Reparations for Caribbean Slavery: Combining Forward-looking and Backward-looking Responsibilities

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“They stole us. They sold us. They owe us. Reparations now!”
Roger Wareham, International Reparations Summit, New York, 9 April 2015

Reparations movements and scholarship have gained momentum over the last decade. Recent work in political theory argues for focusing on forward-looking justifications for reparations for historic injustice, meaning that claims that certain agents bear responsibility for reparations should be justified on the basis of repairing present injustice for the sake of a better future. This is in contrast to backward-looking justifications for reparations, which claim that particular agents bear responsibility to make reparation on the basis of what they did in the past. In this paper I argue that we ought to combine forward-looking and backward-looking justifications for reparations. I do this through an analysis of the specific claims of the Caribbean Community (CARICOM) who announced in 2013 that they intend to pursue a legal case against European governments for reparations for the transatlantic trade in Africans (TTA) and genocide of the indigenous peoples.

1 This is a slogan of the Pan-Afrikan reparations movement. Human rights lawyer Roger Wareham used it at the opening rally of the International Reparations Summit in New York, on 9 April 2015.
3 CARICOM is made up of 15 Caribbean governments. Only one member has not signed up to the 10-point plan – Martinique.
4 I take this term from Verene A. Shepard, "Jamaica and the Debate over Reparation for Slavery: A Summary Overview," (Office for the High Commissioner for Human Rights (OHCHR)). Other terms include the “Maafa”, “African Holocaust” and “Maangamizi.” I use TTA because these other terms are more expansive and used to refer to slavery, colonialism and neo-colonialism; in this paper I want to refer specifically to past crimes against humanity.
5 It is unclear which European governments in particular are being targeted. Hilary Beckles, historian and the head of CARICOM’s reparations commission, identifies ten countries: the UK, Spain, Portugal, France, the Netherlands, Germany, Russia, Sweden, Norway and Denmark, but whether or not legal cases against all of these countries will be pursued is yet to be decided, as I understand it. Hilary McD. Beckles, Britain’s Black Debt: Reparations for Caribbean Slavery and Native Genocide (Kingston: University of West Indies Press, 2013), p. 164-65.
The theoretical framework for this paper draws on one particular theorist’s thoughts on reparations. Iris Marion Young’s book Responsibility for Justice is an influential intervention in contemporary debates on responsibility and global injustice. The book concludes with a chapter on historic injustice, in which she argues against backward-looking justifications for reparations. While the chapter is unfinished, it was clear the direction Young was taking, and I think it was a mistaken approach. I argue that Young’s theory of responsibility supports both forward- and backward-looking justifications for reparations. This paper, then, is an immanent critique of Young’s work, but it has wider implications, because some of Young’s objections are more general objections to the concept of reparations for slavery and this work could lead to a more general defence of CARICOM’s reparations claim.

Young argues that there are two models of responsibility: the “liability model” which seeks specific perpetrators of wrongdoings and holds them liable for repair; and the “social connection model” which enjoins all those connected to an injustice to share a forward-looking political responsibility for transformative social-structural change. Throughout her work on responsibility for structural injustice, Young argues that the social connection model supplements the liability model and does not replace it. When it comes to historic injustice, however, the social connection is supposed to replace the liability model. I argue that both models ought to be used simultaneously in relation to historic injustice and in this paper I apply the two models to CARICOM’s reparations claim. Using only one of these models will have nefarious consequences: the liability model lets too many agents off the hook; the social connection model allows agents who ought to be held to account for past wrongs to evade their reparative responsibilities.

In part one of this paper I outline CARICOM’s reparations claim. In part two, I outline and critique Young’s objections to backward-looking liability reparations: the counterfactual problem, the state liability problem and that the liability model is too narrow. I do not aim to solve these problems in their entirety; rather I show that Young has not done enough to prove they are insurmountable in relation to CARICOM’s claim. I argue that there is a case to be made on the liability model that European states that committed crimes against humanity in the Caribbean continue to bear liability for these crimes. In part three, I explain the role of forward-looking responsibilities in supplementing the liability model. I argue that Young’s “social connection model” of responsibility explains why European citizens and other agents connected to the historic crimes against humanity committed in the Caribbean, and their legacy, ought to support the reparations movement, and to bear the costs of reparations, in order to create a better future for all.

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I. CARICOM’s Reparations Claim

The Caribbean Reparations Justice Programme (CRJP) consists of a 10-point action plan; a document that combines justification for reparations with descriptions of what reparations should entail – their demands. Here I outline the ten points, as per CARICOM’s 10-point plan, and then I pick out the underlying forward-looking and backward-looking justifications and demands. CARICOM’s case is instructive because of the nature of the demands, which defy conventional thinking about reparations in terms of financial compensation or restitution, and because of the backward-looking justifications for the demands.

1. Full formal apology

The first reparatory demand is a full formal apology for crimes against humanity of Caribbean slavery and native genocide. CARICOM argues that an apology is ‘the precondition’ for the ‘healing process’. While some European countries have issued ‘statements of regret’, this is not enough because it implies that ‘victims and their descendants are not worthy of an apology.’

2. Repatriation

The second demand is a repatriation programme. The statement reads, ‘Over 10 million Africans were stolen from their homes and forcibly transported to the Caribbean’ constituting ‘the largest forced migration in human history.’ CARICOM calls for a repatriation programme using ‘all available channels of international law and diplomacy’ to repatriate anyone who wishes to return to Africa.

3. Indigenous peoples development program

The indigenous population of the Caribbean stood at 3 million people in 1700 and was reduced to 30,000 by the year 2000. CARICOM considers this to be genocide committed by European states (indigenous populations were murdered with intent in order to appropriate their land). The remaining indigenous populations are the most marginalized groups in the Caribbean and CARICOM wants a ‘Development Plan’ to rehabilitate this community.

4. Cultural institutions

There are cultural institutions commemorating and providing education about the TTA in Europe but, ‘There are no such institutions in the Caribbean.’ CARICOM wants such institutions to be funded in the Caribbean to facilitate education and research.

5. Public health crisis

The African-Caribbean population has the highest incidence in the world of hypertension and type-two diabetes. CARICOM claims, ‘This pandemic is the direct result of the nutritional experience, physical and emotional brutality, and overall stress profiles associated with slavery, genocide and apartheid.’ Furthermore, ‘Arresting this

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pandemic requires the injection of science, technology, and capital beyond the capacity of the region.’ Because the health crisis is beyond the capacity of local governments, ‘Europe has a responsibility to participate in the alleviation of this health disaster.’

