

The South African Movement for Reparations and its Legal Interventions

Rita Kesselring, Institute of Social Anthropology (Rita.Kesselring@unibas.ch)

Globally, social concerns are increasingly taken to court with the hope of social change being instituted through legal institutions. This study is an ethnographic work on victims of gross human rights violations committed under the apartheid regime. It focuses on the formation of subjectivities during legal processes that followed from the South African Truth and Reconciliation Commission.



Figure: Members of the South African victims organization

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The research project seeks to understand the impact of legal thinking and legal practices on personhood and on the formation of subjectivities during processes of legalization of social conflicts.

The study draws on legal processes which have followed from the South African Truth and Reconciliation Commission in the mid-1990s, thus looking at the effects of a truth commission and other measures of ‘transitional justice’ in the aftermath of a transition to a democracy.

The work is informed and stimulated by the effects of a class action suit filed by victims of gross human rights violations committed under the apartheid regime. The plaintiffs sue companies abroad that did not disinvest from business with the apartheid regime. They have also instituted legal action against the current democratically elected South African government in cases addressing questions of impunity for perpetrators under the apartheid regime.

The project seeks to examine empirically, firstly, the ways in which victims/plaintiffs are rendered – or render themselves – to testifiers and/or witnesses of past atrocities and to social activists fighting societal issues such as poverty and crime, and, secondly, the ways in which ideals of dignity and the restoration of the self are attempted to be lived up to and practiced by members of an organization claiming reparations for past abuse.

Doing so, the project looks at the notion of ‘victimhood’ beyond its narrow sense of bodily integrity but grounded in everyday practicalities.