

Repairing the past? - international perspectives on reparations for gross human rights abuses

Intersentia - 'The return of things as they were': New humanitarianism, restitutive desire and the politics of unrectifiable loss



Description: -

- Reparations for historical injustices.

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Max Du Plessis, Steve Pete; Repairing the Past? : International Perspectives on Reparations for Gross Human Rights Abuses

However, it is important to note that providing another reason to respect the rights contained in the ICESCR is not a matter of playing favorites among victims. Firstly, it indicates how the German Holocaust was predicated by an earlier genocide.

Amnesty or Impunity? A Preliminary Critique of the Report of the Truth and Reconciliation Commission of South Africa (TRC)

Because of these factors, which will stymie or limit such cases for some time to come, the political route for redress will become more important in the future. Last access on April, 19, 2004.

'The return of things as they were': New humanitarianism, restitutive desire and the politics of unrectifiable loss

Notably, as mentioned earlier, the South African government under former President Thabo Mbeki initially opposed the lawsuit because it was thought that the matters were not legal but political, that the TRC had already dealt with them, and that using foreign courts to address matters central to the future of South Africa infringes on state sovereignty and would scare away much needed foreign direct investment FDI. South Africa has also been called on to provide reparations to the Hereros.

Repairing the Past? International Perspectives on Reparations for Gross Human Rights Abuses.

Similar to the first apartheid case, discussed later, and most likely due to the same lack of information, the TRC Report did not attempt the extra step of analyzing any particular transaction or relationship between a bank and an apartheid institution to ascertain: 1 to what extent lending activities aided and abetted oppression; and 2 to what extent banks should have foreseen or known that lending activities would aid and abet oppression. There has, for example, been an ongoing effort to establish international principles on reparations. It is not a maximalist position but, rather, one that we hope will point the way to possible consensus on this contentious issue.

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Morris, Southern Slavery and the Law: 1619-186 University of North Carolina Press 1996 Akinwumi Ogundiran and Toyin Falola eds. Kluwer Law International, 283-305, 2000. Texas Law Review, 66, 785, March 1998.

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Gruzen, 2001a e 2001b; and M. I argue that while the Freudian perspective calls for reconstruction of what had been damaged or lost, it offers a counter-Durkheimian ethos of restitution-making.

Repairing the Past?

Resolving the Tensions between Crime and Human Rights: European and South African Perspectives.

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