6. Illiteracy eradication

70% of black people in British colonies were illiterate when they were granted independence in the 1960s, and CARICOM argues that this inhibited the development process: ‘Widespread illiteracy has subverted the development efforts of these nation states and represents a drag upon social and economic advancement.’ Caribbean governments spend 70% of their budgets on health and education, ‘in an effort to uproot the legacies of slavery and colonisation. European governments have a responsibility to participate in this effort.’

7. African knowledge program

African people were uprooted and transported to the Caribbean, and in the process cultural traditions and histories were lost. CARICOM calls for a programme of school exchanges, cultural tours, community artistic programmes, and entrepreneurial, religious and political interactions, in order to remedy the ‘cultural and social alienation from identity and existential belonging.’

8. Psychological rehabilitation

CARICOM argues that the psychological damage from slavery has been passed down through the generations. They claim, ‘For over 400 years Africans and their descendants were classified in law as non-human, chattel, property, and real estate. They were denied recognition as members of the human family by laws derived from the parliaments and palaces of Europe. This history has inflicted massive psychological trauma upon African descendant populations. This much is evident daily in the Caribbean. Only a reparatory justice approach to truth and educational exposure can begin the process of healing and repair.’

9. Technology transfer

The role of the Caribbean in the industrial revolution of Europe was to produce and export raw materials, which meant that ‘the Caribbean entered its nation building phase as a technologically and scientifically ill-equipped- backward space within the postmodern world economy.’ CARICOM calls for ‘technology transfer and science sharing’ in order to give youth access to the same opportunities as young people in other countries.

10. Debt cancellation

The final demand is debt cancellation: ‘The pressure of development has driven governments to carry the burden of public employment and social policies designed to confront colonial legacies. This process has resulted in states accumulating unsustainable levels of public debt that now constitute their fiscal entrapment. This debt cycle properly belongs to the imperial governments who have made no sustained attempt to deal with debilitating colonial legacies. Support for the payment of domestic debt and cancellation of international debt are necessary reparatory actions.’
There is a range of backward-looking and forward-looking reparatory demands within the CRJP 10-point plan. One of these demands is exclusively backward-looking. The call for an apology is a plea to acknowledge what happened in the past and for European states to take responsibility for that. Four other demands have primarily backward-looking functions: the African knowledge program, psychological rehabilitation, the establishment of cultural institutions and the repatriation programme focus on the past, and the need to acknowledge, learn about, research, make peace with, and repair the past. These demands have forward-looking components, however, in that the psychological/cultural demands aim at repairing the past in order to achieve a better future, and the repatriation demand enables present and future people to live in a way that they believe has been denied to them because of past injustice.

The other points in the plan are primarily forward-looking demands aiming at social-structural change for addressing present-day conditions and improving the region for the future: the indigenous peoples development programme, dealing with the public health crisis, illiteracy eradication, technology transfer and debt cancellation.

It is important to note, however, that while the CRJP primarily consists of forward-looking reparatory demands or demands with forward-looking components, all of the ten points involve backward-looking justifications. The demand for repatriation is based on the fact that in the past European states stole African people from that continent and forcibly relocated them to the Americas; because of that they now must cover the costs of repatriating persons of African descent who wish to return to Africa.9 The justification for the indigenous peoples development plan is that because European governments murdered the majority of the population with the intent of expropriating their land they must now pay to help the indigenous groups that have survived. The public health crisis, illiteracy, technology transfer and debt cancellation are all justified on the basis that European governments set up these problems by failing to establish a secure public sector, infrastructure and to educate the populations, after the abolition of slavery and while they held on to colonial power. The legacy of their history of wrongdoing ought to be repaired.

While the 10-point action plan for reparations has forward-looking goals, then, the justifications for reparations are fundamentally backward-looking. Contemporary political theorists including Iris Marion Young, however, are sceptical of backward-looking justifications for reparations.10 In the next section I outline Young’s critiques of backward-looking liability reparations, and suggest why they are wrong. I argue that Young ought to combine her two models of responsibility when thinking about reparations; the backward-looking “liability model” and the forward-looking “social connection model.”

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9 The demand for repatriation is commonly associated with the Rastafari community who have been calling for reparations, including repatriation, since the 1920s under the influence of Marcus Garvey’s philosophy and activist Back-to-Africa movement. Repatriation, as I understand it, is something required by a small segment of the Caribbean population; it is not a mainstream demand. See Caribbean Rastafari Organization (CRO), "Transformation, Reparations, Repatriation, and Reconciliation Position Paper” (paper presented at the Returning to the Source via Reconciliation, Reparations, Repatriation, Transformation and African Nationalism - Creating the Future, University of Ghana, 2006).

II. Backward-looking Liability Reparations

Young argues that there are two models of responsibility. The “liability model” seeks specific perpetrators who committed harm with intent and knowledge, and holds them liable for compensation. It accords with common-sense and traditional understandings of legal and moral responsibility. The “social connection model” generates a non-blameworthy political responsibility to transform “structural injustice” and is shared by all agents connected to the injustice.

Young argues against using the “liability model” of responsibility in response to claims for reparations for slavery in the US. Young’s objections are: the counterfactual problem – we cannot restore people to the level they would have obtained had slavery not occurred because we cannot know what that would look like; the state liability problem – we cannot hold states liable over time; and the problem that the liability model is too narrow – by focusing on specific perpetrators it lets too many relevant agents off the hook. In this section I show why her first two arguments against using the liability model fail, and argue that it is important to use it otherwise historic perpetrators can evade their reparative obligations. I suggest that her third argument is a reason for supplementing the liability model rather than refusing to use it at all.

a) The Counterfactual Problem

Young’s first reason for rejecting the liability approach is that reparation as liability entails restoration – it entails working out what constitutes fair compensation in order to restore victims to the level they would have obtained if slavery had not occurred – and Young argues this is impossible to calculate. As Jeremy Waldron puts it, “The counterfactual approach aims to bring the present state of affairs as close as possible to the state of affairs that would have obtained if some specifically identified injustice had not occurred.” Young writes, “No one can make objective and verifiable claims about such a vague and sweeping counterfactual.” This is a familiar problem in the historic injustice literature; it is known as the “counterfactual problem”. The implication of the counterfactual problem is that we often cannot work out the relevant counterfactual in relation to historical injustice that happened many generations ago, and so these kinds of reparations claims are destined to fail.

What CARICOM is asking for is a process of reparation, not restoration to a state prior to the crimes occurring. Janna Thompson distinguishes between distributive, retributive and reparative forms of justice, and suggests that political philosophers have focused almost exclusively on distributive justice to the neglect of the concept of reparative justice. The aim of reparative justice is not to figure out what the distributions of resources would have been had the injustice not occurred. Rather it is to accept that the injustice has happened, and to find some way to make repair. CARICOM’s 10-point plan does not demand restoration to a state prior to the crimes against humanity committed in the Caribbean region or to the level of wealth the region would have

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11 Young, Responsibility for Justice, Chapter 4.
14 Young, Responsibility for Justice, p. 179.
obtained had the injustices not occurred, rather it is a list of proposals for repairing injustice.

