

# Is There a Right to Forget? Historical Injustices, Race, Memory, and Identity

Gregory W. Streich  
*Central Missouri State University*

**Abstract** *This article critically evaluates the argument that individuals and nations have a right to forget their past. Since our histories shape our identities, forgetting is unnecessary, impossible, and politically problematic. Cosmopolitanism allows individuals to combine memory and de-essentialized group identities with more universal identities. Further, governments have no right to forget the past, since they could use this right to avoid grappling with the legacies of historical injustices in the present. Against the view that time heals all wounds, I argue that promoting justice in the present requires us to recognize the legacies of historical injustices such as slavery and to promote some form of restitution.*

## I. Introduction

In this article I examine the tension between two recent proposals of how we, at the dawn of the 21st century, should attend to history. One, made by Jason Hill, is that individuals have a right to forget where they came from in order to construct new, anti-essentialist identities. A second, made by Elazar Barkan, is that nations must apologize and/or offer compensation for historical injustices if there is to be atonement and reconciliation.<sup>1</sup> If the governments of Germany, South Africa, Japan, and the United States asserted a right to forget their pasts, critics would argue that countries cannot and must not forget, especially the injustices of the Holocaust, Apartheid, “comfort women,” and slavery. Hill’s right to forget, then, conflicts with Barkan’s argument that we must remember and rectify.

The current debate about apologizing for and/or providing compensation for the historical injustices of slavery in the US illustrates the tension between forgetting and remembering our past. This debate is not just about *whether* we should forget or remember, but also about *how* the past is interpreted. We know that slavery happened. There is evidence in the form of laws, documents, statistics, ex-slave interviews, etc. However, this evidence does not give us one fixed meaning and interpretation of this history. Because history is both interpreted and remembered, our interpretations differ depending on whether our

---

<sup>1</sup> Jason Hill, *Becoming a Cosmopolitan: What it Means to Be a Human in the New Millennium* (Lanham, MD: Rowman & Littlefield, 2000), p. 5; and Elazar Barkan, *The Guilt of Nations: Restitution and Negotiating Historical Injustices* (New York: Norton, 2000).

social group was/is a beneficiary or recipient of historical injustice, discrimination, and oppression.<sup>2</sup>

The argument below rests on the view that the history of slavery and its legacies are “present” in our collective and individual identities, institutions, and distributions of socioeconomic and political resources.<sup>3</sup> Recall Karl Marx’s observation that humans “make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly found, given and transmitted from the past.”<sup>4</sup> Autonomy, choice, and resistance are exercised within a framework of social structures shaped by history. Historical legacies embedded in the social structures of the present cannot be wished away or denied. Thus, we must be wary of arguments that we should forget the past, since they ask us to engage in such a denial. The history of slavery is ours. How we remember and interpret it—and what we choose to do about it—is where Hill’s right to forget conflicts with Barkan’s argument for restitution.

In Part II, I evaluate Hill’s argument for a cosmopolitan right to forget. While he highlights important dimensions of cosmopolitanism, he backs away from this right to forget and, in doing so, implicitly admits that forgetting may not be necessary, desirable, or possible.<sup>5</sup> In Part III, I examine Barkan’s argument that the injustices of the past must be examined and rectified.<sup>6</sup> Contrary to those who argue that black people should “get over it,”<sup>7</sup> I argue that justice in the present requires us to remember historical injustices and recognize how they continue to shape identities and structures in the present. However, in Part IV, I examine how the politics of memory and time help explain why the federal government has neither apologized nor offered compensation for slavery. In Part V, I compare “passing” and a rejection of “white privilege” to illustrate the tensions between individual autonomy and the social structures of power that shape our

---

<sup>2</sup> Melissa Williams, *Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation* (Princeton: Princeton University Press, 1998), p. 177. I thank the anonymous reviewers of *NPS* for helping me clarify this point and several others in this article.

<sup>3</sup> For a discussion of how slavery shapes the meanings of concepts such as citizenship in our political discourse, see Howard McGary and Bill Lawson, *Between Slavery and Freedom: Philosophy and American Slavery* (Bloomington, IN: Indiana University Press, 1992). The literature on racism is extensive. For two examples of how it continues to affect the lives of black Americans, see Joe Feagin and Melvin Sikes, *Living with Racism: The Black Middle Class Experience* (Boston: Beacon Press, 1995); and Melvin Oliver and Thomas Shapiro, *Black Wealth/White Wealth: A New Perspective on Racial Equality* (New York: Routledge, 1995).

<sup>4</sup> Karl Marx, “The Eighteenth Brumaire of Louis Bonaparte,” in Robert Tucker (ed.), *The Marx–Engels Reader*, 2nd edn (New York: Norton, 1978), p. 595.

<sup>5</sup> W. James Booth argues that the past is neither so powerful that there is no autonomy in the present, nor is it simply a social construction that the present generation can manipulate to the point of wiping the historical slate clean. Instead, memories and legacies provide the present generation with identities and debts that cannot be avoided. See Booth, “Communities of Memory: On Identity, Memory, and Debt,” *American Political Science Review* 93:2 (1999), pp. 249–263.

<sup>6</sup> For example, see Roy Brooks (ed.), *When Sorry Is Not Enough: The Controversy over Apologies and Reparations for Human Injustice* (New York: New York University Press, 1999); Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998); and Barkan, *The Guilt of Nations*.

