Framing Reparations Claims: Differences between the African and Jewish Social Movements for Reparations

Rhoda E. Howard-Hassmann and Anthony P. Lombardo

(Editors' note: Our panel of peer reviewers sustained strikingly divergent views of the original version of this article, so we thought we would bring to the readers of the ASR some of the issues signaled by our initial reviewers. We sent the manuscript to several Africanist scholars and invited them to send in comments. We are pleased to publish their reactions, immediately following this article, together with a response by Rhoda E. Howard-Hassmann.)

Abstract: Africans interested in reparations from the West frequently ask why the Jewish movement for reparations for the Holocaust was successful, whereas Africans have been unable to obtain reparations for the slave trade, colonialism, and post-colonial relations with the West. This article addresses this question using social movement theory and argues that success depends to a large extent on how the claim for reparations is framed. Past treatment of Africans by the West violated key contemporary norms of bodily integrity, equality, and private property. Yet the victims are no longer living, the perpetrators are diffuse, some of the harms were legal when they were committed, and the causal chain of harm is long and complex.

_African Studies Review_, Volume 50, Number 1 (April 2007), pp. 27–48

Rhoda E. Howard-Hassmann is Canada Research Chair in International Human Rights at Wilfrid Laurier University, Waterloo, Ontario, Canada. She is senior researcher on the larger project, “Reparations for Africa,” from which this paper is drawn.

Anthony P. Lombardo is a doctoral candidate in the Department of Public Health Sciences, Faculty of Medicine, University of Toronto. From 2001 to mid-2004 he was junior researcher on the project “Reparations for Africa.”
Reparations Claims as Social Movements

A common question posed by Africans in search of reparations is “Why did the Jews obtain reparations, yet we can’t?” In interviews we conducted about reparations from 2002 to 2004 with seventy-five African ambassadors, academics, policymakers, and human rights activists, many indicated awareness of reparations made to Jewish victims of the Holocaust and their survivors. (Lombardo & Howard-Hassmann 2005). Some were also aware of reparations paid to Japanese Americans, and most were aware of the nascent movement for reparations to African Americans. Many also referred to the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa, in September 2001 (hereafter the Durban Conference) as the event that sparked their interest in reparations.

The question “Why the Jews, why not us?” implies that the moral case for reparations to Africa is as strong as the case for reparations to Jews, if not stronger. Africans sometimes note that Jewish Holocaust victims were compensated for “only” twelve (or six) years’ suffering (Mazrui & Mazrui 2002:87). By contrast, Africans have suffered for five hundred and sixty years, ever since the transatlantic slave trade began in 1444. Moreover, the facts regarding the African slave trade and colonialism appear to be clear and unassailable. To explain why these facts are not strong enough to generate reparations, we analyze reparations claims as social movements.1 This paper is not a normative analysis, and it does not reflect our personal views on whether Africans are owed reparations.

Meyer and Whittier define a social movement as “a collection of formal organizations, informal networks, and unaffiliated individuals engaged in a more or less coherent struggle for change” (1994:277). The movement for reparations to Africa so far consists only of a few unaffiliated or loosely affiliated individuals and a very small network, with no formal organization. Any successful social movement also requires a compelling framing of its demand for change. This applies just as much to the demand for reparations for an injustice as to any other demand, however moral and self-evident the demand may seem to those making it. Snow and Benford (1988:198) note that one important function of a social movement is to “frame, or assign meaning to and interpret, relevant events and conditions in ways that are intended to mobilize potential adherents and constituents, to garner bystander support, and to demobilize antagonists.” Framing requires decisions about who is the perpetrator of a wrong, who is the victim, what exactly is the wrong to be compensated, and what are the reparations desired.

Reparations claims are a kind of symbolic politics. According to Brysk (1995:560–61), “symbolic politics involves the maintenance or transformation of a power relationship through the communication of normative and affective representations”; thus symbolic politics relies heavily on “the sub-
jective influence of ideas, learning and information." Those who engage in symbolic politics often are obliged to offer a new, counterhegemonic narrative. This narrative must produce an emotional and moral resonance in the people from whom reparations are claimed, as well as in the people making the claim. Thus advocates of reparations to Africa must determine if their principal audience is representatives of Western (slave-trading and buying, colonial) states, (white) Westerners as a whole, African Americans, or fellow Africans. Claimants for reparations to Africa can draw on "symbolic value congruence" (Ferree & Miller 1985:50) with African Americans, and possibly with some Jews, but not easily with whites as a group. The construction of an "injustice frame" — "an interpretation of what is happening that supports the conclusion that an authority system is violating the shared moral principles of the participants" (Gamson et al. 1982:123) — is required. In order to build a community of claimants, as well as a community of those receptive to and capable of responding to the claim, those seeking reparations must also convincingly demonstrate the causal chain between initial actions and later harms. The shorter the causal chain, and the fewer the actors involved in causing the harm, the easier it is for the link to be established and for those against whom a claim is made to accept responsibility.

In 1992 the Organization of African Unity appointed a twelve-member Group of Eminent Persons (GEP) to pursue reparations to Africa, with an unspecified mandate that left open the grievances for which reparations were sought (Howard-Hassmann 2004). As of December 2002, only three members of the GEP were still active: the Kenyan American scholar Ali Mazrui, the Nigerian historian Jacob Ade Ajayi, and the Jamaican Dudley Thompson. Their activities were confined to lectures at universities and at international academic conferences, including the African Studies Association (ASA), which meets annually in North America. In 2002, 2003, and 2004 one or both of the authors of this article were present at very well-attended lectures and sessions on reparations at the ASA annual meetings. Many participants brought up the precedent of the Jewish reparations movement and asked why Africans could not imitate the Jews in obtaining reparations.