Repair does not have to be construed of in terms of restoration, but can be understood in terms of **reconciliation**. The purpose of reconciliation, for Thompson, is to restore ‘relations of respect’ between the two parties. Thompson writes,

> reconciliation is achieved when the harm done by injustice to relations of respect and trust that ought to exist between individuals or nations has been repaired or compensated for by the perpetrator in such a way that this harm is no longer regarded as standing in the way of establishing or re-establishing these relations. An act or process of reconciliation that accomplishes this objective counts as a just reconciliation.\(^\text{16}\)

Hilary Beckles, the head of CARICOM’s reparations commission has explicitly stated that the aim of the reparative project is reconciliation. He writes, ‘Reconciliation… is the necessary outcome of the claim for reparations, seeking as it does to establish a spirit of mutual respect and obligation between the British state and the descendants of enslaved Africans who continue to be victimized.’\(^\text{17}\)

Half of CARICOM’s proposed plans – apology, repatriation, cultural institutions, the African knowledge program and psychological rehabilitation – are not about distributive justice. They aim at reconciliation and memorialization of the crimes against humanity. The claims that are about distributive justice – indigenous peoples development program, public health, illiteracy, technology transfer and debt cancellation – do not aim to redistribute resources to restore Caribbean peoples to where they would have been had the crimes against them not occurred. They aim at contemporary social-structural change. This will require, however, significant contemporary investment.

Waldron argues further against reparation as restoration that if restoring certain groups to their positions prior to an injustice would create new injustice then the injustice has been superseded.\(^\text{18}\) For instance, if giving back aboriginal peoples their ancestral land would mean uprooting millions of living people whose lives are fundamentally intertwined with the use of that land then this is not reasonable or achievable as the demands of present-day justice count against it. I think this can be conceded without undermining CARICOM’s reparations claim.

If CARICOM were demanding that all the wealth created by African slaves were given back in today’s cash equivalent then potentially we could argue that the injustice has been superseded. Consider that one British TV programme, *The Empire Pays Back*, estimated that to pay two million Caribbean slaves the lowest wage of an English worker in the nineteenth century, plus damages for trauma and loss of assets, it would come to £7.5trillion today or double UK gross domestic product.\(^\text{19}\) If this were the claim then the injustice would be superseded because it would lead to pervasive injustice in contemporary Europe; but this is not what CARICOM is asking for. An apology, for instance, costs nothing. And the kinds of investments in infrastructure and

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\(^\text{17}\) Beckles, *Britain’s Black Debt*, p. 22.


memoralisation requested by CARICOM, while demanding, are unlikely to lead to the bankruptcy of contemporary European states. If, then, reparation is understood as reconciliation rather than restoration, the claim that restoration is impossible thus invalidating the reparations claim fails, and the injustice has not necessarily been superseded.

To the extent that any of CARICOM’s claims are restorative, they are the repatriation and African knowledge claims; which aim either at restoring people to the country of their ancestors’ origin or reclaiming a cultural heritage, the transmission of which was interrupted by slavery. These claims do not necessarily invite the counterfactual problem, however, because they do not aim at redistributing resources to restore a status quo ante distribution or to return stolen land. Rather, these demands aim to provide groups with opportunities that they have been denied because of injustice. The previous eight demands are not necessarily subject to the counterfactual problem as they do not aim at restoration, but rather repair in terms of reconciliation and contemporary social-structural change. In regards to CARICOM’s overall reparations claim, then, the counterfactual objection is not sufficient to undermine it.

b) State Liability

Young’s second argument against backward-looking justifications for slavery reparations is that states cannot be targeted for reparations for historic injustice because there are difficulties in tracing the responsibility of states over time. She does allow, however, that corporations who profited from slavery can bear liability. She writes, ‘The liability model potentially works here; the agent being held liable is the same agent that more than one hundred years ago did business involving slavery or slave owners, and there may be records to prove it.’ If corporations can be held responsible on the liability model over time, however, then why can states not similarly be held responsible?

To argue that states can bear liability for crimes against humanity committed in the past we need to make some assumptions about collective responsibility. In general, attributing responsibility to an individual requires that the individual can reason about the world and act on the basis of those reasons. Most theorists of collective responsibility agree that certain kinds of groups cannot bear collective responsibility because they do not meet these conditions. “Aggregative collectivities,” such as crowds or all people with brown eyes, do not have an internal decision-making structure nor a fixed identity. As Peter French argues an aggregative group, ‘is merely a collection of people. A change in the aggregate’s membership will always entail a change in the identity of the collection.’

A corporation is a different kind of group to a crowd or a mob. A corporation is, what Toni Erskine calls, an “institutional moral agent” – a corporate agent capable of bearing responsibility for its actions.

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20 Young, Responsibility for Justice, p. 176-77.
moral responsibilities. According to Erskine, an institutional moral agent has four features: it is more than the sum of its constituent members; it has an internal decision-making structure; it has an identity over time; and the group is self-asserting (it is not externally defined). A corporation such as Barclays bank, with historical involvement in slave trading, has an identity that is more than the sum of its individual members; when one employee leaves and another joins, it does not affect the identity of the corporation. Barclays has an internal decision-making structure through which decisions are made about whether to own slaves as a corporation or to act as an agent for slave owners. The company has an identity that persists over time. Barclays conceives of itself and asserts its identity as a corporate entity, proudly announcing its 300-year history.

What renders an institutional moral agent capable of bearing responsibilities is that it can reason about the world and take purposeful action on the basis of those reasons by virtue of its internal decision-making structure. It also claims these actions as the actions of the group. It does not matter that particular individuals join or leave the group; the group actions remain the group actions. And this identity persists over time.

Young accepts that a corporation like Barclays Bank is ‘the same agent’ that actively participated in the TTA and ‘there may be records to prove it.’ And by ‘agent’, presumably she means something like an ‘institutional moral agent’ that can deliberate and make decisions that generate moral responsibilities on behalf of the corporate unit. Young already concedes, then, that groups such as corporations can bear responsibilities.

States share a similar internal structure; although the obvious difference is that shareholders can voluntarily join and leave a corporation, but citizens are not in the same position; for the most part citizens are born into a state and it can be difficult and costly, in many senses, to leave. Shareholders in Barclays can be expected to bear the costs of the corporate entity’s obligations because they voluntarily signed up to be a member. State liability is complicated, however, because it raises the additional question of whether citizens can be expected to bear the costs of the state’s obligations if they cannot voluntarily join and leave.

