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Wendi Zhou

University of Washington

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Wendi Zhou
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Abstract

I analyze the philosopher Iris Marion Young's application of a "social connection model" to the problem of responsibility for historical injustice raised in her book *Responsibility for Justice* (2011), and pose a critique to this model in addressing harms against Black Americans. I do this through analyzing three group interviews of 3-4 activists each (Black, white, and integrated) and making use of three reparationist conference recordings in collaboration with the African American Redress Network, a coalition of national, state, and local reparations organizations. Overall, I argue that while Young's social connection model presents a solid vision of historical redress that moves beyond either denial or transaction, her model fails to sufficiently incorporate a relational dimension to reparative justice. Instead, I draw on the work of Colleen Murphy to argue for theorizing the African American redress movement as a transitional justice effort. In this way, I hope to explore new avenues of philosophical research that are conducted in partnership with racial justice organizations and individuals with personal connections to past injustices.

Keywords: philosophy, transitional justice, African American, reparations, Iris Marion Young, Colleen Murphy, race

Introduction: Reparations and the African American Redress Movement

While there exist many ordinary language definitions for the term "reparations"—especially when applied to the contemporary U.S. to describe monetary compensation from the federal government to descendants of enslaved people—the word specifically refers to a transitional justice mechanism comprising various parts. According to the 2005 Basic Principles on reparations drafted at the 2005 UN General Assembly, reparations consist of not only compensatory payment for material losses as a result of historical injustice and human rights abuses, but also rehabilitation for survivors, truth seeking and other methods of satisfaction, commemoration, and institutional reform for guarantees of non-repetition of the abuses (International Commission of Jurists, "The Right to a Remedy and Reparation for Gross Human Rights Violations," xiii-xiv). This framework is one still used by reparations activists and organizations for harms against African Americans in the present. Many of such initiatives focus on the development of scholarship programs for those whose ancestors were deprived of an education under segregation, psychological and spiritual healing, the discovery of family histories, and preservation of historical African American sites. The African American redress movement—of which reparations constitutes a significant portion—is different from civil rights and racial justice advocacy in general in its emphasis of past harms: although the latter is admirable (and closely related to the former), it does not always represent an effort to come to terms with the United States' history of racist oppression against African Americans, and particularly communities descended from enslaved people.

Roy Brooks refers to the movement to obtain "redress for slavery and Jim Crow collectively" from federal and/or state governments as the "[B]lack redress movement" (Brooks 1). In this paper, I will use the terms "African American redress/reparations" and "Black redress/reparations" interchangeably. He claims that the start of the contemporary African American redress movement can arguably be traced to the 1989 introduction of H.R. 40—aiming to establish a commission to study slavery and racial discrimination in the U.S. and develop methods of reparation—by U.S. Congressman John Conyers (D-MI). Brooks argues that the Black redress movement centers its claims on a twofold argument:

> First, slavery and the slavelike conditions under which free [B]lacks lived denied these [B]lacks life and liberty (basic capital), plus an estate (financial, human, and social capital) to bequeath to their heirs. Second, Jim Crow forced their descendants, who had little capital to begin with, into the worst jobs, the worst housing, and the worst educational systems, the effects of which are very much in evidence today. (2-3).

What Brooks means is that the African American redress movement cannot be reduced to attempting to rectify a particular historical injustice that happened at an easily definable point in time. Instead, the movement for reparations concerns itself with both periods of historical injustice—including, but not limited to, slavery and Jim Crow—but also their impact on ongoing structural injustices against Black Americans. While initiatives at the federal and state levels are, as of this writing, garnering significant press and legislative attention, I also focus on more local and community-based reparations initiatives in this paper.