<sup>7</sup> For example, see Camille Paglia, “Who Is Really to Blame for the Historical Scar of Slavery?” in *When Sorry Is Not Enough*, pp. 353–354.

identities. In Part VI, I defend a political argument for apologizing and substantive forward-looking forms of reparations. I conclude by suggesting that Barkan's morality of restitution and Hill's moderate cosmopolitanism might co-exist in creative tension as we enter the 21st century.

## II. Assessing the Right to Forget

In recent years, liberal theorists of multiculturalism have argued that individuals have a right to *leave* a culture, particularly if that culture is illiberal in nature. These theorists also grudgingly tolerate the existence of those cultures whose members choose to remain embedded in them, since to not tolerate such cultures would violate liberal norms of toleration and anti-paternalism.<sup>8</sup> Some liberal multiculturalist theorists also defend a liberal version of cosmopolitanism, arguing that individuals, even those who leave their cultures, can combine their original identities with new identities that transcend groups and national boundaries—using cultural practices and identities as a toolkit of options from which to choose.<sup>9</sup>

Hill's twist is that he declares an individual's right to *forget* where they came from. Forgetting is a stronger, starker, and more permanent option. Leaving and rejecting allow individuals to carry with them memories of the group(s) they left, and even allow the possibility of returning. Forgetting is a one-time, non-reversible choice. For Hill, this is necessary if individuals want to "wean" themselves from backward-looking and restrictive ethnic, racial, or national identities that are pernicious forms of tribalism (a general category that includes racism, sexism, heterosexism, sectarianism, etc.). Tribalism is a form of "psychic infantilism" that represents "a sublimated process of transferring the infantile need for parental protection on to the ethnos, the nation, the *Volk*. The entire weaning process—which is a precondition for maturity—is prolonged and then sublimated; hence our psychic immaturity, which plays itself out in tribal squabbles."<sup>10</sup> Echoing the liberal critique of communitarianism, Hill argues that individuals must be "capable of cultivating identities separate and apart from the ones they inherit from their parents and/or their immediate socialization spheres."<sup>11</sup>

---

<sup>8</sup> See Joseph Raz, "Multiculturalism: A Liberal Perspective," *Dissent* (1994), pp. 67–79; K. Anthony Appiah, "Identity, Authenticity, Survival: Multicultural Societies and Social Reproduction," in Amy Gutmann (ed.), *Multiculturalism: Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994), pp. 149–163.

<sup>9</sup> See Appiah, 1994, *op. cit.*; Appiah, "Cosmopolitan Patriots," in Amy Guttmann (ed.), *For Love of Country: Debating the Limits of Patriotism* (Boston: Beacon Press, 1996), pp. 21–29; David Hollinger, *Postethnic America: Beyond Multiculturalism* (New York: Basic Books, 1995); and Jeremy Waldron, "Minority Cultures and the Cosmopolitan Alternative," in Will Kymlicka (ed.), *The Rights of Minority Cultures* (New York: Oxford University Press, 1995), pp. 93–119. For critics of liberal multiculturalism, see other essays in Kymlicka, *The Rights of Minority Cultures*.

<sup>10</sup> Hill, *op. cit.*, p. 109. Hill's criticism of tribalism echoes the arguments made against multiculturalism by Arthur Schlesinger, in *The Disuniting of America* (New York: Norton, 1992).

<sup>11</sup> *Ibid.*, p. 108. For a critique of communitarianism, one that Hill relies on in making his argument, see Derek Phillips, *Looking Backward: A Critical Appraisal of Communitarian Thought* (Princeton: Princeton University Press, 1993).

The difference between leaving and forgetting is reflected in Hill's distinction between two strands of cosmopolitanism. One is moderate cosmopolitanism, which allows for ethnic, racial, national, cultural and other group-based identities to partially constitute individual identities, but allows individuals to combine these particular identities with more general principles and identities that transcend these groups.<sup>12</sup> Another strand is radical cosmopolitanism, which defends the right of individuals to reject and forget their roots as morally constitutive and adopt a hybrid of freely chosen identities.<sup>13</sup> Critics of both forms of cosmopolitanism worry that both strands promote rootless post-national identities and ignore the importance of national identity, patriotism, local attachments, and traditions.<sup>14</sup>

Hill envisions moderate cosmopolitanism as a temporary stop on the evolutionary journey toward radical cosmopolitanism. Moderate cosmopolitanism takes group and local attachments as "provisionally necessary until the moral climate of the particular culture has changed enough to accommodate a more full-fledged cosmopolitanism that would demand that persons refrain from substantively identifying themselves in tribalistic ways."<sup>15</sup> Given his goal of affirming "the autonomy, dignity, and equal value of all persons," Hill argues that we must reject tribalism and move beyond psychic infantilism that limits autonomy and choice.<sup>16</sup> To do this, Hill claims, "*We must learn to forget where we came from* in order to write in our hearts the new paeans of moral evolution and therefore liberation."<sup>17</sup>

The right to forget is the core of Hill's radical cosmopolitanism, where individuals are free, autonomous, and equally able to create new identities. However, Hill then states that forgetting is not amnesia, and that he is describing more of a re-socialization of individuals who will *use their knowledge of the past* to create new individual identities that are not essentially constituted by tribal loyalties.<sup>18</sup> While he desires to be a radical cosmopolitan, Hill admits that

---

<sup>12</sup> Hill, *op. cit.*, pp. 131–141.