We generally accept that citizens can be expected to bear some costs of membership in the state. On the Rawlsian view, citizens share in the benefits of social cooperation and thus can also expect to bear the burdens. We do not have to accept such a thick understanding of social cooperation, however, to accept that citizens can be expected to foot the bill for some of the state’s responsibilities. If a state signs a treaty, for instance, citizens will bear the costs of fulfilling the treaty through their taxes. Moreover, citizens bear the cost of fulfilling treaties not signed in their lifetime. As Thompson argues, the principle of states honoring treaties or commitments is a

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27 Beckles, *Britain’s Black Debt*, p. 156.
‘transgenerational moral practice.’ We accept that the state is committed to fulfilling treaties signed in the past under past administrations and that citizens will bear the costs of fulfilling those treaty commitments. As Thompson argues this is based on the principle of ‘treating like cases alike.’ She writes of our successors, ‘Their obligation to keep our agreements arises from their belief that the agreements they make ought to be honored by their successors. By committing their successors to honor their agreements, they take on the responsibility of honoring ours. They are obliged to accept the consequences of their practice.’

If a state violates a treaty or harms other states or groups it acquires reparative obligations. As Anna Stilz points out, this is a guiding principle of international law: ‘It is a key principle of international law that states – as unitary legal persons - can be held responsible for their acts. When a state breaches an international obligation, it has a duty to make reparation for any injury it causes, either by making restitution, paying compensation, or providing some alternative form of satisfaction, such as an official apology.’

Thompson argues that in the same way that states can bear transgenerational commitments through signing treaties, states can also bear transgenerational reparative obligations. She reasons that if the state’s reparative obligations are unfulfilled they are passed on to successors, in the same way that responsibility to keep treaties and honor commitments are passed on. The transgenerational moral practice of keeping commitments in the form of treaties is mirrored in the transgenerational moral practice of making reparation for failing to fulfill a treaty or committing a wrong. If citizens can be expected to support their states’ commitments in the form of treaties over time, then we can expect them also to bear the burden of the state’s reparative obligations over time. In both cases citizens did not participate in, nor voluntarily sign up for, these commitments.

If Young is willing to accept that some kinds of groups can bear collective responsibility and liability for wrongdoing over time, I suggest that it is incoherent to argue that we can hold corporations liable over time but not states since both groups share a similar internal structure; they are both institutional moral agents. The fact that citizens do not have the same degree of control over membership as shareholders to corporations is not a reason for rejecting the concept of state liability over time, because citizens can be expected to bear the costs of upholding treaties and can also be expected to bear the costs of treaty violations or other kinds of reparative obligation.

This is not to say that the citizens themselves are blameworthy. To be clear, it is the state as a corporate entity that has acquired the reparative obligations through its wrongdoing – the state can be said to be blameworthy and thus liable to pay reparation. My

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30 *Taking Responsibility for the Past*, p. 16.
31 *Taking Responsibility for the Past*, p. 17.
33 *Taking Responsibility for the Past*, p. 27.
34 Although I realize blameworthiness and liability can come apart. CARICOM’s position is that European states are blameworthy and thus are liable for reparation. We could make a less strong claim and say that contemporary European states are not blameworthy for the state’s acts in the past, but that they are liable to make repair. It seems strange, however, for an entity that is merely liable and not blameworthy to be
argument is that citizens are expected to fund state’s treaty commitments and, thus also, the state’s reparative obligations through their taxes. I say more about this in the final section.35

Young makes a further argument against backward-looking state liability. She claims that, at least in the United States’ experience of slavery, the state has done some good in relation to its African American population and so it is the wrong agent to target for reparations. The state ended slavery, it has passed the Civil Rights Act, Voting Rights Act, and Fair Housing Act; it has invested in infrastructure building and development programmes.26 In Young’s words, it has ‘made explicit reforms aimed at providing some remedy.’

I would argue, however, that all the United States government has done in enacting this kind of legislation is to give African Americans their rights. All citizens are due the right to vote and the right to have somewhere decent to live. These acts may constitute some form of remedy, but they do not amount to reparation in terms of seeking to repair relations of respect. In the European-Caribbean case, European states ended slavery in their colonies and eventually granted the Caribbean states independence in the 1960s. These acts do not amount to reparations for crimes against humanity, but rather were giving these people and states their due.

It could be argued that the development aid given to Caribbean countries since independence constitutes reparations. Development “aid”, however, is inherently imbalanced, implying a benefactor/beneficiary relationship. It includes no apology for crimes that have been committed. As Pablo de Grieff points out, development programs aim at broad social-structural change, not at making repair for past injustice. He argues, ‘Strictly speaking, a development program is not a program of reparations. In fact, development programs have a very low reparative capacity, for they do not target victims specifically, and what they normally try to achieve is to satisfy basic and urgent needs, which makes their beneficiaries perceive such programs, correctly, as ones that distribute goods to which they have rights as citizens, and not necessarily as victims.’36

Most importantly, development aid is not understood by the victims as reparations, otherwise they would not be calling for reparations now. As Thompson points out, both the victim and the perpetrator must acknowledge a reparations package or process. She writes, ‘Victims are not obliged or entitled to regard reconciliation as just unless their just demands are satisfied.’27 If the victims’ demands are to be considered “just” they must not be overly-demanding, Thompson argues, because the aim of the reparatory process is reconciliation so victims too have to aim at relations of respect. As I have suggested in

forced to make an apology for something. So for now I give CARICOM’s combination of blameworthiness and liability the benefit of the doubt.

35 Other theorists have proposed thicker accounts as to why state liability can transfer to citizens. For Anna Stilz, this is justified on the basis that citizens democratically authorize liberal states. Avia Pasternak grounds citizen liability on the idea of intentional participation in the state. Here I take a more minimalist approach. The idea is that citizens incur costs through citizenship. Some of those costs will be transgenerational – such as treaties. If we can expect citizens to bear the costs of fulfilling treaties, then we can also expect them to bear the costs of transgenerational reparative obligations. This raises some controversial issues, however, and I come back to this point in section III. Stilz, "Collective Responsibility and the State"; Avia Pasternak, "Limiting States’ Corporate Responsibility," The Journal of Political Philosophy 21, no. 4 (2013), pp. 361-381.

the CARICOM case, the claims may be demanding but they are not so demanding as to warrant supersession of the injustice. Moreover, they should be viewed as a starting point for the reconciliation process, rather than its end point. European countries have never asked what Caribbean countries want and need as reparation; now that the CRJP is on the table, this is their opportunity.

c) Too Narrow

Perhaps the most important reason for Young in rejecting the liability approach with regard to state liability is that slavery was not simply a state-to-victim crime. It rested on the support of society, including churches, corporations and ordinary individuals. Solely targeting the state lets all the others agents off the hook who would have shared in, or perhaps continue to share, the responsibility for slavery.\(^{37}\) It is too narrow an approach in determining responsibility in relation to historic (and contemporary) injustice.