Aside from the Group of Eminent Persons, there were several small reparations groups. The Africa Reparations Movement (U.K.), based in London, sought reparations for slavery and colonialism and the return of African artifacts, among other objectives (www.arm.arc.co.uk/). The Africa World Reparations and Repatriation Truth Commission produced in 1999 "The Accra Declarations on Reparations and Repatriation" (in Mazrui & Mazrui 2002:139–43) during the First Historic International Truth Commission Conference on Reparations and Repatriation in Accra, Ghana. A Kenyan chapter of the Africa Reparations Movement was concerned primarily with securing an apology for slavery and colonialism (Mazrui & Mazrui 2002:14–15), and a Jamaican Reparations Movement had goals "specific to the enslavement of Africans in Jamaica and their descendants"
In sum, there was no large, cohesive, international or national movement for reparations to Africa. Indeed, we found ourselves in the awkward position of influencing the growth and legitimacy of this tiny movement merely by posing questions about reparations to members of the African elite, policymaking, and activist communities, some of whom had never previously entertained the question. Despite the absence of any organized movement, we noted in these interviews a generalized sense that some reparation is owed to Africa. These Africans, and many others, were part of an “unmobilized sentiment pool” (McCarthy 1987:59), a group of people who share opinions but have no formal connection to one another.

At minimum, most felt that reparations were owed for the period of the transatlantic slave trade. Most also thought reparations were owed for colonialism, and some thought reparations were owed for asymmetrical postcolonial relations between the West and Africa. Unfortunately for our respondents and the movement as a whole, however, there is no law requiring reparations for past injustices, especially injustices to victims long dead. The United Nations High Commission for Human Rights’ definition of reparations includes a variety of symbolic and material measures, including acknowledgment of past actions, apologies for them, and monetary or other material compensation (Office of the High Commissioner for Human Rights 2005). This is an evolving international norm, but not one fully inscribed in international law. Moreover, it applies only to actions that contravene international law, not to actions that occurred before that law came into existence.

Finnemore (1993:566,n.1) defines a norm as “a rulelike prescription which is both clearly perceptible to a community of actors and which makes behavioral claims upon those actors.” In the case of reparations, this norm is still weak and under construction. The Durban Conference was the only venue at which advocates for reparations to Africa had gained agenda entrance; that is, “inclusion in the list of issues that compels attention” (Baumgartner & Jones 1991:1050). Ideas that gain attention often have a feedback effect (Finnemore 1993:594), but the anticipated effect of the Durban discussions was eclipsed by the attacks on the New York World Trade Center and the Pentagon on September 11, 2001, just after the Durban Conference ended. Moreover, the principal actor promoting discussion of historical reparations as a new norm of justice was the United Nations High Commission for Human Rights, which organized the Durban Conference. Other agencies of the United Nations, such as the Sub-Commission on Economic, Social and Cultural Rights, also issued statements promoting this new idea (United Nations, Sub-Commission on the Promotion and Protection of Human Rights 2001), but agencies of the United Nations are not as strong as state actors. At most, statements in favor of symbolic reparations at Durban—made, for example, by some former colonial European powers (United Nations Press Release 2001)—represented very
weak "symbolic concessions" (Meyer & Whittier 1994:280) to the reparations movement. There is no taken-for-granted "consensual knowledge" (Haas 1992:29) that Africans deserve reparations.

Nor is there yet a strong epistemic community, defined by Haas (1992:2-3,n.4) as "networks of knowledge-based experts" or "thought collectives," which can influence national or international public policy in support of reparations. After their appointment in 1992, the three GEP members tried to function as "cognitive baggage handlers" (Haas 1992:27) generating such a community. The Group’s most well-known member, Ali Mazrui, also issued a call to arms in his volume Black Reparations in the Era of Globalization (Mazrui & Mazrui 2002). But the Group enjoyed very little support. When Jacob Ade Ajayi spoke at the African Studies Association meeting in December 2002, his (mainly African and African-American) audience awarded him a standing ovation, but such an ovation does not imply future sustained commitment and action.2

Thus the idea of reparations to Africa is still weak and diffuse. There is no "movement family" seeking reparations, and there has been no proper policy venue for the issue. There are no national advocates of any strength for reparations to Africa: indeed, the idea seems to have disappeared from the agenda of the African Union, the successor organization to the Organization of African Unity. With the exception of the three members of the GEP and legal norm-changers in the United Nations, there are no influential policy entrepreneurs (Baumgartner & Jones 1991:1045) or idea "brokers" (Haas 1992:31).

Criteria of Success for Reparations Movements

John Torpey (2001:338) argues that Holocaust reparations are the "gold standard" of reparations claims. They have contributed to the construction of a "master frame" of reparations and reconciliation (Snow & Benford 1992:158), and have influenced later claims for reparations by "alter[ing] the structure of political opportunity new challengers face" (Meyer & Whittier 1994:281) and setting a reparations precedent. Indeed, as noted above, many of our African respondents sought to align their frame of reference to the Jewish case, suggesting that their claim paralleled the Jewish claim or even exceeded it in moral force.

