Reparations. Interdisciplinary Inquiries
Reviewed by Daniel Weyermann

Jon Miller / Rahul Kumar (eds.): Reparations. Interdisciplinary Inquiries

On Miller and Rahul Kumar, both philosophers at Queen’s University in Ontario, Canada, present a collection of highly interesting essays on reparative justice. As they indicate, reparation is an issue of some weight in today’s political world. Be it civilized victims of war in Iraq, citizens of formerly colonized nations in Africa or South Asia, descendants of slaves in the United States or indigenous peoples around the world—most of them take reparations to be a crucial “tool for social justice” (p. 5).

Reparations as a means to redress historical injustices involve a wide range of problems and issues. Miller and Kumar hint at the importance of conceptual and normative clarifications (p. 5). On the other hand, they admit that the understanding of reparations claims and programs crucially requires the expertise of other disciplines—thus stressing the multi-faceted character of reparations issues. Bringing together contributions from different scientific fields such as history, law, political science, sociology or psychology, they take their volume to be an argument for the “understanding of reparations claims and programs as an inherently interdisciplinary inquiry” (p. 7).

The fruitful discussions that emerge between the different contributors of the volume demonstrate the relevance of such interdisciplinary approaches to reparations issues. To render the problem of reparations more accessible, the volume is structured around different “modules or types of reparations cases” (p. 7). Miller and Kumar put their focus on reparations involving indigenous minorities, slavery and Jim Crow in the United States, conflict, and colonialism. This division makes sense, since a lot of reparations-talk today is concerned with one of these types. Grouping the discussions around these cases also displays what is “unique about each type as well as what all the types share in common” (p. 7).

Furthermore, the division facilitates the discussion among authors writing on one particular type. Reparations also raise some crucial conceptual and normative issues that affect all these cases of reparations claims. Miller and Kumar distinguish “four general clusters” (p. 5) of such issues that involve the following fundamental questions. Firstly, to whom are reparations owed, and who has the duty to make reparations? Secondly, what form should reparations take? Thirdly, what is the relationship between reparations programs and other goals of social justice, such as distributive justice? And fourthly, what exactly is the aim of reparations? Such general concerns regarding reparations are examined in the particular context of the above mentioned reparations cases. This volume thus makes a significant contribution to the understanding of reparations in different contexts. Although introducing a wide range of particular problems and perspectives, it does not lose sight of fundamental and general problems.

Discussing reparations for indigenous peoples, Jeremy Waldron highlights some fundamental and highly interesting problems regarding the notion of indigeneity (see my article in this IGJR issue).

Janna Thompson, another leading scholar in the field of reparative justice, is concerned with reparations for Aborigines in Australia. Thompson states “a political backlash against Aborigines” (p. 71) regarding reparations, which is aggravated by some conceptual difficulties involved in reparations talk. For instance, for many it is not at all clear why present day Australians should be held accountable for past injustices to Aborigines. Furthermore, one may wonder what reparative justice can demand “in a situation where so many Australians depend on resources that were unjustly taken from Aborigines” (p. 71). Regarding the first problem, Thompson hints at the “existence and moral desirability of intergenerational relationships” (p. 72) and the obligation “to keep the commitments of (...) predecessors” (p. 73). Therefore, reparations might also be owed by actual members of such intergenerational communities.

Concerning the second problem, even though interests of non-Aboriginal land users should also be taken into account, it is difficult to deny that Aborigines are owed something for past injustices. Thompson thus argues that “[r]eparative justice would be achieved when the harm done by injustice to relations of respect (...) is repaired or compensated for (...) in a way such that each party can, from its point of view, regard the settlement as a just basis for future coexistence and cooperation.” (p. 77).

Thompson thus not only tackles some important theoretical problems regarding reparative justice, but her essay also gives a good overview on the reparations debate in Australia.