I agree with Young on this point. Responsibility for slavery in the US or the crimes against humanity in the Caribbean is distributed among many and varied agents. This is where Young’s “social connection model” of responsibility becomes useful. The social connection model allows us to paint a more complex picture of “structural” injustice and to hold all those connected to the injustice responsible in some sense. In the final section of this paper, I show the importance of the forward-looking social connection model in dealing with the historic injustices of the crimes against humanity in the Caribbean.

For now, however, I want to point out that this does not mean we should not use the liability model at all. Instead, it is a reason to supplement it. When addressing present injustice, Young argues that the “social connection model” of responsibility supplements the “liability model.”\(^{38}\) For example, when thinking about the contemporary structural injustice of sweatshop labour, Young argues that, ‘Owners, managers and local states are the agents that should be held liable for superexploitative and oppressive working conditions.’\(^{39}\) She recognises that these agents operate under constraints that may mitigate their liability to some extent, but does not dissolve it completely.\(^{40}\) The social connection model accounts for the responsibilities of agents with more remote connections to the injustice, such as consumers; it applies to those agents ‘who are connected to but removed from the harm.’\(^{41}\) My claim is that when thinking about historic injustice, we should also use both models simultaneously. Refusing to use the liability model has problematic results, as I will now explain.

\(^{37}\) Young, Responsibility for Justice, p. 177. In Britain’s Black Debt, Beckles argues that churches and corporations should also pay reparations and on the account here, it seems plausible to hold these group agents liable over time. Young’s point is that holding only the state liable occludes the responsibility of these other kinds of agents. I would argue that we could use the liability model to hold states liable and other corporate agents. The issue here, however, is that still leaves out the role of society more generally in perpetuating slavery.


\(^{40}\) “Responsibility and Global Labor Justice,” p. 369-70.

The TTA and native genocide constituted crimes against humanity.\textsuperscript{42} The lower estimate of the number of Africans sold into slavery in the Americas is 9.6 million with the upper estimate around 15 million.\textsuperscript{43} However, this does not account for those who died in the processes of being captured in Africa, imprisoned in Africa awaiting transportation, those who died on the slave ships, or in the “seasoning” process once they reached the “New World”. Some argue for a 1:4 ratio – for every one slave who arrived in the Americas, four others died in the process.\textsuperscript{44} As Hilary Beckles points out, this was a systematic process organised by states and corporations on a global scale.\textsuperscript{45} The captured and enslaved Africans were legally classified as “non-humans”, as property or chattel.\textsuperscript{46} The slave population in the Caribbean struggled to reproduce itself, due to high death rates and low birth rates.\textsuperscript{47} Enslaved women were used as “breeding wenches”, forced into prostitution with the purpose of breeding new slaves.\textsuperscript{48} This enslaved African population replaced the dwindling native population of the Caribbean, which between 1492-1730 decreased by as much as 90%.\textsuperscript{49}

We tend to think now of mass, state-sponsored crimes of forced labour, murder and sexual slavery as crimes against humanity. Indeed, the definition of crimes against humanity adopted at the Nuremberg Trials is ’murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population’.\textsuperscript{50} One of the cornerstones of the reparations’ case is that crimes against humanity are imprescriptible; that is, they are not subject to a statute of limitations. That is why European governments have fallen short of describing slavery as crime against humanity, because it opens them up to litigation.\textsuperscript{51} There are, however, problems with the legal case. There are questions over whether it is possible to prosecute crimes against humanity committed before 1939.\textsuperscript{52} Historically there has been resistance to prosecuting crimes against humanity committed in peacetime or in colonial contexts, as opposed to international crimes committed during war.\textsuperscript{53} Although as David Luban points out, the scope of what can be prosecuted as a crime against humanity has been consistently expanding since Nuremberg;\textsuperscript{54} thus it is not clear that the legal case is unsupportable. I

\textsuperscript{42} Other grounds for reparations claims include unjust enrichment; benefit by European governments, citizens or all white people; and the continuing legacy of slavery. Each of these arguments presents significant philosophical problems. This is not to say they are insurmountable philosophical problems, but they require further research and development. I focus on the crimes against humanity justification for reparations, despite the fact that the CARICOM 10-point plan blurs the distinctions between reparations for crimes against humanity and the legacy, unjust enrichment and benefit arguments.

\textsuperscript{43} Beckles, \textit{Britain’s Black Debt}, p. 50.


\textsuperscript{45} Beckles, \textit{Britain’s Black Debt}, p. 55.

\textsuperscript{46} \textit{Britain’s Black Debt}, p. 56.

\textsuperscript{47} \textit{Britain’s Black Debt}, p. 55.

\textsuperscript{48} \textit{Britain’s Black Debt}, p. 76-78.

\textsuperscript{49} \textit{Britain’s Black Debt}, p. 24.

\textsuperscript{50} Nuremberg Trial Proceedings Vol.1, Article 6.

\textsuperscript{51} Beckles, \textit{Britain’s Black Debt}, p. 198.

\textsuperscript{52} There was a debate during the Nuremberg Trials over whether Nazi crimes committed prior to 1939 could come under its jurisdiction. Telford Taylor suggests that these crimes did not come within the scope of the Trials, but that the court pointed out, “this law is not limited to offenses committed during war”, so that crimes committed prior to the official outbreak of WW2 could potentially be prosecuted. Telford Taylor, ”The Nuremberg War Crimes Trials,” \textit{International Conciliation} 27(1949), pp. 243-374 at p. 343.


would argue, however, that whatever the technical difficulties of a legal case grounded on the claim of crimes against humanity, this does not stop us from saying that morally speaking the TTA and native genocide constituted crimes against humanity.

The implications of such an acknowledgement are significant. As Thompson argues, if an agent harms another they acquire obligations to make repair: ‘Reparation, according to the obligations-dependent approach, is owed only by the agent – individual or community – responsible for the injustice.’ If European states admit that they committed crimes against humanity in the Caribbean, it implies they bear outstanding reparative obligations.

There are historical precedents for states acknowledging and fulfilling these historical reparative obligations. One example is the Queen of Great Britain apologising to the Maori of New Zealand for violation of the Treaty of Waitangi of 1840. In 1995 the Waikato Raupatu Claims Settlement Bill made repair to the Maori with the Queen giving a full formal apology, and the New Zealand government giving back land and paying $40 million (US) in compensation.