Social movements for reparations face various challenges at the level of "diagnostic framing," that is, the "identification of a problem and the attribution of blame or causality" (Snow & Benford 1988:198). Certain aspects of a claim for reparations bear more moral resonance than others. If an action for which reparations are claimed was illegal at the time it was committed, the claim has more resonance than if the action became illegal only after the fact, or indeed was still legal at the time the claim was made. If the action caused death or physical harm, the claim for reparations is more
likely to be accepted both by the public and by political authorities (Keck & Sikkink 1998). Similarly, if the action offends contemporary ideals of equality, the social movement is more likely to succeed (Keck & Sikkink 1998). Finally, loss of property seems to impel public sympathy, as private property is a core value, at least of the modern Western world.

The framing of claimant and respondent is also key to a successful social movement for reparations. The claimant must represent a clearly identifiable group. Leaders must appear strong, united, and recognized as legitimate by those they claim to represent. They also need influential allies. To find these allies, they must minimize any likelihood that the claimants themselves might be seen as partly responsible for the harm they say they suffered. As James notes, as claims for reparations proliferate in the early twenty-first century, “our reparative sensibilities may be shrinking to encompass only discrete, deliberate acts committed against groups defined categorically as victims” (2004:8).

The respondent to the claim must also be clearly identifiable. A claim is more likely to be successful if there is a recognizable responsible authority, such as a government, to whom the claim can be addressed. If the claimants can gain allies within the government or its bureaucracy, they can use those allies to influence policy. These allies, in turn, may be able to generate public support by rendering their offices as legitimate venues for claims-making. One difficulty faced by claimants for reparations to Africa is that their claims are transnational: they are not voters in the countries from which they want reparations. No members of parliament in the United Kingdom, or elected senators or representatives in the United States, speak for them (although the late Bernie Grant, a Labor member of parliament in the United Kingdom, attempted to help the Nigerian government regain possession from the British Museum of the Benin Bronzes, taken from the Kingdom of Benin after the British conquest in 1897 [Grant 1996]).

The causal chain between the harmful action and the claim for reparations is also very important. Both time and number of actors involved characterize the causal chain. The amount of time that has passed since an alleged wrong was committed helps predict the success of a movement for reparations. If the victims, or at least their immediate heirs, are still alive, reparations are more likely to be considered legitimate than if the potential beneficiaries are many generations removed from the ancestors who suffered the moral wrong. It is also necessary to show a direct link between those accused of perpetrating a wrong and those living activists who claim to have been wronged. If many actors were involved in the process of wronging the victims, then it is difficult to find a precise respondent to the claim. When the “actors” include structural variables rather than identifiable human beings—as in the case of postcolonial poverty in Africa—the chain is even more complicated.

Challenges similarly exist at the “prognostic framing” level, to “suggest solutions to the problem but also to identify strategies, tactics, and targets”
(Snow&Benford 1988:201). The type of reparation demanded affects the likelihood of success. If the claim is only for acknowledgment of a past wrong, or even for an apology without any material compensation, it is more likely to succeed than if there is also a claim for monetary payment. If material compensation is claimed, its reasonableness will affect the outcome. The amount must be one that is payable without a high cost to those making the payment. This may not be a morally or philosophically defensible stance, but it is a pragmatic one (see Orend 2002:146).

The claims-making organization also needs effective tactics. One tactic is to shame a respondent into replying to a claim. The effectiveness of such a technique often depends on whether the social movement can find a condensation point, a concrete event or individual that becomes publicly symbolic of the perpetrated harm. As Brysk (1995:561) notes, “We think about politics in stories, and our consciousness is changed when new stories persuade us to adopt a new paradigm.” The aim of any reparations movement is to create a new and legitimate story, thus acquiring what Bourdieu (1986:245) calls “symbolic capital,” a form of authority and competence recognized by the wider society, so that the claimants’ demand for reparations is considered an accurate representation of the history resulting in that demand. Such symbolic capital can help claims-making groups engage in “frame extension” practices (Snow et al. 1986:472), building coalitions with groups with similar aims (in this case, e.g., the movement for reparations to African Americans).

Below we assess the Jewish and African reparations claims along the criteria set out above. In doing so, we are suggesting that unless the small groups currently advocating reparations to Africa frame their demands more clearly, they are not likely to be successful. Indeed, it is an exaggeration at the moment to refer to the claim for reparations to Africa even as a “nascent” social movement. The “social movement” for African reparations consists of several tiny groups promoting rather incongruent ideas, who have so far been unsuccessful in mobilizing what appears to be a rather large sentiment pool in support of reparations.

**Jewish Victims and Post-Holocaust Claims**

Those who ask “Why the Jews, why not Africans?” probably do not stop to consider that the Jewish community did not ask for reparations for the destruction and theft of their property, ghettoization, enslavement, pogroms, expulsions, and mass murders during the many centuries that preceded Nazi rule in Europe. The Jewish community confined its claims to the discrete, short, and easily identifiable period of Nazi rule (1933–45).

There were two waves of claims for reparations to Jews, the second of which is ongoing.³ The first wave comprised the immediate post–World War II claims, while the second consists of the newer claims initiated in the
1990s against private businesses, banks, and insurance companies. During the first wave, Jewish claims for reparations had a high moral resonance. The judges at the Nuremberg Tribunal made a strong—though not uncontroversial—case that genocide had been illegal under international customary law at the time of the Holocaust. Moreover, genocide was explicitly outlawed in international law by 1948, at the time the Jewish claim for reparations began (United Nations 1948; on the evolution of the law of genocide, see Schabas 2000:14–101). Moreover, the Jews suffered direct physical harm; they were murdered en masse, tortured, sterilized, raped, and used in “medical” experiments. The Nazis’ treatment of the Jews violated the equality principle that by the latter part of the twentieth century was at the heart of Western culture, although at the time of the Holocaust it was not so deeply entrenched. The Jews also lost property, a loss that became central to the second wave of reparations claims. The second wave consists of lawsuits filed against insurance companies and banks that did not pay policyholders, owners of deposits, or their heirs, as well as against galleries and other entities displaying stolen Jewish artworks (Bazlyer 2003).