The goal of this paper is twofold: first, to analyze the political philosopher Iris Marion Young's (1949-2006) application of what she terms the "social connection model" to the problem

of responsibility for historical injustice in her posthumously published book *Responsibility for Justice* (2011), and to pose a critique to the problems posed by this model in addressing harms against Black Americans. Secondly, I hope to explore new avenues of philosophical research that partners with and brings to the table the experiences of redress activists and individuals with a clear connection to specific past injustices. I do this through arranging focus groups and making use of recordings in collaboration with the African American Redress Network (AARN), an initiative sponsored by centers and institutes at Columbia University and Howard University School of Law which brings together local racial reparations activists for mutual support and technical assistance. In this way, I hope to not only bring more diverse and on-the-ground perspectives into the philosophical debate on Black redress (and historical redress more generally), but also reflect on ways that philosophy can be reconceptualized as a tool to achieve racial justice goals.

I start by reconstructing Iris Marion Young's arguments for the social connection model, and specifically on her application of this model to the problem of historical injustice. Next, I provide an overview of the interviews and testimonies I draw on for my research, and identify significant themes that emerge from these conversations with reparationists. Overall, I argue that while Young's social connection model presents a solid vision of historical redress that moves beyond either denial or transaction, her model fails to sufficiently incorporate a relational dimension to reparative justice. Instead, I use Colleen Murphy's *Conceptual Foundations of Transitional Justice* to examine the potential for theorizing the African American redress movement as a transitional justice effort.

Iris Marion Young and Responsibility for Historical Injustice

In her foreword to Iris Marion Young's *Responsibility for Justice* (2011), Martha Nussbaum pointed out the fact that the work was unfinished at the time of Young's death. Although the latter's husband Dave Alexander supervised its completion, Nussbaum still finds that the separate paper on Fanon and historical injustice, adapted into final chapter of *Responsibility*, "remains less clearly placed in the project as a whole" and as serving more of an appendix in which questions of responsibility for historical injustice are discussed as an extension to Young's conceptualizing of the social connection model rather than constituting a "missing piece to the argument" of the work (Nussbaum xi). Part of my goal in writing this paper is to extend Young's discussion of redressing historical injustice and introduce on-the-ground perspectives to conversations on reparations.

In *Responsibility for Justice*, Iris Marion Young addresses the problem of conceptualizing structural injustice—injustice in which people may be implicated without, as she claims, being guilty of creating or to blame for. She argues that the traditional liability model centered around fault-finding is inadequate for capturing the elements of structural injustice, and advocates for what she calls a social connection model focusing on political responsibility instead. My main argument is based on Chapter 7 of *Responsibility for Justice* ("Responsibility and Historic Injustice"), in which Young applies the social connection model to define the nature of responsibility for instances of historical injustice. In this section, I will first reconstruct Young's conception of structural justice in Chapter 2 ("Structure as the Subject of Justice") and the social

connection model of responsibility in Chapter 4 ("A Social Connection Model"). Next, I will elaborate on Young's application of this social connection model to the issue of historical injustice.

In the first of part of Chapter 2, Young uses the example of Sandy, a single mother of two who faces the prospect of homelessness due to a combination of factors, to sketch out the characteristics of a situation one would define as structural injustice. Young has created Sandy's story in a way that does not involve what she terms "wrongs of individual interaction"—harm caused to one due to the wrongful or unjust actions of others (in Sandy's context, the potential unjust landlord or prejudiced real estate agent) (Young 46). In addition, Sandy's position of being at risk for homelessness cannot be attributed to a particular law or policy which directly works against her ability to acquire a home (47). Finally, Sandy's circumstance is not just a matter of bad luck; instead, Young defines it as an example of a structural injustice, injustice created and reinforced by "[m]any policies, both public and private, and the actions of thousands of individuals acting according to normal rules and accepted practices" (47-48).

Young introduces one key problem with conceptualizing responsibility for structural injustice: because it is difficult to trace a linear relationship between individual agents and structural processes, a liability model focusing on finding causal connections to wrongful harm done is inappropriate for this kind of injustice (96). In a liability model, where "[t]o say an agent is responsible means that they are blameworthy for an act or its outcome," responsibility is assigned to particular agents whose actions can be demonstrated as causally connected to the fault done to another (97). Young argues that for instances of structural injustices such as Sandy's situation of being at risk for homelessness, the liability model of responsibility should not be applied for a variety of reasons, but most significantly because the agents within a society move according to their own interest; or, in Young's words,

> [S]tructures are produced and reproduced by large numbers of people acting according to normally accepted rules and practices, and it is in the nature of such structural processes that their potentially harmful effects cannot be traced directly to any particular contributors to the process. (100)

Instead of applying the liability model to identify the nature of responsibility for structural injustice, Young argues for what she calls the social connection model where individuals are held responsible for structural injustice "because they contribute by their actions to the processes that produce unjust outcomes" and thus share in a forward-looking *political responsibility* to engage in collective action to make such processes less unjust (105).