<sup>13</sup> *Ibid.*, pp. 121–130.

<sup>14</sup> Criticism of both strands of cosmopolitanism is extensive and nuanced. See responses to Martha Nussbaum's "Patriotism and Cosmopolitanism" made by Nathan Glazer, Amy Guttmann, Gertrude Himmelfarb, Michael McConnell, Michael Walzer, and others, for the various arguments against Nussbaum's cosmopolitanism. Critics portray Nussbaum as a radical cosmopolitan who believes that loyalty to humanity supercedes and erases all other attachments. Nussbaum does allow for the importance of local attachments and affections to co-exist within an overarching loyalty to humanity. See *For Love of Country*, *op. cit.* For an analysis of the tension between nationalism and cosmopolitanism, see Mary Kaldor, "Cosmopolitanism Versus Nationalism: The New Divide?" in Richard Caplan and John Feffer (eds), *Europe's New Nationalism: States and Minorities in Conflict* (New York: Oxford University Press, 1996), pp. 42–58. Within nationalism there exists a more exclusive ethno-cultural version where identity is defined by blood and soil and a more inclusive civic version where identity is defined by the acceptance of shared political principles. For a discussion of how these strands are evident in the US, see Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in the U.S.* (New Haven: Yale University Press, 1997).

<sup>15</sup> *Ibid.*, p. 131.

<sup>16</sup> *Ibid.*, p. 143. Hill's argument draws on themes of Nietzschean overcoming, existentialist individuation, and Shelby Steele's "race fatigue."

<sup>17</sup> *Ibid.*, p. 5, italics in the original.

<sup>18</sup> *Ibid.*, pp. 5, 109, and *passim*.

he is still a moderate cosmopolitan, perhaps because he recognizes that forgetting may not be possible, necessary, or even desirable.

His vacillation on this point stems from his negative evaluation of group identities. Hill wants individuals to reject group-based identities because he sees them as *inherently* essentialized, static, tribalistic, infantile, and parochial. As such, they constrain individuation and undermine autonomy by locking individuals into predefined scripts and “lies.” Further, he rightfully wants to reject discredited notions of biological race, predicated on the “one drop” rule in which one drop of “black blood” makes one black in the US.<sup>19</sup>

Hill is right to point out the many dangers of essentialized identities. However, the political importance of groups and cultures can be retained *without* retaining essentialism. Michael Dyson’s anti-essentialist view of black cultural identities is helpful here. For Dyson, “black culture is not static or one-dimensional. Neither is it drawn forward by a single historical end.”<sup>20</sup> Instead, Dyson promotes the notion of an “enabling solidarity” that will

appeal to the richly varied meanings of cultural practices, the diversity of authentic roles one may express within the repertoire of black cultural identities, and the ever-expanding context of historical experience in supporting its vision of racial cooperation. An enabling solidarity should not appeal to truncated understandings of authentic racial identity or place an ideological noose of loyalty around the necks of critical dissenters from received ideas about racial unity ... While it is true that our common history of slavery and racial oppression signifies a common goal of freedom from oppression for black people, broadened horizons of racial experience and more sophisticated conceptions of racial identity make the articulation of a single, unitary, racial goal highly problematic. Black culture is not simply formed in the response to forces of oppression. Its purposes do not easily reduce to resisting racism. Although black cultural creativity and agency are profoundly influenced by racist oppression, their rich range of expressions are not exhausted by preoccupation with such oppression.<sup>21</sup>

Dyson’s approach to group-based identity allows for individuality within groups, and recognizes the internal heterogeneity of groups and cultures. It also allows for solidarity due to shared historical experiences, but this solidarity is neither stifling, reactive, nor essentializing. Further, this approach to cultures and groups allows us to recognize the internal heterogeneity that belies any notion of essentialism. The different experiences and identities of Caribbean (e.g.

---

<sup>19</sup> *Ibid.*, pp. 69–71. Hollinger and Appiah also promote a cosmopolitan identity in which race is treated as a group affiliation that one can choose or reject as a theoretical lever to reject biological and essentialized notions of race; in *Postethnic America*, *passim*, and “Identity, Authenticity, Survival,” *passim*. I also reject notions of essentialized and biological racial categories, yet I view “race” as politically important for shaping our experiences, identities, and opportunity structures. For a discussion of the origin and the fallacy of the one-drop rule, see F. James Davis, *Who Is Black? One Nation’s Definition* (University Park: Pennsylvania State University Press, 1991).

<sup>20</sup> Michael Eric Dyson, “Essentialism and the Complexities of Racial Identity,” in David Theo Goldberg (ed.), *Multiculturalism: A Critical Reader* (New York: Blackwell, 1994), p. 221.

<sup>21</sup> *Ibid.*, p. 221. Dyson is not the first to posit multiplicity and individuality within groups. For an earlier statement of such a thesis, which also argues that groups and cultures are shaped through dialogical interaction, see Alain Locke’s essays on cultural pluralism in Leonard Harris (ed.), *The Philosophy of Alain Locke: Harlem Renaissance and Beyond* (Philadelphia: Temple University Press, 1989).