During the first wave of claims, the causal chain of harm was short and relatively uncomplicated. The claimants were easily identifiable. The survivors and the living heirs of those murdered had just emerged from their prison camps and hiding places. Moreover, the survivors were not perceived as bearing any personal blame for what had happened to them. After some negotiation, two collective groups were recognized as the legitimate representatives of these dispersed survivors: namely, the state of Israel and the Unified Claims Conference of fifty-two Jewish organizations in Western countries, which collectively took it upon themselves to represent the “stateless, dispossessed Jews in Europe” (Laremont 2001:238, 249 n.4).

There also was an easily identifiable perpetrator against whom Jewish claims could be made. The Nazi state was the chief perpetrator: the government of the Federal Republic of Germany was the successor government to the Nazis. The Jewish claimants were aided by the willingness of Konrad Adenauer, the German president and successor to Hitler, to acknowledge the wrong done to them. Adenauer had his own motives for this acknowledgment: without it, Germany was unlikely to receive Marshall Plan aid from the United States. Adenauer also wished to facilitate Germany’s reentry into the “civilized” (Western) world. On September 27, 1951, Adenauer acknowledged the brutality of the Holocaust, only a little more than six years after it had ended (Laremont 2001:237).

The first-wave compensation eventually received by both individual Jewish victims and the state of Israel was generally acknowledged as legitimate. Direct victims or their first-generation heirs were compensated for their suffering in the concentration camps, their loss of property, and other aspects of their persecution. By 2000, it has been estimated, West Germany alone would have paid Israel and individual Jews $US47.6 billion in com-
pensation (Pross 1998:173, cited in Laremont 2001). The second-wave claims, however, appeared less legitimate to many, with their seemingly open-ended nature as more and more collaborators with the Nazis were discovered, including private American corporations such as IBM (Black 2001).

During the second wave of Holocaust reparations claims, both perpetrators and victims were less easily identifiable. Rather than the Nazi state, the perpetrators were identified as collaborator states and private organizations. Many, if not most, of the direct victims of the Nazis were dead; sometimes the heirs claiming insurance payment or the return of property such as works of art were the grandchildren, or even the great-grandchildren, of the victims. Thus accusations of a “Holocaust industry” emerged, along with the feeling that many distant and prosperous descendants of the victims were exploiting the Holocaust for their own material ends (Finkelstein 2001:3). These perceptions of the decreased legitimacy of second-wave Holocaust claims hint at the difficulties that Africans experience in making claims for wrongs perpetrated many decades and centuries ago against distant ancestors of the claimants.

Jewish claimants for reparations were able to mobilize the tactics of shame and embarrassment. Many Christian leaders and churches in the formerly Allied and occupied countries were subsequently embarrassed by their inaction during the period of Nazi rule (Berger 2002:175–96). Several key condensation points existed during the first wave of reparations; these included photographs and films of victims as they were being liberated from concentration camps such as Bergen-Belsen, and the diary of the teenager victim Anne Frank. Just before the second wave of reparations a television series, Holocaust (1978) appeared, and the movie Schindler’s List (1998) was released. These media events once again presented the genocide of the Jews in a manner that refocused Western attention on it (Berger 2002:141–42, 146–48). In addition, the Jewish claimants and the State of Israel enjoyed the support of the government of the United States. The Jewish community within the United States and internationally had also consolidated itself into an effective lobbying force.

The Case for Reparations to Africans

The claim for reparations to Africa is generally made against Western nations or against “the West” in general. In this discourse, the “West” includes international organizations such as the International Monetary Fund and the World Bank, and multinational corporations. In our discussion of these claims, we do not assess their factual accuracy, or whether it is only the West that is responsible for harming Africa in the past or present. For example, many of the Africans we interviewed claimed that the Arab slave trade was less harmful to its victims than the transatlantic slave trade,
even though historians question this opinion (see, e.g., Davis 1984:39–51). Perhaps resentment against the West has something to do with this, or perhaps claimants for reparations are unaware of the historical record. Alternatively, perhaps claimants believe it is easier to generate sympathy from citizens of Western democracies than from citizens of Arab states. Among our respondents, only a few fairly highly educated people from East and Central African blamed Arab slave-traders as much as they blamed European slave-traders.

The Transatlantic Slave Trade

The strongest moral claim for reparations to Africa stems from the history of the transatlantic slave trade. Joseph Inikori (1997:91) estimates that approximately thirteen million individuals—possibly as many as 15.4 million, if missing records are taken into account—were transported across the Atlantic from western Africa from the 1440s to the 1860s. That people should be taken as slaves is in modern times self-evidently a moral wrong. The condition of slavery is a gross violation of an individual’s right to physical integrity and movement, a gross indication of discrimination, and a gross violation of an individual’s property rights, in his or her physical self and in his or her capacity to labor.

