[Visions of Reparation, from the Americas to Palestine](http://nakbafiles.org/2016/11/03/visions-of-reparation-from-the-americas-to-palestine/)

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The Nakba Files

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*The Nakba Files spoke to Mireille Fanon Mendès-France, member and former chair of the UN* [Working Group of Experts on People of African Descent](http://www.ohchr.org/EN/Issues/Racism/WGAfricanDescent/Pages/WGEPADIndex.aspx)*, president of the* [Frantz Fanon Foundation](http://frantzfanonfoundation-fondationfrantzfanon.com/)*, and a long-time France-based Palestine solidarity activist, about connections and comparisons between racism in Palestine/Israel and the USA.*

*The Working Group recently issued a* [report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/183/30/PDF/G1618330.pdf?OpenElement) *on anti-Black racism in the United States, based on a field visit conducted earlier in the year. The report documented patterns of discrimination in the criminal justice system, patterns of police violence, and disparities in access to education, health, housing, and employment. The Working Group drew attention for declaring that “Past injustices and crimes against African Americans need to be addressed with reparatory justice.”*

The Working Group visited the United States for 10 days in January. What were your impressions?

I have been to the US many times before and have even visited Mumia Abu-Jamal in prison so I was not unfamiliar with the situation of anti-Black racism. But I was nevertheless struck on this visit at how little things have changed since the time of segregation. The proof is in the numbers: the scale of mass incarceration, the exclusion from educational opportunities, the number of jobless people. It was especially useful for the Working Group to visit places other than New York and Washington, to get a broader sense of the level of police violence against Afro-American people, especially places like Baltimore, Chicago, and Jackson, Mississippi. We even met a prosecutor in Baltimore who assumed that there is a racial double standard in the justice system.

It is especially important to highlight these issues when we see how the US claims to defend democracy and act for the good of the people in places like Iraq and Afghanistan when it is actually acting in ways to ensure its hegemony and power. The most scandalous example of this is how the US protects criminals such as by providing arms and funds to the Israeli state, to the detriment of the inalienable rights of the Palestinian people. That is why for me it is crucial to make the link between how the US treats people abroad and how it treats people in its own country. The US system is based on systematically treating some people’s lives with more weight than others. It is the same ideology they have been carrying out at least as far back as the days of the Wild West and the frontier, imposing the law of the jungle and never the rule of law.

Beyond the specific policies, it is crucial to confront the ideology of white supremacy, which is still so prevalent and deeply rooted, an unconscious racism [racisme impensé]. These beliefs that Blacks are lazy or violent that serve to justify systems of white supremacy must be challenged. As long as the US refuses to change the paradigm of domination, this racial racism [racisme raciale, i.e. racial classification based on skin pigmentation rather than more generalized forms of prejudice] will always exist. What we see in the US and in Europe is the expression of coloniality of power and the coloniality of knowledge. This logic adheres in the organization of a system that seeks to make a world where everything is not just objectified and commodified, but where being, power, and knowledge are interlinked in a way that creates a Manichean order of masters and slaves, or masters and subalterns. These systems create justifications such as “the war on terrorism” or “the war on drugs” in order to maintain their control over populations. At the same time, they encourage the development of political philosophies and analyses that either justify or simply ignore practices such as bombing, mass incarceration, or police brutality.

The Movement for Black Lives has used this moment to denounce the bases of this structural racism, this Afrophobia. They are working to elaborate a collective project dedicated above all to fostering the emergence of actors capable of initiating social transformations. And they are working in relations of love and not of hatred. We need people such as these to continue working to deconstruct and dismantle this ongoing coloniality of power and knowledge. I hope very much that we will succeed and I will work with them all.

Much of the media attention drawn by your report on the US concerned this line: “Past injustices and crimes against African Americans need to be addressed with reparatory justice.” Can you say more about how the Working Group envisions possible forms of reparation?

The Working Group report calls, inter alia, for the US to take many steps that could advance reparatory justice, including urging Congress to pass H.R. 40 – the [Commission to Study Reparation Proposals for African-Americans Act](https://www.congress.gov/bill/113th-congress/house-bill/40/text) – as well as all pending criminal justice reform bills. We also called on the US to develop a national plan of action to fully implement the International Convention for the Elimination of All Forms of Racial Discrimination and to abolish all policing in schools.