Haitian, Jamaican) and African (e.g. Cape Verdean, Nigerian) immigrants in the US offer important points of comparison: while there might be solidarity with African Americans on some issues such as police brutality and housing discrimination, the different cultural identities and political experiences of these groups are also the source of heterogeneity and even conflict.<sup>22</sup>

Dyson avoids the problem that a strong right to forget creates: in forgetting, individuals not only forget the problematic and negative aspects of the group or cultural identity, but also forget what is empowering and enlightening. Both Hill and Dyson reject a narrowly construed "black identity" that enforces group loyalty at the expense of individuality, but Dyson does so in a way that retains a keen understanding of how black resistance to oppression is a particular example of a universal human yearning for freedom and equality.<sup>23</sup> By taking Dyson's approach to culture and identity, we can retain Hill's emphasis on individual autonomy but reject his assumption that group-based identities are inherently essentialized.<sup>24</sup>

Moderate cosmopolitanism, then, is open to history and memory as constitutive of individual and group identities. It is also open to a multiplicity of identities within racial, cultural, and national groups that also are partially constitutive of collective and individual identities. Thus, rather than viewing moderate cosmopolitanism as a resting place on the way to radical cosmopolitanism, we can defend it as a satisfactory moral and political position in its own right.<sup>25</sup>

Further, memory is arguably an essential component of prominent theories of justice as put forth by John Rawls and Robert Nozick. Both of their theories can be read in a way that supports the remembrance of historical injustices as a component of achieving justice in the present. Rawls emphasizes a stable political order in which rights, liberties, opportunities, and access to basic social goods are distributed by his two principles of justice. If the distribution of

---

<sup>22</sup> For one example of the shared concerns of, and cultural differences between, African American and Caribbean immigrant communities in the US, see Reuel Rogers, "Afro-Caribbean Immigrants, African Americans, and the Politics of Group Identity," in Yvette Alex-Assensoh and Lawrence Hanks (eds), *Black and Multiracial Politics in America* (New York: New York University Press, 2000), pp. 15–59.

<sup>23</sup> For a supporting argument that universal and particular identities co-exist in tension, see George Katsiaficas, "The Latent Universal Within Identity Politics," in George Katsiaficas and Teodros Kiros (eds), *The Promise of Multiculturalism: Education and Autonomy in the 21st Century* (New York: Routledge, 1998), p. 80. Katsiaficas identifies the internal contradiction of "the universalistic promise and a particularistic chauvinism" within any identity. Hill sees group identities as inherently parochial and chauvinistic. Dyson recognizes that while they can be parochial, they need not be; instead, if de-essentialized, they enable both individual and group autonomy and emancipation.

<sup>24</sup> This also is informed by the discussion of multiculturalism and its critics in George Katsiaficas and Teodros Kiros, "Editors' Introduction," in *The Promises of Multiculturalism*, p. 4. Hill views multiculturalism as *restricting* individual autonomy and self-identification, and Dyson views multiculturalism as *supporting* individual autonomy and self-identification.

<sup>25</sup> Martha Nussbaum's combination of local attachments and loyalty to humanity, or Alain Locke's concept of "culture-citizenship," help us to stake out a cosmopolitanism that values both de-essentialized cultures and culture-transcending principles and solidarities. See Nussbaum, "Patriotism and Cosmopolitanism" and "Reply," in *For Love of Country*, pp. 2–17, and pp. 131–144; and Leonard Harris, "Alain Locke and Community," *The Journal of Ethics* 1 (1997), pp. 239–247.

opportunities, social positions, and basic social goods in the present political order is distorted and tainted by the failure of previous generations to live up to Rawls' two principles of justice, then the present generation is obligated to identify and dismantle these inequalities before passing them on to the next generation. Remembering the past, and examining how present-day social positions and access to resources are shaped by this past, can be incorporated into a Rawlsian conception of justice.<sup>26</sup>

Nozick's theory of justice begins with the principle of just acquisition of resources. If the original acquisition is just, then all subsequent transfers of wealth and resources are just. However, if the original acquisition was achieved unjustly (e.g. robbery), then all subsequent transfers are tainted by that injustice. If this is the case, Nozick admits that some form of restitution is needed.<sup>27</sup> Thus, remembering the past is also a component of Nozick's theory of justice, since memory can help ensure that transfers and distributions of wealth and resources in the present reflect just original acquisitions.

Other theories of justice could be examined here, but given that Hill's cosmopolitanism rests on liberal principles, it is important to highlight how memory is an important component of these two prominent liberal theories. Given the importance of memory and inter-generational transfer of wealth and resources in both these theories of justice, the right to forget may actually violate the requirements of justice. If Hill still asserts such a right, at most it is an "imperfect" right. A "perfect right" to forget would carry with it an obligation for others to allow the forgetting to occur. But since identities and patterns of resource distribution are shaped by the past, there is a need to remember even if some would rather forget. Thus, the right to forget is at best an "imperfect right" that does not obligate others to allow the forgetting to occur.<sup>28</sup>

### III. Politically Problematic Consequences of the Right to Forget

Despite Hill's powerful defense of autonomy and self-definition, difficulties emerge when philosophy meets history. Given the historical legacies of inequality that shape our present conditions, the right to forget where we came from is too easily connected to the evasion of responsibility for rectifying these inequalities and too easily misappropriated by those who argue that we should forget the injustices of the past. As a perfect right, forgetting could trump those who argue that we should "never forget." However, as an imperfect right, survivors and descendants of historical injustices have every right to argue that we—individually and collectively—must remember the past lest we fail to learn from it, since they are not obligated to silently stand by while governments and some historians whitewash the past.