In Chapter 7, Young applies the social connection model of responsibility to the issue of historical injustice. Young states her position on responsibility for historical injustice in the following way: "We should neither seek guilt for the past in the present nor try to forget it" (172). She presents her position regarding applying the social connection model to historical injustice as somewhat of a middle way between what she calls the "absurd" attempt to identify guilty persons or groups and demand redress from them (i.e. the contemporary white person for the Atlantic slave trade in the 17th century) and the opposite, ignoring the problem of past injustice in favor of shifting focus completely to addressing present-day injustices such as educational, healthcare, and economic inequity—along the lines of Frantz Fanon, Camille Paglia, and Rhoda Howard-Hassman (172, 181). Noting that most prior discussions of responsibility for historical

injustice have assumed the liability model, Young argues that the more "forward-looking" social connection model of responsibility does not reject the need to take responsibility for historical injustice (173). She claims that although "[h]istory matters in the social connection model," it is not to identify guilty parties or to "reproach, punish, or demand compensating damages," and instead attempts to show how the liability model is inadequate for "spread[ing] responsibility widely enough" in the case of historical injustice (especially when perpetrators and victims are dead)—a situation for which responsibility is better clarified with the assumption of the social connection model for at least "supplement[ing]" the liability model, if not replacing it (173-174). She then uses the example of responsibilities that Americans today—particularly white Americans—may have regarding the historical practice of slavery and other injustices against African Americans. Overall, Young argues that "the past matters to the way members of the [American] society take up responsibility for present racialized structural injustice" (174). In the following sections, I will explore more in detail specific aspects of Young's application of the social connection model to African American reparations.

Reparationist Stories: Methods

I have stated earlier that I hope to bring in the voices of reparations activists (reparationists) into the academic debate on the reparations movement. In this way, I also hope to explore new avenues of philosophy as a tool for social and racial justice. Concerning this research paper, I achieve the former goal by setting up three focus groups of three to four individuals each, with the generous support of the African American Redress Network (AARN). I have selected focus groups as my main method of collecting data for this research because of its ability to engage interviewees in discussion among each other. In addition, focus groups participants were recruited and grouped to cover a wide range of experiences and geographical locations in reparations activism. Focus group participants—all of whom are reparationists racially identifying as Black or white—were interviewed according to an interview guide created in collaboration with Dr. Linda J. Mann, the founder of the AARN and longtime advocate for Black redress. Four total focus groups were conducted—two consisting of white reparationists (four in one and two in the other), one composed of three Black reparationists, and the fourth consisting of one Black and one white reparationist in dialogue with each other. Interviewees covered a broad age range and geographical scope (within the U.S.). Every participant in the focus groups provided their consent for the interviews to be conducted and quoted in this paper. A sampling of the interview questions is provided below:

Research Question	**Interview Questions**
Individual How do reparationists understand their own identity? What experiences, relationships, and social contexts have contributed to that understanding?	You have been gathered in this space because you are someone who identifies as a reparationist. What does it mean to be a reparationist? Why do you consider yourself to be a reparationist? What does reparations mean to you? Can you describe what being a reparationist looks like? Can you give an example that demonstrates being a reparationist?

