

BOOK REVIEW

Jaco Barnard-Naudé. *Spectres of Reparation in South Africa: Re-encountering the Truth and Reconciliation Commission*. London: Routledge, 2024. ix + 244 pp. Index. \$144.00. Cloth. ISBN: 9781032268613.

There was always *something* meta and self-consciously deconstructionist about the South African Truth and Reconciliation Commission (TRC) and Jaco Barnard-Naudé's formidably philosophical analysis heightens the dizzying sense of *mise en abyme* created by the myriad secondary (and tertiary and so on) accounts of this extraordinary but—in practical terms—virtually toothless phenomenon.

By its own subdivision of the concept of *truth* into four categories the Commission itself hinted at the spectrality of its own aims, and the narratives it heard—often in imperfect translation—gave haunting and haunted accounts of events that were years, even decades, old, marred by inaccurate and sometimes false memories as well as by outright lies and willful omission. Balancing the Amnesty Committee, the Reparation and Rehabilitation Committee by its very existence acknowledged that violent acts could not simply be forgotten and forgiven but demanded material consequences. Simultaneously a government institution and an independent body, the TRC fundamentally lacked power: At the end of it all, the most substantive of the Commission's recommendations—substantial monetary reparations to victims of gross human rights violations and a wealth tax on beneficiaries of apartheid—were rejected by the government.

Jaco Barnard-Naudé argues that, nearly thirty years on, the TRC has left South Africa haunted by the specter of reparation. Using Lacanian theory, he asserts that the Commission was marked by a fundamental lack: it asserted the need for reparation but never had the capability to repair; it identified the necessity to repair while demonstrating the impossibility of repair. "Reparation functions in the TRC," writes Barnard-Naudé, "as this form of ghost which is neither fully present nor absent," unable to bring promised closure and instead "opening up a relation with an unresolved past" (13).

Nevertheless, Barnard-Naudé insists that the TRC's inbuilt lack and the specters of reparation it has left us with are not necessarily negative but potentially emancipatory. Indeed if there is one figure of speech that defines his highly complex analysis, it is paradox. In his second chapter, hinging on a close reading of legal historian Adam Sitze's *The Impossible Machine: A Genealogy of South Africa's Truth and Reconciliation Commission*, Barnard-Naudé unpicks the way in which the TRC represented both something exceptional and something normal at the same time. While his use of Sitze is typically meta (reading Sitze reading the TRC in light of Agamben and Foucault), he endorses Sitze's point that the TRC was less *sui generis* than generally understood, and in fact had numerous

precedents in various colonial Commissions of Inquiry. The TRC's central, enabling/disabling paradox of offering amnesty as a basis for the future rule of law in the "new" South Africa was little different from the principle of indemnity that had been critical to British imperial rule. Similarly, the TRC's compensation committee reproduced the old inquiry commissions' treatment of reparative compensation as discretionary rather than legally obligatory.

In the same chapter, Barnard-Naudé reiterates Mahmood Mamdani's famous critique of the TRC for focusing on individual acts of violence rather than on social structures and makes a strong case for white South Africa to make good *now*. He builds on this practical call in Chapter Four, where he exposes the feebleness of the TRC's dealing with the business community. Drawing significantly on Derrida, Barnard-Naudé denounces the business community's spectral presence in the archive. Some of the book's most vigorous and straightforward language describes the inadequate three-day-long "special hearing" on business and calls out the calculating nature of the statements made (95). He argues that the TRC officially concluded that business had a case to answer for reparation (101) but, by not pushing that case, basically accepted the (neo-)liberal defense of business rather than the radical critique of it—ruling out economic exploitation as a gross human rights violation. Had it gone the other way, reparation might indeed have been compelled.

Especially in the cases of SANLAM and Armscor, Barnard-Naudé clearly demonstrates the appropriateness of his image of the specter: the TRC revealed that there was something there—a case to answer—but apparently not there sufficiently substantially to require compulsory reparation. That despite the fact that, as Barnard-Naudé insists, there were existing legal bases on which to act. He calls out the South African government's squelching of subsequent citizens' attempts at securing reparations in US courts as particularly disingenuous since it was business rather than the government that would have been on the hook for any damages.

Subsequent chapters return to Barnard-Naudé's challengingly paradox-laden analysis ("As the work of mourning momentarily refuses forgiveness, forgiveness momentarily refuses the work of mourning" (171), but his notion of "reparative citizenship," while still highly abstract, offers an intriguing argument for the necessity of "poetic" thinking. For all its critique of the apparent futility of the TRC, *Spectres of Reparation in South Africa* ultimately insists on the human necessity to continue to seek reparation. In the face of "the Irreparable," we have to resort to hope, "acts of the imagination through which concretely material reparative action can be undertaken and realized" (205).

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