The Federal Republic of Germany (FRG) made voluntary agreements to pay reparations to the state of Israel and to survivors of the Nazi Holocaust around the world after World War Two. In this case the reparations claims were negotiated by the newly formed FRG, the non-governmental organisation The Conference on Jewish Material Claims Against Germany, and the newly-established state of Israel.

In both cases, contemporary states were sufficiently moved by moral considerations to pay reparations. What is significant about the German case is that none of the negotiating bodies existed at the time of the injustice, but that the FRG felt sufficient connection or continuity with the Nazi state to pay reparations. And what is significant about the Maori case is the recognition that states’ reparative obligations can persist over time. The Maori case can be viewed as an acceptance that states can bear morally motivating reparative obligations for grave injustices over several generations.

European states acquired reparative obligations by committing crimes against humanity in the Caribbean: obligations that have never been acknowledged, let alone repaired. There is a case to be made that European states continue to bear liability for these crimes.

If we refuse to use the liability model in relation to historic injustices such as the crimes against humanity in the Caribbean, we potentially lose something important. We are allowing historic perpetrators to evade their reparative obligations. Young argues that we

55 Thompson, Taking Responsibility for the Past, p. 42.
58 Ibid. I raise this point because it might be argued that some of the European states being targeted for reparations are not sufficiently similar to their former slaver incarnations. I think such an argument would be disingenuous in the case of the UK, for example, which has had a democratic parliament since the fourteenth century and steady borders. The same cannot be said for all the European countries in question. The FRG, however, acknowledged sufficient continuity with the German state, despite the ruptures of the Nazi government, to take on the burden of reparations.
should focus on ‘institutional reform and investment, rather than payment construed as compensation’. Consider, however, how this reflects the official position of the British government, which said in response to CARICOM’s proposal: ‘We do not see reparations as the answer. Instead, we should concentrate on identifying ways forward with a focus on the shared global challenges that face our countries in the 21st century’. This political rhetoric of focusing on the future allows the British, and other governments, to evade their outstanding historical reparative obligations.

Furthermore, if the focus is on the present and future, potentially any agent in a position to remedy the problems of the Caribbean today would be called on to do so. But as Thompson points out, this emphasis on remedial responsibility takes us away from the emphasis on reparation. CARICOM is calling on the agents that historically harmed the region to make repair; it is not calling for whoever can afford it to help them out of their contemporary plight. Recall that CARICOM’s 10-point plan is not exclusively about investment in infrastructure and state-building, but includes a full formal apology, which is something that can only come from the perpetrators.

As Young argues in *Justice and the Politics of Difference*, everyday discourses about justice involve, ‘calls, pleas, claims upon some people by others.’ And that, ‘Rational reflection on justice begins in a hearing, in heeding a call.’ Young herself emphasised the importance of listening to the claims of the marginalised and oppressed. CARICOM requires acknowledgement of the crimes against humanity committed in the region as ‘the precondition’ for the ‘healing process.’ Failure to acknowledge backwards-looking liability is to ignore the fundamental claim of this community, which is that the crimes against humanity have been committed against them must be acknowledged and repaired.

An apology, the establishment of cultural institutions, and psychological rehabilitation all point to the importance of the recognition by the perpetrators of the wrongs that have been done to people of African descent. It seems particularly important in this case given that African people were classified as “non-humans”, as property owned by white Europeans. There is a need to acknowledge explicitly and formally that African peoples are ‘members of the human family’. As the CRJP plan argues, failure to apologise suggests that ‘victims and their descendants are not worthy of an apology.’ Indeed, many other historically wronged groups have received apologies – aboriginal peoples, the Maori, Native Americans, Jews, the Irish for the potato famine etc. The lack of apology to the descendants of the TTA seems, from their perspective, like a glaring (and racist) omission. From the perspective of reparationists, relations of respect cannot be

63 It should be noted that the community does not speak with one voice; that there is opposition and critique to the way in which CARICOM is handling this reparations claim. See Esther Stanford-Xosei and Kofi Mawuli Klu, "An Open Letter to the Heads of Government of the Caribbean Community (Caricom)," Caribbean News Now (July 17, 2013), http://caribbeannewsnw.com/headline-An-open-letter-to-the-heads-of-government-of-the-Caribbean-Community-(CARICOM)-16846.html
64 This point was raised at the International Summit on Reparations in New York, April 2015.
restored between the Caribbean and Europe until the historical crimes committed in the region have been formally acknowledged.

Young’s two main arguments against backward-looking liability reparations are not sufficient. Against the objection that reparation as restoration is impossible in relation to historic injustice, I argued that CARICOM is not seeking restoration, but reconciliation, and that the costs of this reconciliatory process are not so demanding to claim that the injustice has been superseded. I have argued that states can bear liability over time. States are “institutional moral agents” that can make transgenerational moral commitments, and can also bear transgenerational reparative obligations. In the same way that citizens can be expected to support transgenerational commitments, they can also be expected to support reparative obligations. Against the claim that European states may have already made some repair in the region through development aid, I argued that this is not sufficient to constitute reparation as reconciliation as it does not meet the victims’ justifiable demands.

Young’s only argument against backward-looking liability reparations that carries any weight, I have suggested, is that the liability model of responsibility is too narrow; it potentially lets too many agents off the hook. In the next section I show why this means we should supplement the liability model of responsibility with the social connection model.

### III. Forward-Looking Responsibilities

Young is right to argue that it is not enough to use the liability model on its own when conceptualising responsibility for historic injustice. Using the liability model alone has the undesirable consequence of letting many relevant agents off the hook. I have argued for targeting European states as the relevant agents bearing liability for crimes against humanity committed in the Caribbean. As Catherine Lu points out, ‘A state-centric interactional approach that focuses only on the responsibility of perpetrator states, however, cannot tell the whole story about historical responsibility for many colonial injustices.’ In this section I suggest that using Young’s social connection model of responsibility, in addition to the liability model, has two advantages; it brings to light the responsibilities of other agents connected to the crimes against humanity, and it provides an additional justification as to why European citizens living now can be expected to bear the costs of reparations.

One of the most significant contributions of Young’s theory of responsibility is to argue that there is more to responsibility than the liability approach. She has developed the “social connection model” of responsibility, which argues that all agents connected to an injustice share political responsibility to engage in collective action to transform it; responsibility extends beyond merely the perpetrators of wrongdoing. “Political responsibility”, for Young, is a responsibility without guilt. It is a responsibility that

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66 Young’s political responsibility derives from Hannah Arendt’s conception of political responsibility, which is the responsibility that members of a political community have to ensure the maintenance of the public-political ‘world’, which she distinguishes from legal and moral responsibility. See Hannah Arendt, “Collective Responsibility,” in Amor Mundi: Explorations in the Faith and Thought of Hannah Arendt, ed. James W. Bernauer (Dordrecht: Martine Nijoff Publishers, 1987), pp. 43-51; Young, Responsibility for Justice, Chapter 3.
agents have by virtue of connection to injustice to work to overcome injustice, but it does not imply that the agents are blameworthy for the injustice. Political responsibility, for Young, is ‘more forward-looking than backward-looking. It enjoins participants in social institutions and practices that conspire to produce structural injustice to work together to reform those institutions to reduce their unjust effects.”