What aspects of "reparations" have they focused on? How have participants supported the reparations movement? How do participants conceive of justice, reconciliation, and redress in terms of the reparations movement?	How did you first get involved in the reparations movement? Tell me about people you know who have shaped your views on reparations or racial justice. What is the relationship with reparations and reconciliation? Repair? Justice? In what ways, if any, are they related or different? What does justice look like to you? How do you perceive the role of non-Black people in the space of reparations? In what ways, if any, is this different from the role of Black people?
Group Identity of groups involved in Reparations	Tell me about the relevant reparations organizations or groups that you are (or have been) a part of. In what ways, if any, do these groups support your work? What aspects of injustice against African Americans are you most focused on redressing? What are some actions you or your group have taken to redress this injustice? How do you see the present structural injustices against African Americans as related to historical injustices? What does reparations mean to you in the context of your work with these organizations or groups?
Change Over Time How has the movement changed throughout their involvement?	How has the movement changed with time? Would you have answered the previous question in a different way in the past? Please describe. What connections do you see between the African American reparations movement and other movements (past or present) for historical redress, such as for wrongs done to Indigenous peoples or apartheid in South Africa? What do you think are common misconceptions about the African American reparations movement? What are your hopes for the future? What are your hopes related to the reparations movement or the organization(s) you are a part of?

An important concern to note here is that I do not identify as African American and am not a person of African descent. In light of this, I turn now to a brief discussion of the ways in which my positionality influences the way I interview these individuals, especially when questions are being asked regarding race. In "Race, Subjectivity, and the Interview Process," Andersen et al. note that in the context of American society, "being 'white' is the un-reflected-upon standard from which all other racial identities vary" (Andersen et al. 132). They argue that interviewers cannot simply be "objective" or merely apply technical skills to interviews with nonwhite individuals—especially those who have a different racial/ethnic/cultural background from the interviewer—but rather consider how race impacts the interviewee (a racialized subject) in what they are saying (132). Andersen et al. encourage researchers and interviewers to take note of "procedural sensibilities" in setting up interviews and interviewing nonwhite individuals. Foremost among these is ethnographic fieldwork: while acknowledging that only members of a certain racial or ethnic community are capable of truly understanding the experiences of members of that community, they claim that such ethnographic fieldwork would provide researchers with better background knowledge and more familiarity with subject communities (142). In the context of this paper, I have engaged in a process of "ethnographic fieldwork" by primarily working with individual reparationist organizations through my volunteer work with AARN, providing valuable information about the reparations movement and the Black communities that are at the forefront of it.

Andersen et al. also emphasize the importance of subjects needing to know the interviewer. They claim that all too often, research is focused on the interviewer obtaining information from the interviewee, leading to little disclosure about the interviewer's own background and positionality. When interviewing people of color, self-disclosure on the part of the interviewer is key to building a relationship built on a sufficient level of trust and mutual understanding (143). Throughout the process of developing my interview guide and setting up the focus groups, I have coordinated with AARN in providing information about myself and this project to focus group participants—including sharing the interview guide to interviewees beforehand. I have also given space for interviewees to ask questions about me, my research, and my own background and experiences prior to asking the questions. Finally, the main reason contributing to the decision to use focus groups (instead of individual interviews)—was that setting up interview groups would function also as an opportunity for reparationists across the country to network, form connections, and learn from each other. My hope is that such procedural practices contribute to a more equitable and culturally sensitive interviewing process.

In addition to setting up focus groups with reparationists, I also draw from three other sources: two recordings of convenings of the AARN in 2019 and 2021, and a 2021 recording of an interview with two activists for Black farmers' reparations. These resources provide valuable information on how reparationists' own lived experiences shaped their view on the Black redress movement. The individuals interviewed as part of the focus groups and featured in the recordings overall provide a sufficiently comprehensive view of the reparations movement in the U.S.

Reparationist Stories

In this section, I turn to the interviews and recordings described in the previous section to highlight certain themes that reparationists have emphasized with regard to how they view

the African American reparations movement. Noting the inherent differences within the movement of how "reparations" is conceived, I discuss aspects of Young's theory that the interviews and testimonies seem to be in agreement about. I also highlight the themes of reparations as *restorative* and *empowering*. These key themes will lead in to my discussion in the next section on conceptualizing the reparations movement for African Americans as a form of *transitional justice*.