Forgetting the past by granting amnesty to perpetrators of crimes and

---

<sup>26</sup> John Rawls, *A Theory of Justice* (Cambridge: Belknap Press, 1971). Rawls does not apply his principles of justice in this manner, but I think such an application is possible.

<sup>27</sup> Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974). Andrew Valls argues that Nozick's theory allows for the restitution of historical injustices committed against black Americans, in "The Libertarian Case for Affirmative Action," *Social Theory and Practice* 25 (1999), pp. 299–323.

<sup>28</sup> Here I borrow from J. S. Mill's description of rights and duties. See Mill, in Mary Warnock (ed.), *Utilitarianism and Other Writings* (New York: Meridian, 1962), pp. 305–306.

injustices, for example, may be a convenient way for a nation to move forward. However, it is convenient precisely because it rests on political expediency rather than justice. Thus, James Cone's declaration that "[a]mnesia is an enemy of justice" must be taken seriously.<sup>29</sup> Since amnesia and amnesty forget the victims of crimes and injustices, for James Booth, they "raise the question about who can forgive and forget, and they seem to violate our debt of fidelity to the victims, which is redeemed through remembrance."<sup>30</sup> Forgetting the past cannot undo the fact that injustices were committed. Therefore, remembering "serves to reintegrate the victims into their community and to restore that community after the rupture induced by the crime."<sup>31</sup> However, Booth is assuming a community into which victims can be "reintegrated." Given the injustices of slavery, the 3/5ths Compromise, the Fugitive Slave Acts, etc., in the US, what is at stake is not simply reintegrating victims into a just political community that *existed in the past* prior to a rupture, but actively remembering and repairing so as to create a *new political community that has yet to exist*.

This brings us to Elazar Barkan's argument, which identifies a trend toward a new international morality in which nations atone for historical injustices in order to move forward. Examples of this new morality are many. South Africa established a Truth and Reconciliation Commission as part of the transition to a post-apartheid South Africa. Japan apologized for exploiting what they called "comfort women" during WWII in response to criticism from other countries such as South Korea. Germany and German corporations have provided various forms of compensation to Jewish survivors of the Holocaust. In response to legal challenges to its banking institutions brought by holocaust survivors, Switzerland has had to come to grips with how it enabled Nazi injustices. To promote reconciliation, nations have pursued restitution with a variety of strategies ranging from Truth Commissions, formal apologies, to monetary reparations.<sup>32</sup>

Reconciliation efforts are in part due to the political mobilization and pressure brought to bear on governments by survivors of these injustices. As such, it is a sign that survivors and their descendants have enough power (typically in the form of moral suasion) to disrupt the ruling memory, resist the urge to "normalize" the past, and call governments to account for past crimes. Further, governments have found different ways of responding, whether out of a desire to do the right thing or to avoid being shamed in the eyes of the global community. Whatever the motives, for Barkan, this process engages both perpetrators and victims in a dialogue addressing what, if any, forms of restitution can bring some atonement and reconciliation. Part of this process is recalling and remembering the past, since, as Barkan notes, "Our histories shape

---

<sup>29</sup> James Cone, *Black Theology and Black Power* (New York: Harper & Row, 1989), p. xi. Similarly, Booth, 1999, *op. cit.*, p. 257, observes that "Atonement and remembrance are duties; forgetting is an evil."

<sup>30</sup> W. James Booth, "The Unforgotten: Memories of Justice," in *American Political Science Review* 95:4 (2001), p. 785.

<sup>31</sup> *Ibid.*, p. 787.

<sup>32</sup> For more detailed discussions of how different countries have dealt with different cases of injustice, see Elazar Barkan, *The Guilt of Nations*; Roy Brooks (ed.), *When Sorry Is Not Enough*; and Martha Minow, *Between Vengeance and Forgiveness*. Also, for an examination of the morality, power, and limitations of the South African Truth and Reconciliation Commission, see Robert Rotberg and Dennis Thompson (eds), *Truth V. Justice: The Morality of Truth Commissions* (Princeton: Princeton University Press, 2000).

our identities."<sup>33</sup> While identities must be de-essentialized, they cannot be de-historicized. Remembering is important, for Barkan, because both perpetrators and victims of the injustice must produce a shared collective memory of the past if they are to move forward with restitution and reconciliation.

The desire for a shared collective memory is, however, problematized by two important factors. First, Barkan is aware that memory is selective, partial, and contested. Even when there is no injustice being examined, we have contesting interpretations of the past. The contested nature of collective memory should not bother us, since there is a strong argument that the proper way to honor the past is to continually discuss, interpret, and examine both the glories and the injustices so that we "never forget." Second, a *shared* collective memory is difficult to achieve under conditions of inequality between perpetrators and victims of injustice. This is especially the case when the injustice in question is seen by some as shaping and reinforcing inequalities in the present and by others as having little or nothing to do with the present.