Nevertheless, the slave trade and slavery were not illegal throughout the entire period in which they occurred. A social movement to abolish slavery and the slave trade began in the West in the late eighteenth century, more than three centuries after the African slave trade began. The United Kingdom and the United States abolished the trade in 1807 and 1808 respectively, gradually entering treaties with other countries to abolish or limit it (du Plessis 2003:635). Slavery was abolished in Britain and British colonies in 1833, and in the United States in 1863. Slavery became internationally illegal in small incremental steps during the nineteenth and twentieth centuries, but it was not fully prohibited under international law until 1926 (Robertson 1999:209). Thus a social movement in the twenty-first century for reparations for the slave trade faces the criticism that it is a movement for reparations for a trade that was legal at least for the first 363 years (1444–1807) of its occurrence.

Moreover, despite the self-evident rightness of the moral condemnation of slavery and the slave trade, any social movement for reparations to Africans in the present era confronts other difficulties. On the positive side is the fact that respondents to the reparations claim are easily identifiable; a case can be made that the responsible authorities are the successor governments of slave-selling and -buying countries: namely, the United Kingdom, France, Portugal, Spain, the Netherlands, and the United States. However, those entitled to reparations are not a readily identifiable group. The victims of this trade and their immediate heirs are long dead, the last slaves having been taken across the Atlantic in the 1860s. Their extremely
distant heirs are generally unidentifiable as individuals, although in some cases African ethnic or clan oral histories contain mediated memories of ancestors taken as slaves, and in other cases historians can refer to records of groups or locales from which slaves were taken.

The causal chain is also long and complex. The transatlantic slave trade spanned over four hundred years. Many individuals were involved, from African buyers in the interior to European traders resident in coastal African ports to the ultimate purchasers in Europe and the Americas. Moreover, the initial sellers were Africans themselves. Some African chiefs, seduced by the material goods offered in exchange, sold war captives and slaves from their own societies (Lovejoy 1983). Thus the question arises whether some Africans owe reparations to others, or whether continental Africans as a collectivity owe some sort of reparation—perhaps an apology—to diaspora Africans descended from individuals sold as slaves. In 2001 the Senegalese president, Abdoulaye Wade, asked if he himself owed reparations, since his ancestors had had an army of ten thousand soldiers, of whom two-thirds were slaves (Ba 2001).

Finally, the claim for reparations for the slave trade inevitably results in disputes about what, if any, reparation would be possible. Calculation of appropriate financial compensation is extremely difficult, and the exact financial loss is impossible to measure. Some calculations by some claimants are absurd, such as the $777 trillion “principal” claimed in the 1999 “Accra Declaration on Reparations and Repatriation” (Mazrui & Mazrui 2002:140) or even the somewhat more modest figure of $100 trillion calculated by Daniel Osabu-Kle (2000:345). It is also impractical to think in terms of complete monetary compensation, because any figure arrived at would be more than the publics of the jurisdictions responsible for compensation would accept. Moreover, financial compensation would be susceptible to the same problems of inefficient use and corruption that have plagued foreign aid to Africa for several decades. While legally the way victims spend the monies allocated to them as reparations is irrelevant, in practice, respondents to claims for financial reparations made by a social movement will be interested in how financial compensation might be spent.

By contrast to claims for financial compensation, nonmonetary reparations to Africa, such as acknowledgment of the past evil of the slave trade, is possible. Indeed both Presidents Bill Clinton (March 24, 1998) and George W. Bush (2003) made such acknowledgments during state visits to Africa. In 2001 France passed a law acknowledging both the transatlantic slave trade and the slave trade in the Indian Ocean region as crimes against humanity (France 2001). France was careful to mention the Arab as well as the European trade, and did not issue an apology.

The few activists for reparations for the slave trade have not yet availed themselves of all the tactics that help social movements succeed. So far, the major tactic appears to be shaming, which had some minimal success at
Durban, where, as noted, some European countries expressed regret for the slave trade. (The United States did not participate in the Durban conference, in part because of the reparations claim and in part because of the Israel–Palestine conflict.) There is no large base of activists who might engage in other tactics, such as political demonstrations, which in any case would be hindered by the fact that those seeking reparations would be demonstrating against foreign powers, not in their own countries where (assuming an effective democracy) they might have some political influence. There has been very little media publicity that might interest the public in respondent countries in reparations. In the 1970s Alex Haley’s novel *Roots*, and a television series subsequently based upon it, roused some interest in the slave trade, but other films about the trade (such as the 1997 *Amistad*) did not have the same effect. Nor were activists for reparations very successful in their use of the Internet. The London-based African Reparations Movement (ARM) published some essays by a few activists, including Ali Mazrui and Dudley Thompson, two of the three active GEP members, but its Web site was not maintained after the death of its chair and major benefactor, Bernie Grant, MP. Transafrica Forum, based in Washington, published some material on reparations to Africa on the Internet, but it did not attract a large activist base. These few activists possessed no resources to organize political movements, citizen boycotts, or any other punitive tactic.