First, from the focus groups I conducted and other sources, there does not seem to be one "true" definition for what reparations is or what it means. Some have previously rejected the term "reparations" as a descriptor for their work. Morris "Dino" Robinson, Jr. says that he doesn't think he "ever would have considered [him]self a reparationist": "I guess I'm more of a historian by nature, but in thinking about the greater context . . . you are looking to restore and repair something in the community" (Robinson, interview with the author). Robinson is employed in the publishing industry and is the founder of the Evanston-based organization Shorefront. This organization seeks to preserve an archive of the lives of Black residents on the Chicago suburban North Shore. More recently, Robinson has also been involved in local reparations initiatives centered around Evanston, Illinois. Similarly, Melissa Hartman also used to refer to herself as a "civil rights activist" rather than a "reparationist" (Hartman, interview with the author). In the past few years, however, Hartman has begun to see her work in racial justice as being reparative in nature, especially in the context of the human rights framework (Hartman).

Many participants have agreed, moreover, that there is no unified reparations movement that everyone can agree upon. Indeed, some interviewees distinguish the movement for reparations at the national level through the passage of H.R. 40 ("'Reparations' with a big R") with more locally based initiatives for racial repair ("'reparations' with a little r"). While there has recently been a push to pass H.R. 40, a bill that would create a commission to study African American reparations proposals, many of the interviewees draw attention away from the national level to movements in their own communities. Robin Rue Simmons, former alderman of Evanston, IL, is the leader of the country's first government-funded reparations legislation—focusing on housing in Evanston (Simmons, Reparations 2021 recording). While she believes that locally-based reparations should center on the specific kinds of harms that have occurred in a community, Simmons still believes that the ultimate goal of the movement is the passage of H.R. 40—a national effort to repair the harms of anti-Black racial injustice (Simmons). The relationship between "big R" and "little r" reparations is still a point of debate among interviewees. In her analysis of the case for (federal reparations), Iris Marion Young seems to overlook the conceptual differences that may emerge between considering racial repair at the federal, state, and local levels. While outlining these differences is beyond the scope of this paper, I hope that using testimonies about locally-based reparations can motivate further discussion and reconsideration of the notions of responsibility in different reparative scenarios.

These are but a few aspects that Young unfortunately did not have time to parse out. Overall, however, her application of the social connection model to the reparations movement presents a good starting point—namely, in emphasizing responsibility instead of guilt. As noted before, Young believes that a "tort" framework for conceptualizing racial repair is not ideal; instead, responsibility should be spread out among today's individuals and communities to work

toward more just societies. Many interviewees—particularly white reparationists—also believe that individuals today carry responsibility to redress past injustice (and fight ongoing structural injustices) even if they are not personally responsible for racial harms against African Americans. James Lennox, a student at the University of the District of Columbia and a student researcher at the AARN, does not like the term "white guilt" to describe how he, as a white person, became involved in the reparations movement (Lennox, interview with the author). Instead, he views himself as carrying responsibility to work toward racial equity as someone who has privilege in today's society because of his race. Several other interviewees share his view of responsibility, including Waymon Hinson, who works with the organization Justice for Black Farmers, and Rebecca O. Johnson, who works on environmental, economic, and food issues. Hinson and Johnson view Michael Rothberg's conception of the implicated subject[1] as key to conceptualizing reparations. According to them, responsibility for redressing harms goes beyond "victims" and "perpetrators," and extends to people who are nevertheless beneficiaries of acts of injustice. It could be said that most interviewees think about reparations as going beyond *transaction*, or determining perpetrators and victims and specifying repayment guidelines for harms. A non-transactional model is also a strength of Young's social connection theory of historical injustice, which enjoins collective political responsibility to address structural legacies of injustice.