Contested memories of a shared history are evident in renaming Custer Battlefield the Little Bighorn Battlefield, and the designation of the internment camp at Manzanar, California, as a national memorial.<sup>34</sup> In addition to reflecting legitimate differences of historiographical interpretation, this contestation is also due to the politics of (mis)recognition whereby a "public history which promotes negative views of a group, or simply excludes it from consideration, does real harm to the living members of that group."<sup>35</sup> In these cases, Native Americans and Asian Americans marshaled political influence to alter our memories of the past and to rectify their representations in our shared public culture. Even with these new and renamed national sites and memorials, their meanings are not singular, making such sites "condensation symbols" in which visitors interpret, project, and understand them according to their own needs, experiences, feelings, and fears.<sup>36</sup> For example, there is a debate about the extent to which a national African American museum ought to emphasize slavery, because slavery can be "read" as reinforcing black Americans as victims and/or as reinforcing black Americans as resisters and survivors. How the past is remembered and represented has powerful consequences for our current identities and perceptions.

Nevertheless, the battle to overcome public mis-recognition and to redefine identities, historical events, and historical sites is part of the effort to establish a more inclusive and less hegemonic collective memory. For Rhea, the "collective memory of a nation is that set of beliefs about the past which the nation's citizens hold in common and publicly recognize as legitimate representations of their history. Collective memory is important because shared beliefs about the past provide citizens with common landmarks or examples which can be referred to when addressing problems of the present."<sup>37</sup>

However, when collective memory of the past includes discussions of repre-

---

<sup>33</sup> Barkan, *op. cit.*, p. x.

<sup>34</sup> Joseph Tilden Rhea, *Race Pride and the American Identity* (Cambridge: Harvard University Press, 1997).

<sup>35</sup> *Ibid.*, p. 2.

<sup>36</sup> For more on condensation symbols, see Murray Edelman, *The Symbolic Uses of Politics* (Urbana: University of Illinois Press, 1964).

<sup>37</sup> Rhea, *op. cit.*, p. 2.

sentation, recognition, and potential forms of restitution for historical injustices, then *even if* we have some shared views of the past we will have conflicting arguments for how the present generation should address the legacies. For example, white and black Americans would all agree that slavery is and was wrong, but there are wide gaps in their respective views on how we should respond to the legacies of slavery in the present.

#### IV. The Politics of Memory and Time

The history and legacies of slavery stand out as egregious historical injustices for which the federal government has yet to offer an apology or reparations. Rodney Roberts offers one explanation for why the government has not been able to officially apologize or provide reparations to African Americans for slavery, but has apologized to and granted monetary compensation to Japanese Americans for their internment during WWII. Roberts argues that the successful post-WWII economic development of Japan and the post-colonial economic stagnation of many African countries helped spur the apology to Japanese Americans given that they are more “like us” (read white) than African Americans, who are symbolically linked to underdeveloped and corrupt African regimes.<sup>38</sup> To support this argument, I would add that the symbolic power of the “Asian-American model minority” and “black underclass” stereotypes are a domestic parallel that also helps us understand why the federal government has apologized to Japanese Americans but not to African Americans.

Another reason is that in the Rosewood, Tulsa, and Japanese American internment cases, there are living survivors who pressed forward the argument of apology and restitution. For slavery, however, there are no living survivors. Instead, we have legacies, memories, and descendants. This makes it more important for supporters of an apology and/or reparations to educate the larger public about how slavery’s legacies affect our present-day society.<sup>39</sup> Thus, the politics of memory and inter-generational justice enter the equation.

Remembering and rectifying historical injustices requires the political mobilization of survivors and descendants, and the mobilization of alternative memories and interpretations of the past. The goal is to unsettle, undermine, and alter the “ruling memory” that a nation develops in which injustices of the past are constructed as minimally important, discrete, and non-systematic events or “details” of history, or simply aberrations in an otherwise just society.<sup>40</sup> Part of the difficulty in addressing the legacies of slavery is the view that slavery was an unfortunate tragedy rather than a crime and an injustice.<sup>41</sup> Tragedies cannot be traced back to a person, group, or government responsible for the injustice, but are chalked up to the proverbial acts of God, or attributed to the mind-set of historical eras for which no person or institution can be held responsible. For example, some argue that while we now see slavery as immoral and illegal, prior

<sup>38</sup> See Roberts, “Why Have the Injustices Perpetrated against Blacks in America Not Been Rectified?” *Journal of Social Philosophy* 32:3 (2001), pp. 357–373.

<sup>39</sup> For example, even middle-class black people, who critics argue do not “need” the help of monetary compensation, are still constrained by racial discrimination that their middle-class status cannot overcome; see Feagin and Sikes, *Living with Racism*.

<sup>40</sup> See Ann Norton, “Ruling Memory,” *Political Theory* 21 (1993), pp. 453–463.

<sup>41</sup> Judith Shklar, *The Faces of Injustice* (New Haven: Yale University Press, 1990).

to 1865 it may have been immoral but was not yet illegal. Also, some argue that the federal government cannot be held liable for slavery and, therefore, cannot apologize for it. Instead, civic and private entities such as churches should apologize for racism as a step toward reconciliation.<sup>42</sup> In response to this view, advocates for restitution must define slavery as an injustice that was perpetrated not by unknown forces, but by individuals, corporations, and governments backed up by federal and state laws. Thus, federal and state governments as well as corporations can be held responsible for rectifying the legacies of slavery and Jim Crow.<sup>43</sup>

The powerful often state that time will heal all wounds and injustices. However, as Melissa Williams states, "Time does not heal the wounds of injustice when it leaves in place the institutions and practices that embody that injustice."<sup>44</sup> Here we can recall two important insights derived from Martin Luther King, Jr.'s philosophy of nonviolent disobedience in the 1950s–1960s. First, in response to his critics who told him to "slow down" and not to push too fast for change, King rejected the myth that time heals all wounds. For King, "time is neutral: it can be used either destructively or constructively ... Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men [and women]."<sup>45</sup> And second, in response to the "do-nothingism" that rests on this myth of time, King also explained why direct action is needed to pursue justice. For King,

we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness to the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.<sup>46</sup>

In the present moment, advocates of apologies, reparations, and restitution are in many ways following King's lead. Tension and resentment are already here, and will only go away if we ameliorate the underlying injustices on which they rest.