**Colonialism**

While colonialism, compared to the slave trade, is not as self-evidently a moral wrong, the colonial powers clearly violated many of the central moral principles of the modern world. Colonialism was by definition predicated on conquest, a moral evil, at least in the post–World War II world, in which acts of aggression are outlawed by the United Nations Charter (Chapter 1, Article 1). While inhabitants of some colonies such as the Gold Coast (now Ghana) lived in comparative security during colonial rule, in other colonies such as Namibia, Angola, and Mozambique the European rulers were extremely cruel and exploitative. In any case, even the least abusive types of colonialism violated the principle of equality, insofar as Europeans ruled over Africans and treated them in a disrespectful and discriminatory manner. Property rights were violated under colonial rule—most especially but not solely in settler colonies such as Zimbabwe, Kenya, Algeria, Namibia, and South Africa. The practice of forced labor in many colonies also violated the principle that individuals possess property in the form of their own labor power. Nevertheless, colonialism was not illegal at the time it was practiced. The right of self-determination was not explicitly stated in international law until the 1960 United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (du Plessis 2003:657).
On the positive side, the causal chain of damages caused by colonialism is more recent than that of the slave trade, as the colonial era did not end until the 1960s and 1970s. Many victims of colonialism or their immediate heirs are still alive, as the people we interviewed occasionally made clear, mentioning fathers and grandfathers who were drafted for forced labor or for military service in European armies during World War II. In former settler colonies, many Africans can still identify the land that once belonged to their own families. The causal chain is also not as complex as in the case of slavery. The relevant colonial powers can be identified easily. Although in all cases colonialism involved some collaboration by indigenous or appointed chiefs and other individuals, the case is easily made that colonialism was an act of conquest, aggression, and violation of human rights.

Yet respondents to reparations claims could argue that not all Africans suffered under colonialism: indeed, some benefited. Some individuals considered by the indigenous political system to be slaves became emancipated by conversion to Christianity, which condemned slavery. Some availed themselves of new opportunities to acquire education, accumulate wealth, or fill positions in the colonial civil service. Moreover, it is difficult to sort out the costs and benefits of the colonial and the postcolonial periods. Individual victims of colonialism who are still alive have been living under independent postcolonial rule for twenty-five to forty-five years, and postcolonial rulers have been violators in their own right of the moral principles of bodily integrity, nondiscrimination, and the right to private property.

As in the case of the slave trade, then, it is difficult to determine what, if any, reparations could be demanded from former colonial powers. In 2002 Jacob Ajayi asked for an explicit acknowledgment of the harm caused by colonialism. Calling slavery and colonialism both "crime[s] against humanity and a grievous sin," he asked for reparations in the form of management training programs and infrastructural development in areas such as transportation and education (Ajayi 2002). Such calls for reparations, however, run the risk of being seen as merely a new way of asking for more foreign aid. Countries that engaged in colonialism might be willing to acknowledge the harm they caused, just as some at Durban regretted the harms caused by the slave trade, but demands for financial reparations for colonialism will be subject to the same political and budgetary considerations as foreign aid. Nor, as with the slave trade, are apologies likely to be forthcoming if they entail legal obligations. There would probably be very little public support in any former colonial country for anything other than a perfunctory acknowledgment of the harms caused by colonialism.

In part there is little support for reparations for colonialism because there are few, if any, condensation points around which to rally Western public opinion. In 1998 Adam Hochschild's best-selling King Leopold's Ghost did bring the horrible murders and terrors perpetrated upon inhabitants of the Belgian Congo during the reign of King Leopold II, who claimed the entire colony as his personal property, to the attention of the Western Eng-
lish-speaking reading public. In Belgium itself, the condensation point was Ludo de Witte’s *De moord op Lumumba* (The Death of Lumumba), an analysis of Belgium’s alleged participation in the murder of Patrice Lumumba, the first president of independent Congo, which led to the appointment of a parliamentary investigatory committee.\(^4\) The committee concluded that although Belgium did not order the murder, and no Belgian took part in it, the Belgian officers present at the event did not take action to protect Lumumba (Chambre de Répresentants 2001). The Belgian government subsequently issued an apology for its role in the assassination (BBC News, February 6, 2002; see also Zajtman 2002). In this case, the harm perpetrated by the recent colonial power was a clear failure to protect a human life, the single victim was discrete and identifiable, and the perpetrator was known: thus acknowledgment seemed warranted.

Some other aspects of colonial rule may also be amenable to reparations. The return of stolen African artwork is on the public agenda, in part because of the success of similar Jewish claims. In London, the African Reparations Movement demonstrated for the return of the Benin Bronzes, held in the British Museum, to their place of origin, the state of Benin in Nigeria (African Reparations Movement, n.d., accessed Oct. 3, 2003).\(^5\) While the movement to return the Benin Bronzes did not succeed, other claims were successful. The remains of Saarti Baartman, a Khoisan woman, were returned from France to South Africa in 2002. Baartman had been taken to Europe in the nineteenth century and displayed live and naked as a curiosity. On her death parts of her body were preserved, and her skeleton was put on display (BBC News, April 29, 2002; BBC News, May 6, 2002). In May 2003, a German museum returned to Zimbabwe a soapstone sculpture of a bird pilfered from the Great Zimbabwe ruins (BBC News, May 14, 2003). In November 2003, Italy began the process of returning to Ethiopia an obelisk taken during the brief period of Italian fascist rule (*Hamilton Spectator*, Nov. 10, 2003; Freeman 2003).

The return of the Ethiopian obelisk, the Zimbabwe bird, and the remains of Saarti Baartman suggests that African reparations claims are more likely to be successful when they are analogous to claims successful in other reparations movements. Another successful movement for compensation in the early twenty-first century paralleled the Japanese American case. In France, activists in 2002 won $70 million in increased benefits for colonial veterans of French wars. These veterans were usually referred to in Africa as *anciens combattants* (BBC News, Nov. 21, 2002). Benefits were limited to living veterans or their widows. The injustice was obvious: African veterans took the same risks and suffered the same hardships as French soldiers, yet they received much less in pay, health benefits, and pensions. The French government was clearly responsible for this injustice, which continued for decades. Articles in African and French media and on the Internet about suffering elderly veterans or their widows acted as a condensation point for public support for compensation; indeed, several of the individ-
uals we interviewed from Francophone countries mentioned the *anciens combattants*. And the total amount paid did not seem an unreasonable burden on the French purse. Such a narrow claim for reparation, stemming from a particular policy enacted during the colonial era, has a much better chance for success than amorphous, undefined claims for reparations for the entire period. The very success of this claim shows the difficulty of asking for more general reparations.

