

SPECIAL ISSUE ARTICLE

Reparations: Special issue

Christina Nick¹  | Susan Stark² 

¹Inter-Disciplinary Ethics Applied Centre School of Philosophy, Religion, and History of Science, University of Leeds, Leeds, UK

²Department of Philosophy, Bates College, Lewiston, Maine, USA

Correspondence

Christina Nick, Inter-Disciplinary Ethics Applied Centre School of Philosophy, Religion, and History of Science, University of Leeds Leeds, LS2 9JT, UK.

Email: C.Nick@leeds.ac.uk

KEYWORDS: historic injustice, justice, reparations, structural injustice

Recent and renewed concern for racial injustice has revived interest in the importance of making reparations for oppressed peoples (Coates, 2014). Philosophers and socio-political theorists have responded by reinvigorating longstanding debates about the requirement for reparations for colonialism, genocide, institutionalized slavery and racial subjugation (Lyons, 2017; Thompson, 2018), as well as exploring the role of reparations in transitional justice (Murphy, 2017; Pityana, 2018). These debates have also been advanced by social movements such as Black Lives Matter and Rhodes Must Fall, which have highlighted the need to reckon with historical injustices and their continued legacies of harm. These movements have brought into sharper relief the vast magnitude of systemic racism and of the ongoing harms that result from historical wrongs. Indeed, awareness is growing that these colonial and racist structures, as well as intergenerational harms, touch every aspect of contemporary social life. In recent years, the scholarly terrain surrounding reparations has expanded to include work addressing the prospect of reparations for women (Nuti, 2019), Latinx Americans (Corlett 2018), and climate refugees (Buxton, 2019). Scholars have also defended new moral bases for reparations in cases such as police shootings (Page, 2019), mass incarceration (King and Page 2018), and ecological degradation (Katz, 2018).

This volume aims to center wronged individuals and groups in the sense that wronged peoples are the final arbiters of how the wrongs are to be understood, what are their precise contours, how, and to what extent repair can be made, and which particular actions will promote repair. This special issue explores a variety of issues related to reparation-making as a way to mitigate the ongoing effects of these historical wrongs. In particular, it considers a number of questions confronted by those who wish to make a compelling case for reparations.

This is an open access article under the terms of the [Creative Commons Attribution-NonCommercial-NoDerivs](https://creativecommons.org/licenses/by-nc-nd/4.0/) License, which permits use and distribution in any medium, provided the original work is properly cited, the use is non-commercial and no modifications or adaptations are made.

© 2024 The Authors. *Journal of Social Philosophy* published by Wiley Periodicals LLC.

The first question addressed by this special issue is the problem of who ought to make reparations. At first, one might think simply that the perpetrators of injustice ought to pay reparations. The problem with this view, of course, is that many of these large-scale, historical injustices were committed such a long time ago that the perpetrators are now long deceased. Given this, we might instead argue that those who benefitted from these injustices (Butt, 2014) or the institutions of which the perpetrators were a part (Thompson, 2018) ought to pay reparations.

Second, and related, is the matter of to whom reparations are owed. As is the case with the perpetrators, the injustices in question were committed long in the past, so that none of their victims are alive today. As a result, some argue that we owe reparations to the dead (Ridge, 2003) while others hold that the descendants of victims inherit a right to reparations for debts unpaid to their ancestors or that they are owed reparations for the benefits they would have received from their ancestors were it not for the unrectified injustice (Boxill, 2003).

Finally, once we have established who owes reparations and to whom they are owed, we are faced with the issue of what constitutes reparations. Restitution, in the sense of returning victims to the *status quo ante*, will usually be impossible in the case of historical injustices. Instead, reparative measures typically aim at mitigating the effects of past injustices as much as possible: providing compensation to victims, their descendants, and communities. This should, however, not be exclusively understood in terms of paying material compensation as it leaves unaddressed other plausible aspects of repair, such as acknowledging the wrong through apologies and commemoration, changing institutional practices, providing education and other resources to prevent the recurrence of these wrongs. Relatedly, some have argued that backward looking reparations (focused on addressing the historical wrong) are not the most effective approach and that instead reparations should focus on making victims' lives better in the future or promoting future relations between perpetrators and victims and their communities (Táiwò, 2022). This shift in perspective has sometimes been described as a move from corrective to restorative justice.