Barkan identifies another underlying issue that often precludes any discussion of an apology for slavery: guilt. Many whites view an apology as black Americans foisting guilt upon them for something they personally had no part of. To avoid the paralysis of guilt, the debate about historical injustices is best seen not as a matter of labeling guilt and innocence, but about identifying

---

<sup>42</sup> Patrick Glynn, "Racial Reconciliation: Can Religion Work Where Politics Has Failed?" *American Behavioral Scientist* 41(1998), pp. 834–841.

<sup>43</sup> For more detail, see Boris Bittker and Roy Brooks, "The Constitutionality of Black Reparations," in *When Sorry Is Not Enough*, pp. 374–389. Recently, lawsuits have been brought against corporations that profited from slavery, a strategy supported by Charles Ogletree of Harvard University.

<sup>44</sup> Williams, *op. cit.*, p. 197.

<sup>45</sup> Martin Luther King, Jr., "Letter from Birmingham Jail," in *Why We Can't Wait* (New York: Mentor, 1964), p. 86.

<sup>46</sup> *Ibid.*, p. 85.

legacies, rights, and responsibilities. Barkan observes, "Guilt does not pass from generation to generation, but rights and responsibilities do."<sup>47</sup>

The discussion then becomes one of inheritance, and the rights and responsibilities of beneficiaries. Let us look at an analogy: many in the US are clamoring for the right to inherit wealth that their forebears amassed even when they personally did no actual "work" to create this wealth; and then rail against the estate tax (what critics have successfully labeled a "death tax" in public discourse) as a violation of their rights. If we are able to see the inter-generational transfer of wealth as a legacy to be claimed in the present, then we should be able to see the legacies of slavery (e.g. the deprivation of wages, wealth, and property) in the same light. The rhetorical question asked by Ali Mazrui reframes the issue in just such a manner: "If Americans of the 20th and 21st century are prepared to inherit the intellectual and moral *assets* of the Founding Fathers, should they not also accept the moral *debt* of the Founding Fathers?"<sup>48</sup> If we are called on to forget the past, then we should forget the great achievements of the past as well as the injustices. Obviously, we cannot do this and would not want to even if we could: we recognize the ways in which decisions made by the framers of the Constitution affect us today even if we are unrelated to them or are children of immigrants who came to the US after the ratification of the 13th Amendment. By describing our democracy as an ongoing project, we are claiming the intellectual achievements of our collective past as constituting who we are in the present. By the same token, we ought to be honest enough to recognize the ways in which the injustices of the past, perpetrated by individuals, corporations, and sanctioned by state and federal public law, affect us even if we are unrelated to the individuals who perpetrated the injustices.

## V. Individual Identities and Social Structures

I have been critical of the right to forget because a group or a nation that has committed an injustice in the past might invoke it in order to avoid responsibility for it and deny its effects in the present. I think Hill would be concerned that this right to forget might be misappropriated and abused by governments. However, *even if* the right to forget is applicable only to individuals, the assertion of this right remains politically problematic.

Let us, for example, consider the political motivations and consequences of "passing"—when light skinned African Americans "pass" into white society and leave their families, friends, and communities behind. Hypothetically, a person who passes could defend his/her choice by invoking the moderate cosmopolitan position that individuals have a right to leave their cultural group or the radical cosmopolitan position that individuals have a right to forget where they came from. Hill might defend this choice to pass as motivated by the individual's feeling that he/she was restricted or restrained by a monolithic group-based identity. Thus, passing can be construed as a form of autonomy and self-identification. Any resentment within black communities toward those who pass

---

<sup>47</sup> Barkan, *op. cit.*, p. 302.

<sup>48</sup> Quoted in Barkan, *ibid.*, p. 302, italics added. Ali Mazrui is a member of the committee of Eminent Persons that was created by the Organization of African Unity (OAU) to investigate reparations to African countries for slavery.

could be taken as evidence by Hill that the group enforced a predetermined uniform identity. However, passing is also evidence that black communities live(d) in conditions circumscribed by racism. Thus, it is an expression of the desire to live without the constraints placed on black people by a racist society rather than an expression of autonomy and the desire to not be considered black. Being light skinned enough to pass simply makes it possible to act on this desire. In other words, the choice of passing is indicative of the restricted range of choices and freedoms with which the group lives. There is also literature that suggests a degree of self-hatred inherent in passing. If this is the case, it is also evidence that individuals might internalize the negative stereotypes ascribed to them by a racist society, even as most within black communities resist and reject these stereotypes.<sup>49</sup>

A discussion of passing is important because applying the right to forget only to individuals would allow some individuals to escape and forget, while doing little or nothing about the myriad inequalities between white and black Americans that makes passing so politically controversial.<sup>50</sup> I share Hill's goal of carving out spaces for individual liberty and self-definition. But this is only half the battle. Individual choices and freedoms exist within and are shaped by social structures, and if these structures reflect and reinforce unjustifiable group-based social inequities, then these choices and freedoms are enhanced, restricted, or distorted by these structures. We can either see the resulting ranges of choices and liberties as something to be accepted as natural, or, as I am arguing, as reflections of social structures that can be changed.