**The Postcolonial Period**

Some individuals go so far as claiming reparations for postcolonial relationships between Africa and the West. This type of claim is difficult to justify. While the most obvious difference between the West and Africa in the twenty-first century is the gap in wealth, there is no international law requiring material equality among citizens of different nations. In contrast to a direct attack on an individual’s life or physical integrity, economic inequality is not generally considered a gross human rights violation. Indeed, even failure to fulfill basic economic rights does not lead to easily acceptable claims. The victims of postcolonial relations are alive, but they are also innumerable, and the responsibility for their suffering is diffuse; lack of economic rights is more a systemic condition than it is the work of identifiable perpetrators. More important, African as well as Western states and leaders are partly responsible for many of the poor economic decisions taken during the postcolonial period. Africans themselves are at least partly responsible for the corruption, lack of good governance, and lack of transparency that have characterized postcolonial rule and resulted in suffering for hundreds of millions of people.

While reparations claims made in general terms for postcolonial relations are unlikely to be successful, therefore, certain specific actions or relations do violate basic principles of justice and persuade many members of the Western public that reparations are owed. Direct attacks on property rights are one example. If a government, private corporation, or institution can be shown to have violated property rights—for example, by illegally dispossessing peasants in order to build mines or explore for oil—then a legal case for compensation might be as strong in Africa as it would be in North America. Unfortunately, however, uprooting or dispossessing peasants for “development” reasons is commonplace, often perpetrated by African states themselves rather than by Westerners, and it usually is protected by law.

Some activities that have taken place in Africa since the end of the colonial period, such as diamond or arms smuggling, are clearly illegal. However, since it is private citizens rather than states that officially sponsor these illegal activities, the remedy would not normally be reparations. Rather, ordinary criminal or civil trials are the preferred route, difficult as it is for African victims to initiate such trials without assistance from lawyers or advocacy organizations in the West. Most of what some activists consider
“neocolonialism,” such as investment in Africa by transnational corporations, or economic structural adjustment programs imposed by or negotiated with the World Bank or the International Monetary Fund, is legal. Indeed, as one African ambassador told us, such programs are based on contractual relations between sovereign states and international agencies and therefore do not warrant reparations if things go wrong.

In any case, while some activists and some individuals we interviewed did favor reparations for postcolonial relations, there has been no real articulation of demands for acknowledgment of wrong-doing, apology, or monetary compensation for this period. The GEP focuses on the slave trade and colonialism, as do international activists such as the participants in the NGO Forum at Durban. The final statement of the Forum condemned globalization as “inherently racist and anti-democratic” but advocated reparations only for the slave trade and colonialism (World Conference against Racism 2001: par. 123, pars. 71–76).

To make any claim for reparations for postcolonial relations would first require identifying the relevant responsible actor, whether a state, an international organization, or a multinational corporation. It would be very difficult to impute reparatory responsibility to international organizations that are not sovereign entities, but rather reflect the will of the states that are their members. Africa commands few resources that can be deployed in any arena of international relations, and even fewer that could be deployed in a demand for reparations for postcolonial wrongs.

As in the case of reparations for colonial exploitation, reparations claims for postcolonial relations may achieve some success if a clear injustice has been carried out against an identifiable, finite group of victims. A possible future campaign for reparations might involve claims against Shell Oil. In 1995 the Nigerian government hanged the activist writer Ken Saro-Wiwa along with eight of his colleagues from MOSOP, the Movement for the Survival of the Ogoni People, for protesting against Shell Oil's degradation of the environment in southeast Nigeria, where the Ogoni lived. African activists and their Western allies effectively availed themselves of the tactic of shaming, stirring international outrage against Shell. They were also effective in forging international alliances and in gaining the attention of the mass media, which were attracted by the drama and obvious injustice of the hanging (Bob 2002:139–44). The Ogoni movement revolved around a discrete act, causing a major harm, with identifiable victims, an identifiable perpetrator, and a short, obvious causal chain. These are the ingredients for possible successful reparations claims in the future.

Another discrete event that elicited apologies, although not financial reparations, was the 1994 genocide in Rwanda, which neither the United Nations nor any state intervened to stop. In 1998 President Bill Clinton went to Kigali, Rwanda, to “pay the respects of my Nation to all who suffered” and to announce various aid initiatives. But Clinton neither acknowledged nor apologized for deliberate inaction on the part of the
United States, instead claiming that "all over the world there were people like me sitting in offices, day after day after day, who did not fully appreciate the depth and the speed with which you were being engulfed by this unimaginable terror" (Clinton, March 25, 1998). In 2000 the Belgian prime minister requested forgiveness for Belgium's failure to prevent the massacre (BBC News, April 7, 2000), and in March 2004 Kofi Annan, then Secretary-General of the United Nations, accepted responsibility for that organization's inaction during the genocide (Hoge 2004).