Despite these and other complications, calls for reparations for past injustices have been increasing in urgency. The aim of this special issue is to further elucidate some of the important theoretical questions surrounding issues concerned with reparation, and in turn, inform these calls for acknowledgment of, and engagement with, historical injustices committed by our societies.

The special issue begins with two papers that consider the concrete reparations owed in response to the historic and ongoing injustices faced by two particular groups: indigenous peoples in North America and forced migrants.

Waziyatawin argues that a reparative justice project, Makoce Ikikcupi (or Land Recovery), undertaken by the Dakota people, represents an important step forward in addressing the United States' past and ongoing policies of genocide, land theft, and ethnic cleansing of the Original People of the occupied land known as the state of Minnesota. Waziyatawin details how recovering the ancient tradition of earthlodge building, in conjunction with the returning stolen lands (what some call the #landback movement) can be an important step forward in removing, what she calls, the iron collar of the colonial state.

Laura Santi Amantini's paper argues against prevalent accounts of why we owe duties to forced migrants. She holds that we need to consider the ways in which forced migration is often not only a result of the actions of the state of origin, but also of the direct actions of external states and non-state actors. When such agents acted in a way that directly and foreseeably contributed to forced displacement, where such actions include the upholding of global systems of inequality, these agents are outcome responsible and therefore owe reparations.

The next two papers in the special issue then go on to explore the way in which reparations can be justified in the first place.

Luke Moffett's paper begins by considering three of the most common justifications for making reparations: bringing about justice, moral recognition, and reconciliation. He argues that all three of these will inevitably fall short in practice because they cannot sufficiently account for the centrality of contestation in the reparations process. Instead, he proposes that the aim of reparations, when applied to real life cases, ought to be the striking of a balance between remedying the harm experienced by the victims and providing the perpetrators with an opportunity to rehabilitate their own moral position.

Mark Reiff's paper proposes that, next to standard justifications for reparations based on the principle of equality, arguments to the same effect can also be made based on the principle of liberty. Taking the fundamental libertarian principle of self-ownership and Nozick's principles of just acquisition and transfer, Reiff argues that all of them have been clearly violated in contexts ranging from the colonial theft of indigenous land and slavery to the economic exploitation of women and workers. As a result, Reiff holds that a large class of people in society are owed reparations and defends the position that current wealth can be used as a proxy to understand who owes it and who is owed.

The following three papers in this special issue then discuss the recent structural turn in the reparations literature.

Susan Stark's paper distinguishes between addressing current injustices and repairing the past for its own sake. Stark argues that while it is an obligation to address unjust social structures, this is not sufficient to address past injustices. She argues that because individuals in the present are members of cross-temporal collectives and because individuals in the present might have been the wrongdoers of the past, they have moral obligations to repair past injustices beyond their obligations to address present injustices. The first step in addressing the past for its own sake, in Stark's view, is to center the perspectives of wronged individuals and groups.

Hochan Kim's paper develops the important structural approach to reparations by pairing it with, what Kim calls the "Beneficiary Pays Principle," or the idea that those who benefit from injustice owe reparations for that injustice even if they did not perpetrate the injustice in question. Kim develops a view that he calls, "Radical Reparations" which reinterprets what it means to benefit from an injustice. Kim argues that benefits are not only material (like wealth and property) but also include positions of power and privilege within a society.

Finally, Jennifer Page's paper explores what the structural nature of injustice can tell us about the measures that will be most appropriate in response to them. Using the case of the Black American experience in the United States, she argues that we need to aim for reparative—rather than distributive—justice that responds to the wider socio-political system of racial domination and white supremacy that has resulted in massive inequalities, both past and present. Page considers three arguments against advocating for reparative justice measures as a response to such harms but ultimately rejects all of these worries and argues that, if we take seriously the enduring racial inequalities created by a system of white supremacy in the United States, aiming for reparative justice is paramount.

The final two papers of the special issue discuss specific forms of symbolic reparations measures.