While Young claims that both Black and white communities should work together to create more just institutions, an aspect of reparations that Young arguably fails to elaborate sufficiently on are the differing roles that Black and white people should play in the movement. An awareness of these differing roles shows up in interviews with white reparationists. Lotte Lieb Dula, a retired financial strategist, is the founder of Reparations4Slavery.com, a portal aimed at educating white people about the movement for reparations, including the study of U.S. slavery and its modern aftereffects, components of the racial wealth gap, and reparative genealogy. Recalling her early life and career, where her circle of acquaintances did not include many people who were not white, Dula says that her main work is in educating white people instead of entering spaces that should center Black voices (Dula, interview with the author). Virginie Ladisch, a Senior Expert at the International Center for Transitional Justice (ICTJ), expresses a similar sentiment when discussing her identity as a first-generation U.S. citizen. While she does not have familial connections with American slaveholders—as with Dula or Sarah Eisner, the co-founder of the Reparations Project—Ladisch realizes that she has benefited from a system that advantages white people and thus has a responsibility to listen to Black voices and work collaboratively toward repair while not "putting the burden of the work on those who have been harmed" (Ladisch, interview with the author).

A recurring theme among these interviews is the restorative nature of reparations. By this, I do not mean that it is possible to change what would have happened in the past; as Young puts it, we have no choice but to "take this past as *given*" (Young 182). Nor am I arguing that the main aim of reparations should be to provide victims of injustice with the distributive goods that they would have had had the injustice not occurred. I am instead arguing from a more relational perspective and noting that reparative *restoration* involves a serious attempt to restore just moral relations between parties with the full acknowledgement of the injustice that has occurred.

[1] See Rothberg, *The Implicated Subject: Beyond Victims and Perpetrators* (2019).

Waymon Hinson, for example, believes that in order for there to be reconciliation, people must be aware that dispossession has occurred—societies cannot move forward with building harmonious relations without understanding the injustice and how relations can be just (Hinson, interview with Linda J. Mann). Notably, this relational emphasis emerges in many interviewees' conception of history as an arena where justice can be served and the dignity of African American communities restored. Dino Robinson, as noted earlier, views the empowerment of Black historical voices as an important component of reparations. He believes that "taking the storylines and histories out of the hands of a conqueror and putting it back into the hands of those who have been subjugated" is a key component of a reparationist thought process (Robinson). Benji de la Piedra, a writer, oral historian, and public scholar currently working on a book about African American journalist Herbert Denton, also acknowledges oral history as a way to help individuals impacted by injustice tell their story on their own terms (De la Piedra, interview with the author). In addition to helping African American communities reclaim power, oral history and other decolonial historical practices can also motivate political action toward more substantive reparations initiatives at the local, state, and national levels (De la Piedra). Gloria Runyon is a reparationist who is also working on oral history. Discussing a recent oral history project interviewing her 95-year-old aunt on land loss in Vienna, Virginia, Runyon agrees with De la Piedra on the restorative power of telling one's story: "For her it was not about getting [compensatory] reparations, but [rather a sense of] 'so you'll listen to me' [and] . . . getting published in the historical archive" (Runyon, interview with the author). The acknowledgement of agency that an existence in the historical imagination, Runyon seems to believe, should not be overlooked. Reclamation and restoration with the awareness of injustice seems to be a key thread running through discussions on history.

However, acknowledging the importance of historical narratives should not be seen as absolving communities and governments from making effort toward more substantive, material repair. Robinson believes that the reparations movement should aim to create lasting change rather than merely propose platitudes such as "racial healing" (Robinson). He, along with Runyon and De la Piedra, all emphasize that the focus should be on racial justice rather than surface-level "race relations." In other words, reparations should aim at the presence of justice rather than the absence of tension between different racial groups. Robin Rue Simmons of Evanston, IL notes how there are celebrations every year for Black History Month to celebrate the diversity of her city (Simmons, Reparations 2021 recording). However, she acknowledges that mere symbolic repair is not enough and that—while every community is different and have histories of different harms—more material reparations plans should be enacted to fully be able to address ongoing housing segregation and wealth disparities (Simmons, Reparations 2021 recording). These harms, she believes, require as a matter of justice that community members who have personal and familial connections to racial injustice in Evanston be empowered in policy-related decision-making (Simmons).