Lu argues that just as we consider many contemporary injustices as structural injustices, we ought to conceptualise historical injustice in the same way. On the structural injustice view, different agents are placed in different social positions with varying degrees of power or powerlessness in relation to injustice, and varying kinds and degrees of responsibility in relation to injustice. Colonial injustices relied not only on individual and state perpetrators but also on legal and social norms that enabled individual and state wrongdoing, and on the participation of colonized subjects. A structural approach allows us to bring the responsibilities of agents placed in varied social positions and relationships to injustice into the scope of what concerns us. As Lu points out, responsibility for structural injustice is ‘not zero-sum’. This is useful because it addresses the “too narrow” problem of solely using the liability model of responsibility in relation to historic injustice. We can acknowledge the liability of European states without excluding the acknowledgment of other parties’ political responsibilities in relation to the crimes against humanity.

One group of agents that escapes a liability assessment of responsibility are other states. The TTA persisted for approximately 400 years. To a certain extent then it was sanctioned, or at least tacitly supported, by the international society of states. As Thompson points out, one excuse that is often given for colonial expansion is the following:

“Once indigenous nations came within the ambit of European exploration and exploitation, a European invasion was inevitable. Those individuals and nations hungry for gold, land or power were not going to leave indigenous people alone. The only question was which European nations would seize the opportunities. In the competition for colonies, no nation could afford to take the moral high ground. If England had not assumed control over Australia, New Zealand and as much of North America as it could grab, some other nation would have done so – to the detriment of vital British interests.”

In my view, however, these international norms of the time are not a reason for excusing the historic perpetrator states of their reparative obligations, but rather this analysis brings to light the responsibilities of the international community – or more precisely, bystander states – in perpetuating this structural injustice. It is often claimed that slavery was “legal at the time”. As Nora Wittmann has documented, however, there were international treaties and conventions preceding slavery based on natural law, which prove that there were sufficient legal norms and precedents for considering slavery

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68 Responsibility for Justice, p. 43-52.
71 Thompson, Taking Responsibility for the Past, p. 46.
72 I say that “bystander states” is more precise because, as Erskine points out, the “international community” is not a corporate agent and cannot be said to bear responsibilities. Erskine, “Assigning Responsibilities to Institutional Moral Agents: The Case of States and Quasi-States,” p. 73.
illegal; and many legal scholars at the time did consider it illegal. European states retroactively established laws legalising slavery at least a century into the practice. We now do not take a state’s retroactive passing of unjust laws to legitimate their criminal practices as reasons for saying those practices are legal – think of the Nuremberg Trials overriding Nazi law on the grounds that it contravened natural law. States at the time could have done more to assert the illegality of the TTA and hold slaver states to account, rather than trying to participate in it or tacitly supporting it.

The international community, or bystander states, may bear political responsibility by virtue of their connection to this historical injustice. It would be too strong, I suggest, to claim that states not involved in the TTA bear liability for it, but historical connection to the injustice in terms of tacit support may generate an outstanding political responsibility to support the call for reparations.

In political debates, one reason often cited for treating slavery reparations claims as illegitimate is that the TTA was facilitated by Africans. I do think these claims are often over-stated for political purposes, and they tend to ignore the coercive pressure exerted on African leaders by the Europeans through their greater firepower. Nevertheless, it is true that there were Africans, government officials and private entrepreneurial individuals, who facilitated slavery. If we take a structural perspective on the TTA, however, then the responsibilities of African agents come within the remit of our analysis.

There may be some contemporary African states, corporations or groups that bear continuing liability or political responsibility for historical facilitation of the TTA. It is within the scope of a social connection model assessment of responsibilities to include those with ambiguous relationships to past or present structural injustice and to consider whether they bear responsibilities to make repair. Indeed, there are examples of African states and civil society organisations taking up political responsibility for repairing the TTA. For instance, there have been efforts to memorialize the TTA in Ghana (the former Gold Coast) with the restoration of the Elmina Castles, and in Benin (the former Slave Coast) with the restoration of the road leading from Ouidah to the ocean known as the ‘slave route’, as well as museums, modern monuments, and a consciousness of historic complicity in the TTA in public political culture.

Because the social connection model recognises the responsibility of all those connected to the injustice, it even includes the victims. The victims of the TTA and indigenous genocide have been taking up their political responsibility to resist injustice from the time the crimes were committed – including violent rebellions as well as more subtle forms of resistance – and their descendants have continued to resist until the present day. For instance, CARICOM is acting on its political responsibility by pressing this reparations

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73 Wittmann, Slavery Reparations Time Is Now, p. 97-133.
74 Slavery Reparations Time Is Now, p. 4.
75 Wittmann goes to great lengths to show how “African slavery” was very different to the chattel slavery practiced by Europeans, documenting various kinds of slavery practiced in different regions of Africa at the time. Her argument is that African “slaves” were akin to serfs in European terminology. See Slavery Reparations Time Is Now, p. 34-74. Beckles emphasises the coercion involved in forcing African agents to facilitate the TTA, Beckles, Britain’s Black Debt, p. 168.
76 Britain’s Black Debt, p. 168.
claim and there are groups of Caribbean reparations activists across the diaspora building the social movement.

I have suggested that using the social connection model at the same time as the liability model overcomes Young’s “too narrow” objection. Now I want to argue that the social connection model provides an additional justification for why European citizens can be expected to pay for reparations.

When discussing state liability I argued that citizens residing in the liable states can be expected to bear the costs of meeting the state’s outstanding historical reparative obligations through their taxes, in the same way that they can be expected to meet the costs of fulfilling treaty obligations. It might be objected that if treaties were signed by illegitimate, non-democratic governments that citizens should not be expected to bear those costs; or if the treaty was unjust. Similarly, it might be argued that if the reparative obligations were acquired by an illegitimate or non-democratic state, then citizens cannot be expected to bear the costs of fulfilling the reparative obligations now.

Considering that the TTA and genocide of the indigenous peoples occurred when European states were not full-fledged democracies may then undermine the claim that the costs of reparative obligations can fall on contemporary citizens. Even if some of the European states had functioning parliaments at the time, such as the UK, very few citizens were enfranchised, there was vast inequality of resources, and few citizens had an effective political voice. Why then should the costs of these reparative obligations fall on citizens today?