In the last contribution regarding reparations for indigenous peoples, Rebecca Tsosie—a professor of law at Arizona State University (USA)—stresses the importance of the concrete contexts of indigenous reparations claims. According to Tsosie, any discussion of reparations claims—and thus also of Native/non-Native relations—have to consider “Native normative frameworks” and “address Native epistemologies” (p. 43). Considering the Great Sioux Nation in the United States, Tsosie asks “what an intercultural framework for reparative justice might look like”, and suggests “that the starting and ending points might differ from group to group” (p. 44). An interesting enterprise that investigates the role of the damaged in discussions on reparative justice.

Investigating the second type of reparations claims, Glenn C. Loury—social scientist at Brown University (Rhode Island, USA)—argues for a certain kind of reparations (and against others) in the context of slavery and segregation (Jim Crow). Loury holds that “racial stigma, not racial discrimination, constitutes the deepest and most enduring historical harm done to blacks in the United States” (p. 89, emphasis in the original). The problem is not so much that blacks are discriminated—and thus deliberatively deprived by society of moral
and political equality,—but that they were in-
phlicted with a social stigma during the period of
slavery and segregation.

To remedy this stigma, Loury proposes a “in-
terpretative approach” (p. 104) to reparations
rather than a “compensatory” one (p. 104). Re-
parations should not necessarily encompass fi-
nancial compensations for the harm
—since this would not aim at the core of the
problem—, but rather “public recognition”
(p. 104) of historical wrongs. Through this re-
cognition, “past injury and its continuing si-
gnificance can enter into current policy discourse”
(p. 104) and a “national narrative”
(p. 105), thus countering the vicious circle of stigmatisation.

Andrew Valls and Carolyne Benson respecti-
vally from Oregon State University (USA) and
Oxford University (UK) introduce further
concerns regarding the issue of reparations to
blacks in the US. Valls, from a point of view
of political science, argues that the issue of re-
parations to blacks involves some severe mi-
sunderstandings. In his view, for instance, the
history of slavery and Jim Crow are different
issues that deserve separate considerations. Fur-
thermore, he argues that reparations—against
widely held views—do not necessarily involve
monetary compensation. In fact, it might even be
that such payments undermine certain aims of
reparations policies, such as atonement and
racial reconciliation. He also addresses the con-
cern that the focus of the reparations move-
ment on historical justice might be a strategic
or political mistake. This is not the case, he
holds, because to draw attention to the past in-
justices is substantial to address racial inequi-

dalities (p. 115). He also argues that “race-blind
egalitarian theories of justice fail to address (...)
the distinctive racial dimension of inequality
in American society” (p. 115) and thus have to
be complemented by reparative approaches to
justice.

Carolyne Benson, a philosopher, introduces
some “further trouble for unsettled waters” (p.
131). She argues that the attention to gender
in the debate on black reparations has been
neglected even though the “attention to the rela-
tionship between race and gender (...) will be an
important factor in assuring that certain harms
are not excluded from our list of reckonings”
(p. 139).

All the essays in this section deliver important
insight into the problems of reparations to
blacks in the USA and are interesting contri-
butions to the debate.

In the section on reparations for conflict, the
main focus of the contributions is on situations
where countries undergo transitions to democ-

cracy. Pablo de Greiff, director of research at
the International Center for Transitional Ju-

dice, considers “reparations as a political and

not a juridical project” (p. 156). This means,
amongst others, that reparations should be
in front of all “contribute to the reconstitution or
the constitution of a new political order” (p.
156). To do so in the context of transitions to
democracy, reparations should help to establish
“recognition of individuals as citizens with equal
rights” (p. 161), “civic trust” (p. 163) among
citizens and “the attitude of social soli-
darity” (p. 165). Thus, de Greiff, similar to
Loury and Valls, argues that reparations should
be seen in “these explicitly political terms
rather than in the more judicial terms of com-
pensation (…)” (p. 165).