Simmons' perspective and others like it expose another key project of reparations as that of *empowering* Black communities affected by racial injustice. Along with a restorative approach aiming at the transformation of moral and political relationships between individuals and communities, the empowerment of Black communities has also been recognized by interviewees as a fundamental component of the reparations movement (or ideal reparations movements).

While empowering Black communities can be seen as a means to achieve the end of racial repair, Virginie Ladisch also notes its importance as an end in itself. Speaking from her experience working on reparations initiatives in an international context, Ladisch believes that if done well, the process in which just reparative mechanisms are developed and implemented can become "part of the repair" itself[2] (Ladisch, interview with the author). In the next section, I weave the concepts of relational restoration and community empowerment to suggest a transitional justice approach to the African American reparations movement.

Throughout this discussion of the impact of historical racial injustices, it is important to keep in mind that individuals, families, and communities still manage to stay resilient in the face of oftentimes severe injustice. Ladisch, for instance, notes that the use of the legal term "victim" in reparative justice discourses is not meant to imply that those negatively impacted by racial injustice are somehow broken or helpless (Ladisch). Globally, the term "victim" is used to highlight the legal status of victim and the subsequent right to repair it triggers. Additionally, the strength, resilience, and courage of Black communities can be seen in the very efforts made to repair racial harms. As Shoun Hill illustrates in his description of reparations efforts for Black farmers, "it's unfathomable that they [Black farmers and their families] were able to last the way that they have and still keep doing what they're doing" despite being severely impacted by intergenerational harms (Hill, interview with Linda J. Mann).

Reparative Justice as Transitional Justice

I find that reparative initiatives for African Americans in the U.S. can be better viewed through the theory of transitional justice posited in Colleen Murphy's *Conceptual Foundations of Transitional Justice* (2017). While Young's social connection model offers a compelling start to thinking about social and political responsibility for justice, theorizing the African American reparations movement—I argue—could draw significantly from theories of transitional justice.[3] In this section, I home in on Colleen Murphy's theory as developed in *The Conceptual Foundations of Transitional Justice* (2017). I find Murphy's account to be ideal in light of my analysis of reparationist stories because of its conception of the goal of transitional justice being the just pursuit of social transformation.

In *Conceptual Foundations*, Murphy develops a moral theory of transitional justice as aiming at the just pursuit of societal transformation. She rejects the predominant view of *transitional justice as compromise* proposed by such scholars as Eric Posner and Adrian Vermeule, where transitional justice merely consists of attempts to balance corrective, distributive, and

[2] For an example of this, see Carranza et al., *Forms of Justice: A Guide to Designing Reparations Application Forms and Registration Processes for Victims of Human Rights Violations* (International Center for Transitional Justice, 2017).

[3] Although reparations is defined as a transitional justice mechanism according to the human rights framework, literature on racial repair in the U.S. has frequently been treated in isolation from transitional justice concerns. Part of this (discussed later in the section), I assume, as to do with the association of "transitional justice" with non-democratic societies rather than what Murphy refers to as "stable democratic" societies such as the U.S. and Canada.

retributive justice.[4] Instead, Murphy's account of transitional justice establishes it as ultimately concerned with the "just pursuit of societal transformation," this goal becoming "salient in a specific set of circumstances of transitional justice" (Murphy 7). In order for a society to be properly "transitional," she claims that four criteria must be met: the society in question must be characterized by *pervasive structural inequality*, *normalized collective and political wrongdoing*, *serious existential uncertainty*, and *fundamental uncertainty about authority* (41). In such societies, political and legal work should be done to transform "relationships among citizens into relationships premised on reciprocal respect for agency" and reciprocity (34). Murphy takes a capabilities approach to conceptualizing social relations, where she endorses the transformation of relationships into those governed by the rule of law, characterized by a sufficient level of trust, and ultimately ensuring individuals of opportunities for political, economic, and social engagement (34). She uses an analogy to just war theory to explain her relational account of transitional justice: not only should the goal of societal transformation be just (*jus ad bellum*), but transitional justice must also be pursued in ways that are just (*jus in bello*) (35). If a transitional justice effort does not meet both of these criteria, it would be considered unjust.