I could bite the bullet and argue that this is quite simply a principle of international affairs; states sign treaties and acquire reparative obligations, and citizens can be expected to bear the costs of that regardless of the internal dynamics of the state at the time. For instance, the Treaty of Westphalia was signed in 1648 and we tend not to question the legitimacy of its instantiation of sovereign nation-states; indeed our contemporary international political system relies on this premise. Nevertheless, in the case of Caribbean reparations the costs are likely to be significant, and thus I will offer an additional justification for contemporary citizens bearing the costs on the basis of the social connection model of responsibility.

In Young’s framework, there are two forms of connection that generate political responsibility for structural injustice. Firstly, reproduction of unjust structures through action. In the case at hand, Europeans have done little to expose, analyse, criticise and make repair for the crimes against humanity in the Caribbean, which continue to affect the region in the ways CARICOM has described. As Lu points out, ‘there is a distinction between acts of injustice being past and structural injustice being a thing of the past.’ The crimes against humanity were committed in the past, but the structural injustice arising from the crimes and colonialism persists. European silence, indifference and

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78 For instance the Pan-Afrikan Reparations Coalition in Europe (PARCOE), the Afrikan Reparations Transnational Community of Practice (ARTCoP), and the newly established European Reparation Commission amongst others.

79 I raise these criteria because Stilz argues that for a state to be democratically authorized, and thus for the state’s liabilities to transfer to citizens, citizens have to have freedom, equality and effective citizenship. Stilz, “Collective Responsibility and the State,” p. 202-05.

80 Citation removed for blind review.

81 Lu, “Colonialism as Structural Injustice: Historical Responsibility and Contemporary Redress,” p. 278.
failures to challenge this legacy of slavery, genocide and colonialism, in effect maintains the unjust status quo.

The second form of connection that can generate political responsibility is dependency on the oppression of others. We could argue that European citizens now are dependent on the marginalization of the Caribbean region and its reparatory demands. As Onora O'Neill points out, citizens of affluent countries depend on citizens of poor countries not attacking them, emigrating on mass, or undercutting local wages. We could add to this list, not demanding onerous reparations for crimes against humanity committed in the past.

Perhaps these are not the most normatively salient ways in which contemporary Europeans are connected to the crimes and persisting structural injustice in the Caribbean region. There may be other more significant forms; in particular we might want to say something about connection to historical crimes rather than connection to structural injustice happening now. Indeed, for reparations to gain traction within Europe it may require an “historical enlightenment” in relation to past crimes, of the kind that occurred in Germany in the 1980s. Consider that a recent survey in the UK found that 59% of citizens think that the British Empire is “something to be proud of” and only 19% think it is something to be ashamed of. Retrieval and working through the crimes committed may be a precondition for convincing Europeans that they need to take political responsibility for reparations. Highlighting connection in terms of the reproduction of structural injustice or dependency on the marginalization of the Caribbean, however, suggests that the are ways in which European citizens now are connected to this structural injustice by virtue of living in European states.

Once connection to structural injustice has been established, then Young argues that agents have different degrees of political responsibility depending on how much power, privilege (equated with benefit), interest or collective ability then have in relation to a particular structural injustice. I will not attempt to give a fully fleshed-out account of how political responsibilities should be distributed, except to say that in the context of contemporary Europe, some individuals or groups can be said to benefit in relatively direct ways from the historic crimes, such as the descendants of slave owners or associations that have inherited property from slave owners; this will generate a greater degree of political responsibility to support reparations.

The social connection model approach then does not claim that descendants of slave owners, or all white people, are somehow guilty for living off the inheritance of unjustly

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82 Marginalization is one form of oppression for Young. The others are exploitation, powerlessness, violence and cultural imperialism. Young, Justice and the Politics of Difference, Chapter 2.
84 Catherine Lu argues that individuals have a political responsibility to remedy ‘inherited structural injustices’ (p.279), which could entail reparations. I disagree with the inheritance approach because European individuals are an aggregative collectivity, as such they cannot bear responsibilities and they therefore cannot inherit responsibilities. Instead, I think we need to establish why individuals now are connected to structural injustice with roots in the past.
acquired wealth; but that their connection to the persistent structural injustice in the Caribbean generates a political responsibility to try to overcome it by supporting reparations through their taxes and potentially through collective political action.

The justification for European citizens bearing the costs of reparations is ‘more forward-looking than backward-looking’. European states bear backward-looking liability for reconciling their past transgressions. But contemporary European citizens bear a forward-looking political responsibility to support this project, in order to create a better present and future. European citizens’ responsibilities are not backward-looking because it is not reasonable to claim that they personally bear liability for the crimes committed; they were not alive at the time of the crimes and played no role in them. Their connection to persisting structural injustice generates a forward-looking responsibility for transformative change, and continuing benefit may generate greater degrees of political responsibility for some individuals.

The forward-looking social connection model supplements the liability model in relation to CARICOM’s reparations claim because it explains why European citizens ought to support reparations on the basis that they bear a forward-looking, non-blameworthy political responsibility by virtue of their connection to injustice. It also explains how other agents connected to this historical injustice bear political responsibility to support reparations.

**IV. Conclusion**

CARICOM is demanding reparations for crimes against humanity committed in the region. Their 10-point plan consists, for the most part, of forward-looking goals: social-structural change and repairing the crimes of the past to enable a better future. Yet the justifications for these demands are backward-looking: it is because European states committed crimes against humanity that they bear outstanding historical reparative obligations.

Contrary to Young, who wants to eschew the liability model in cases of historic injustice, I have argued that we can use both Young’s “liability model” and “social connection model” in relation to CARICOM’s reparations claim. The backward-looking liability model identifies European states as bearing outstanding obligations for repair. It is on the basis of these backward-looking obligations that a moral case for reparations can be justified. I argued that the counterfactual problem is not relevant in relation to CARICOM’s demands because they seek reparation as reconciliation, not restoration to a counterfactual state of affairs. I also argued that states, as institutional moral agents, can bear transgenerational reparative obligations.

The forward-looking social connection model can explain how all those connected to the injustice, not merely the debtor and beneficiary states, bear responsibility to use this opportunity to move forward, creating change collectively for a better future for all. It also explains why those who stand to lose out from reparations – European citizens – can be expected to support it, because of their connection to the on-going structural injustice in the region.
It is insufficient to only use one model of responsibility in relation to the historic injustice of the crimes against humanity committed in the Caribbean region. Refusing to use the liability model allows historic perpetrators to evade their reparative responsibilities and, thus, will fail to restore relations of respect with the victims. Using the liability model on its own, on the other hand, will fail to bring into the scope of consideration the responsibilities of all the other agents connected to the injustice.