Melanie Altanian's paper considers the important issue of epistemic reparation in cases of genocide, focusing specifically on the Armenian genocide of 1915–1917. Using the United Nations Commission on Human Rights (UNCHR) as a launching point for her paper and focusing specifically on the right to know, Altanian discusses the crucial problem of genocide denialism. Altanian shows that epistemic reparation requires not only the provision of information and the presence of public education about the atrocities in question, but more importantly requires a cessation of epistemic practices (such as genocide denialism) that distort, occlude, or obscure knowledge of the genocide.

Christina Nick's paper considers whether reparations, and in particular official apologies, can be owed when the harm in question was the result of a dirty-handed action. Official apologies pose a particularly interesting puzzle in this context because a crucial part of any genuine apology is that the agent vows not to act in the same way again in future, but a dirty-handed agent cannot do this; after all, they acted in the best way they could and surely would do so again if a similar situation were to arise. Nick goes on to argue that, if we take seriously the insights from dirty hands theory, this issue can be overcome and that official apologies in such cases can play a genuine reparative function.

Several of the papers in this special issue were presented at the 2020 MANCEPT Workshop "Reparations: Past, Present, and Future" at the University of Manchester. We would like to thank all of the participants and, in particular, Michael Cholbi for organizing the event and for the support he has provided throughout this project. We would also like to thank all of the reviewers and the editorial staff at the Journal of Social Philosophy, especially Carol Gould and Callum MacRae, for their invaluable help in putting together this special issue.

ORCID

Christina Nick  <https://orcid.org/0000-0002-6394-6368>

Susan Stark  <https://orcid.org/0000-0002-7543-2882>

REFERENCES

- Boxill, Bernard R. 2003. "A Lockean Argument for Black Reparations." *The Journal of Ethics* 7(1): 63–91.
- Butt, Daniel. 2014. "'A Doctrine Quite New and Altogether Untenable': Defending the Beneficiary Pays Principle." *Journal of Applied Philosophy* 31(4): 336–348.
- Buxton, Rebecca. 2019. "Reparative Justice for Climate Refugees." *Philosophy* 94(2): 193–219.
- Coates, Ta-Nehisi. 2014. "The Case for Reparations." *The Atlantic*. <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>.
- Corlett, J. Angelo (2018). *Race, racism, and Reparations*. Cornell University Press.
- Katz, Eric. 2018. "Replacement and Irreversibility: The Problem with Ecological Restoration as Moral Repair." *Ethics & the Environment* 23(1): 17–28.
- King, Desmond S., and Jennifer M. Page. 2018. "Towards Transitional Justice? Black Reparations and the End of Mass Incarceration." *Ethnic and Racial Studies* 41(4): 739–758.
- Lyons, David. 2017. "Reparations for Slavery and Jim Crow: Its Assumptions and Implications." In *The Oxford Handbook of Philosophy and Race*, edited by Naomi Zack, 505–515. Oxford: Oxford University Press.
- Murphy, Colleen. 2017. *The Conceptual Foundations of Transitional Justice*. Cambridge: Cambridge University Press.
- Nuti, Alasia. 2019. *Injustice and the Reproduction of History: Structural Inequalities, Gender and Redress*. Cambridge: Cambridge University Press.
- Page, Jennifer M. 2019. "Reparations for Police Killings." *Perspectives on Politics* 17(4): 958–972.
- Pityana, N. Barney. 2018. "The Truth and Reconciliation Commission in South Africa: Perspectives and Prospects." *Journal of Global Ethics* 14(2): 194–207.
- Ridge, Michael. 2003. "Giving the Dead their Due." *Ethics* 114(1): 38–59.
- Táíwò, Olúfẹ̀mi O. 2022. *Reconsidering Reparations*. Oxford: Oxford University Press.
- Thompson, Janna. 2018. *Should Current Generations Make Reparations for Slavery?* Cambridge: Polity Press.

AUTHOR BIOGRAPHIES

Christina Nick is a Lecturer in Applied Ethics in the School of Philosophy, Religion and History of Science at the University of Leeds, UK.

Susan Stark is Professor of Philosophy at Bates College in Lewiston, Maine.

How to cite this article: Nick, Christina, and Susan Stark. 2024. "Reparations: Special Issue." *Journal of Social Philosophy* 1–5. <https://doi.org/10.1111/josp.12561>