Because Murphy believes one way that societal transformation can occur is through mechanisms to deal with past wrongdoing, I find her account of transitional justice helpful in thinking about racial repair in the U.S. Recall that one of the points I mentioned in my analysis of reparationist stories is the restoration of just relationships between those who have been negatively harmed by historical racial injustice and those who have unjustly—if unintentionally—benefited from it. This involves not only acknowledging that injustice has occurred and restoring the dignity of Black communities through historical projects, but also working toward more substantive efforts at reparation that are not merely symbolic. Restoring just relationships could be captured under Murphy's theory of transitional justice in a way that expands it and does not reduce it to transaction or denial. In addition, I find Murphy's just war theory analogy to be particularly helpful in distinguishing between the goal of reparations and how repair is conducted. While the restoration of just relationships is an important goal of the African American reparations movement, according to reparationist interviews and testimonies, a significant component of achieving that goal in a just way would be the empowerment of Black communities in ways that are decolonial in nature (i.e. rejecting "top-down" reparations plans meant to merely "settle a debt").

There is, however, one issue on which I disagree with Murphy: that of the scope of transitional justice. Recall that Murphy proposes four key criteria for identifying transitional societies: pervasive structural inequality, normalized collective and political wrongdoing, serious existential uncertainty, and fundamental uncertainty about authority. She argues that the term "transitional justice" can be used when these four characteristics apply to a given society; however, she contrasts these characteristics with the "circumstances of justice obtaining in stable democracies": limited structural inequality, deviant individual and personal wrongdoing, minor existential uncertainty, and narrow uncertainty about authority" (Murphy 41). Given these

[4] See especially Posner and Vermeule, "Transitional Justice as Ordinary Justice" (2003); Mendez, "Accountability for Past Abuses" (1997); and Allen, "Balancing Justice and Social Utility: Political Theory and the Idea of a Truth and Reconciliation Commission" (1999).

characteristics, she claims, the term "transitional justice" as applied to historical redress in stable democratic societies such as the U.S. and Canada would be inappropriate. Murphy acknowledges that stable democratic societies may be pervasively structurally unjust, and clarifies that her goal is to posit analytically useful categories apart from whether any particular society might be transitional or democratic (77). However, Catherine Lu has objected that the usefulness of these categories "may become less plausible if there is no actually existing democratic country that can qualify as a reasonably just and stable and democratic context" (Lu 548). Lu believes that Murphy's theory should be modified so it can be applicable in some degree to all existing political contexts (549). While I believe Murphy's account of transitional justice—especially the parts pointed out in previous paragraphs—to be a good start to thinking about African American reparations (and other historical redress initiatives in democratic societies), I also agree with Lu in challenging Murphy's narrow scope of "transitional societies." From the interviews and testimonies, the consistencies between thinking about racial reparations in the U.S. and Murphy's account of transitional justice are too noticeable to restrict the scope of her theory to non-democratic transitional societies.

One of the goals of this research is to motivate broader conversation on the role of personal experience and on-the-ground testimonies in conceptualizing otherwise abstract notions of repair, reconciliation, and justice. However, one prominent limitation that has been pointed out—and one that I hope to address in future research on the topic—is the Black-white binary. All of the interviewees identify as either Black or white. While a few individuals feel that their ethnic or cultural identity (e.g., Latinx, Jewish) is also important to how they conceptualize reparations, I would argue that the voices of those who racially identify as non-Black people of color (e.g., Asian, Indigenous, racially identifying Latinx) would be an ideal next place to start. From casual conversations, I have noticed the theme of solidarity emerging more frequently among individuals who do not identify as Black but who have also experienced racism in the U.S. (albeit in potentially different ways). Indeed, the notion of solidarity is touched on with my interview with Ilana Hamer, a student assistant at the AARN. Hamer, who is Jewish, says that she first learned about reparations—and the positive impact it can have on those who have experienced injustice—through her grandparents, who were Holocaust survivors (Hamer, interview with the author). Thinking along the lines of solidarity would potentially present ways to challenge transactional conceptions of reparative justice and broaden the conversation.

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