**Successful and Unsuccessful Reparations Claims**

In comparison to the reparations claims of Jewish victims of the Holocaust, then, African claims seem burdened with both substantive and organizational difficulties. At the substantive level, it is difficult to frame a convincing call for reparations because many of the victims are long dead, there are too many of them, and they cannot easily be identified. It is also difficult to identify the perpetrators and the exact injuries they caused. Second, the causal chain between past harms and present victims is long and complex, with many actors and events involved. By contrast, repayment for the Holocaust was easily framed. Both victims and perpetrators were easily identifiable, and the event took place over a short, finite period. The harm was clear, and the causal chain was short and lacking in complexity.

This analysis suggests that while the West may offer more symbolic acknowledgments of—and perhaps even apologies for—the harm caused to Africa by the slave trade and colonialism, large-scale reparations and large amounts of financial compensation are unlikely to be forthcoming. On the other hand, certain discrete harms that violated key moral precepts and that occurred within living memory may result in some concrete reparations, as in the case of the *anciens combattants*.

Other possible cases in which compensatory reparations might be claimed might include the illegal use of forced labor to cultivate cotton in the Portuguese colony of Mozambique until 1961 (Bailey 1969:169; Newitt 1981:125). The world's inaction during the Rwanda genocide was also so derelict as to impel an apology, as well as substantial amounts of aid in the following years. The success in 2005 of the social movement for debt relief to Africa is also grounds for some optimism (Buxton 2004), even though it was not framed as a movement for reparations. Many actors, Western as well as African, were able to coordinate the debt relief campaign via the Internet. Both the perpetrators (Western nations and international financial institutions) and victims (Africans living in the present) were easily identifiable, and the harm occurred in the present postcolonial period. Although the debt was legal, the corrupt way in which borrowed money was often spent was illegal. The situation in which Africans found themselves violated emerging norms of international equality, and the harm was pro-
found, contributing to starvation, death from disease, political repression, and ecological devastation.

At the organizational level, those working for reparations to Africa might enjoy some success in the future if they heed the lessons of other social movements, not only the Jewish movement for reparations but also the successful movements of Japanese Americans, among others. At present, the relatively isolated advocates for African reparations engage in "frame disputes" (Benford 1993:678); there are disputes about which wrongs qualify for reparations, who is responsible for making reparations, to whom reparations should be directed, and indeed what form(s) reparations should take. Claimants might be well advised to engage instead in "frame alignment" activities to link the various small groups that currently exist (Snow et al. 1986:464). Particularly important is "frame bridging," the "linkage of two or more ideologically congruent but structurally unconnected frames regarding a particular issue or problem" (Snow et al. 1986:467); for example, a strong case might be made for linking the African reparations movement more closely to the African American reparations movement. Through all of these practices, claimants might be able to organize the currently un-mobilized sentiment pools into a more cohesive, representative advocacy body. Without "consensus mobilization"—the "process through which a social movement tries to obtain support for its viewpoints"—there will be difficulties in "action mobilization"—the "process by which an organization in a social movement calls up people to participate" (Klandermans 1984:586). The unaffiliated individuals and few small organizations that constitute the movement for reparations to Africa would be strengthened if they could supplement their informal networks with more formal organizations linked more closely to other formal organizations with similar goals.

In sum, to achieve the success that the Jewish movement for reparations experienced, claimants for African reparations must present clear, limited demands for recognizable wrongs caused by recognizable agents and events. Those most likely to succeed will be claims for reparations for harms that were illegal at the time they were committed, or at least are illegal now; for violation of the right to life or bodily integrity; for violation of the principle of equality; and for violation of property rights. The victims must be a finite group of people, preferably still living. The causal chain of harm should be short and obvious. And in the case of the call for financial reparations, the amounts must not be so large as to seem unreasonable to the governments and publics of the states from whom reparations are claimed.

Postscript

Our objective in this article has been to deploy the analytical tools for the understanding of social movements to the case of the African reparations
movement. Applying the same framework to the largely successful effort to secure reparations for Jews whose families and properties where affected during the Holocaust illuminates what has worked, what has not, and why. This analysis is not in any way a commentary on the moral worthiness of the African claim for reparations. Our personal view is that the West (or particular Western countries, institutions, and organizations) owes Africans acknowledgment of, and apology for, the harms it has perpetrated against them. Africans are also owed memorials, museums, and other symbolic and educative reparations. With regard to financial compensation, however, we believe that Western governments, institutions, and individuals are obliged to assist all Africans in realizing their economic rights, regardless of who or what caused current problems. But the point of the analysis in this article has to do with effectiveness, not worthiness.

Acknowledgments

The authors are grateful to Neil McLaughlin and Matt James for comments on an earlier version of this paper, and to Kristina Bergeron, Michael Lisetto-Smith, Dan Milisavljevic, and James Gaede for research assistance. Rhoda Howard-Hassmann thanks the Social Sciences and Humanities Research Council of Canada (SSHRC) for funds, and the Canada Research Chairs program for the time she needed to write this paper. Anthony Lombardo is also grateful to SSHRC for the Canada Graduate Scholarships–Master's Scholarship which helped fund his studies during the time this article was researched and written.

References


bbc.co.uk/1/hi/world/Europe/2498521.stm.


Notes

1. Much of our thinking on the claim for reparations as a social movement emerges from our reading of the brilliant book by Keck and Sikkink (1998), especially their discussions of causal chain, physical harm, ideals of equality, and condensation points.
2. Both authors were present at this talk.
4. Personal communication from Paul Kerstens, a researcher for Belgium’s Lumumba Commission.
5. Rhoda Howard-Hassmann witnessed one such demonstration in 1997.
6. From 1996 to 2003, Rwanda received $200 to $300 million annually (U.S. Department of State 2003).