa deserves. While keeping in mind all the challenges linked to reparations, it is important for Africa to first insist on the acknowledgement of colonialism as a crime against humanity, and then request that every colonial power accept its responsibility, and apologize for the colonial crimes. This would be the first step in the right direction.

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