Debra Sarz, a philosopher at Stanford Univer-
sity, investigates further the role of compensa-
tion to counter wrongs of the past. She argues
that compensation is a plausible form of repa-
ration and that “economic compensation re-
 mains a form of redress that belongs in the
toolbox of those seeking to counter the crimes
of the past” (p. 190). However, Sarz admits
that its applicability is limited. For instance, it
is not appropriate in cases where restitution
(and not merely compensation) is possible; or
where the re-establishment of “relations of re-
spect among groups and individuals” (p. 190)
is at stake. In such cases, compensation might
merely be a means to express “sincerity and re-
gret” (p. 190); and can thus help to re-establish
mutual respect.

Catherine Lu, a political scientist at McGill
University in Montreal, gives an historical and
systematic overview on several concrete cases of
reparations—such as the German reparati-
ons after World War I and the Treaty of Ver-
sailles—to investigate their role in world politics.
Focusing on the tension between re-
parative justice and reconciliation, Lu holds
that “reparations may be important for achie-
v ing justice as accountability and as victim re-

oration, but it is also important for fostering
social reconciliation between victims and per-

petrators (…)” (p. 209). In the case of Germany
after World War I, however, the reluctant pay-
ment of reparations did little to promote social
reconciliation. The reason is that reconciliation
also depends on the voluntary acceptance of
perpetrators to meet their reparative obligati-
ons (p. 210). Reconciliation as a potentially
pertinent aspect of reparations is also consid-
red in many other contributions to the vo-

lume.

Regarding reparations for colonialism, atten-
tion is drawn to the wide range of injustices
that have been committed during the colonial
era. Rajeev Bhargava, from the Center for the
Study of Developing Societies in Delhi, focus-
es on cultural injustices. He gives an enlighten-
ment account on how cultural injustices of
colonialism could be addressed. He refers to
apologies that depend on the experience of

shame (p. 242), to truth telling and the enga-
gement in building “common space where dif-
ferent cultures can enter into dialog with one
other” (p. 243). Former colonies like India,
he suggests, could respond to the past wrongs
in retrieving its “own forgotten and neglected
traditions” (p. 246) and to “make sense of the
West in Indian terms” (p. 247); thus contribu-
ting to a “richer, greater commonness” (p. 248)
and reconciliation.

In his essay on reparations claims in South
Africa, Brandon Hamber, former Programme
Manager at the Centre for the Study of Violence
& Reconciliation in Johannesburg, investigates
the symbolic value of reparations. He gives a va-

luable overview on the history of the reparati-

ons debates, some relevant institutions and state
actions. By asking what reparations mean in
South Africa, he stresses the “deeper psychologi-

cal and symbolic needs” that should be ad-
dressed by reparative measures. Furthermore, he
insists on the separation of debates on econo-
ic development and reparations (p. 271).

The essay of Kok-Chor Tan, philosopher at the
University of Pennsylvania, is a highly inter-

esting investigation into some of the basic

problems of reparations in the context of

colonialism. He tackles some of the basic ques-
tions (why, to whom, from who, and what ex-
actly?), focusing mainly on the question of

responsibility. In some length, he argues that
“corporate entities are capable of being respon-
sible and of being wronged” (p. 302), thus estab-
lishing a view on reparations that affects not
only individuals, but also companies, states etc.

As the other sections too, the ones on conflict
and colonialism deliver a highly interesting in-

sight into problems and perspectives in the de-
bate on reparations.

In general, the essays of this volume give an
excellent overview on the crucial questions regar-
ding reparations and the actual state of the
debate. A fundamental concern are the aims of
reparations. Many stressed that reparations
should be understood as a project of reconcilia-
tion with some symbolic weight, thus favouring
strategies of reparation that comprise ac-
knowledge, apology or truth telling. Never-
theless, monetary compensation might still be
important to underline the sincerity of such re-

parations programs.

After all, the volume is mostly interesting for
people interested in theoretical problems re-

garding reparations, since all contributions—al-
though brought together in an interdisciplinary
spirit—are to a great extent “philosophically
minded” (p. 7).