Reparations are necessary to undo all the damage that was done by the history of enslavement, the damage done by the lie that is the ideology of white supremacy, implementing a policy of race as a way to classify and categorize human society. Enslavement was a laboratory where one part of humanity was dehumanized, denied all rights, and rendered invisible in order to reorganize society and the world. I have long felt that the process of reparations as a broad orienting principle has been the best way to challenge paradigms of racial domination and to question the institutionalization of racial policies. It is necessary to broach this topic because many people within the UN and within the international community are not comfortable at all with the idea of reparations. Moreover, I am not naïve: if we did not speak about reparations in this report, I do not think it would have drawn nearly the same level of attention.

The forms of reparations urged by the Working Group were primarily collective in nature – passing legislation, adopting national policies, and so on. The policy platform released by the Movement for Black Lives also emphasizes collective approaches in its [vision](https://policy.m4bl.org/reparations/) for reparations.

In Palestinian discussions of reparation after the Nakba, there is often an emphasis placed on the right of return as both a collective and as an individual human right, one that cannot be signed away by politicians at the expense of the people and the individual. As someone familiar with the situations in Palestine/Israel and the US, how do you think about these different contexts of calls for reparations?

I believe the dehumanization of the Palestinian people is also a harm to all of humanity. If the Palestinian people do not achieve their freedom, sovereignty, and self-determination, then all of us will lose these same rights, one day or another, because international standards will be proven to mean nothing. As with people of African descent or formerly colonized peoples, reparations here are also necessary to restore that which was destroyed by Israel’s violations of international standards, with the support of the international community.

Reparations cannot achieve the goal of restoring justice to individuals without working on the collective level. In Palestine, I never saw the issue of return as an issue to be resolved between individuals. If the right of return were reduced to a simple dispute between the new owner of a house or piece of land and its old owner that would be strange – as strange as reducing the crime of the transatlantic slave trade to a dispute between an employer and a person without any rights. To reduce the right of return to an individual problem is not to question the occupation or its ideology, nor to address Israel’s obligations under international law. In this historical moment of the violence of globalization, powerful states are keen to deal with rights issues while facing scattered individual cases rather than collective ones.

Does the Working Group have plans to visit Palestine/Israel?

When I was chairperson of the Working Group, I met the Israeli ambassador to the United Nations in Geneva and he claimed to be very keen for us to visit his country. Our mandate only allows us to undertake such visits at the official invitation of a government. I had in mind a visit to examine the situation of Ethiopians in Israel, including the state’s use of Depo-Provera contraception on Ethiopian women without their consent, a topic I have [written](http://frantzfanonfoundation-fondationfrantzfanon.com/article1935.html) about in the past. I was also hoping that we could examine the treatment of African asylum seekers. And of course we wanted to look at the situation of Afro-Palestinians, as I have some contacts in that community. Multiple letters were sent to the Israeli authorities in 2014 requesting dates for a visit but they never answered. This is one way that Israel deals with international institutions: they say they fully support human rights but in the end, they use the policy of silence. They didn’t officially refuse, but the end result was the same as if they had.

 As an expert in international law who has been active in solidarity with the Palestinian people for many years, how do you see the current situation in Palestine/Israel?

I have visited Palestine/Israel many times since 1990, often while working with the [International Association of Democratic Lawyers](http://www.iadllaw.org/) and [l’Union Juive Française pour la Paix](https://www.ujfp.org/). But I have not been back since 2012. For me, there is a big problem with the isolation of Gaza. I do not like the idea of visiting Palestine without being able to go to Gaza, where I have been many times and have many comrades.

During my last visit, I was disturbed at how the isolation of Gaza is accepted by some Palestinians in the West Bank, too. The way some – not all – of the Palestinian officials and NGOs I met spoke about Gaza made me very uncomfortable, speaking as if it was a terrorist part of Palestine that they wanted to distinguish themselves from, speaking as if the 2006 elections [in the Palestinian Authority, which Hamas won] did not exist. The state of Israel is making the life of people in Gaza a nightmare and some people in the West Bank are participating in this nightmare. This fragmentation, the cutting off of Gaza and bringing Ramallah into capitalist globalization, shows the dangers of trying to resolve these kinds of issues separately rather than collectively. I hope the Palestinian people are able to continue to insist on their unity in the face of these attempts to divide them. I very much hope the International Criminal Court will carry out its duty and bring to justice known war criminals before they continue to kill innocent people and violate international law.