Again, King's observations about segregation, and the different ways it damages both white and black people, are instructive:

Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. *It gives the segregator a false sense of superiority, and the segregated a false sense of inferiority.*<sup>51</sup>

Similarly, the social inequalities we have inherited from the past affect our self-perceptions and our perceptions of others.

Let us now compare passing to the rejection of "white privilege" as evidenced by those who write in the journal *Race Traitor*. Here we see a realization that social-economic structures produce a degree of privilege for white people

---

<sup>49</sup> Werner Sollors, *Neither Black Nor White Yet Both* (Cambridge: Harvard University Press, 1999). See Chapter 9 in which he discusses how passing is politically different than simple upward social mobility.

<sup>50</sup> Indeed, recall the reaction to Tiger Woods' claim that he is "cablanasian." If Woods' strategy is to claim he is a little bit of everything, another strategy is evident in the emerging Hollywood star Vin Diesel. Diesel claims that he is racially neutral both in order not to be pegged into "black" roles but also to allow audience members to project onto him whatever identity they want to in order to identify with him. As such, Diesel's claim to be nonracial (nothing) and Woods' claim to be multiracial (a bit of everything) are variations on the desire to be seen as something other than black. In another interview, Diesel states that he wants to represent a new multiracial identity that has heretofore been invisible. As long as whiteness is the nonracialized norm and as long as anything other than white is denigrated in the US, the choices of Woods and Diesel will reflect a tension between exercising autonomy and escaping blackness.

<sup>51</sup> King, *op. cit.*, p. 82, emphasis added.

even if they are unaware of it, or do not “choose” it. To combat racism, they argue that white people ought to become aware of, and reject, the political consequences of “whiteness.” Hill would likely applaud this move, since it represents individuals asserting and acting on their right to forget where they came from, as well as a rejection of a biologically and essentially defined “white” race.

However, the folks at *Race Traitor* go one more step. They do not just reject or forget whiteness and leave it at that, but they become active in trying to undo the inequalities that have been built upon the racial categories. One editorial opens with such a theoretical and political maneuver, stating, “Two points describe the line of *Race Traitor*: first, that the ‘white race’ is not a natural but a historical category; second, that what was historically constructed can be undone.”<sup>52</sup> The editorial then goes on to examine ways in which race traitors must not simply withdraw their complicity with racism but must actively disrupt and change it. In so doing, they are practicing the argument that I am making. The first step is to defend individual autonomy and freedom (i.e. rejecting essentialized identities). The second step is to attack and ameliorate the social inequalities that falsely enlarge or restrict the range of choices, freedoms, and resources available to individuals (i.e. dismantling the structures and practices of racism that have been built upon inherited racial meanings). It is not enough to reject whiteness and the “wages of whiteness”—one must also try to change the institutions that have been built upon socially constructed racial definitions and racism.<sup>53</sup>

## VI. A Possible Way Forward?

The US federal government has issued apologies for some injustices it perpetrated in the past. In the Civil Liberties Act of 1988, the US officially apologized and provided monetary compensation to Japanese Americans who were forcibly interned during WWII. In 1993, the US government apologized for its role in overthrowing the sovereign government of Hawaii in 1893. In 1997, President Clinton offered an apology to survivors of the Tuskegee Institute’s 40-year long “bad blood” (syphilis) experiment. In early 2000, the Assistant Secretary of the Bureau of Indian Affairs apologized for the agency’s role in the Trail of Tears of 1830, which forced Cherokee Indians to march from North Carolina to Oklahoma. On the other hand, the US has refused to offer an official apology to African nations for its part in the transatlantic slave trade, nor has it apologized

---

<sup>52</sup> “When Does the Unreasonable Act Made Sense?,” in Noel Ignatiev and John Garvey (eds), *Race Traitor* (New York: Routledge, 1996), p. 35.

<sup>53</sup> W. E. B. DuBois coined the phrase “wages of whiteness” to contrast with what we might call the “taxes of blackness.” See the discussion of DuBois in David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991), pp. 12–13, and *passim*. Another analogy helps clarify this point. To paraphrase Immanuel Kant, laying down arms is not the same thing as peace, it is simply a cessation of armed conflict. We must take the next step to actively turn the absence of conflict into a lasting and just peace. By analogy, it is not enough to renounce and reject biological and essentialized notions of race; we must also renounce and dismantle racism in its structural manifestations. Such efforts can rely on Dyson’s racial solidarity as a source of mobilization; thus, political mobilization can employ newly defined racial identities in order to fight racism. I thank Jeffrey Tucker and Melvina Young for their insights on this issue.

to citizens of other countries such as Chile that have suffered civil wars or coups as a result of US intervention. Apologies, like memories, are selective.

Sub-national political entities within the US have also addressed historical injustices. The State of Florida established a commission whose findings helped support a 1994 bill to provide reparations (but not an official state apology) to survivors of the Rosewood massacre of 1923 and their descendants.<sup>54</sup> A commission established by the State of Oklahoma recently completed a study of the Tulsa race riot of 1921 and issued recommendations including compensation for the living survivors, a scholarship fund for descendants, and a memorial. Numerous city councils (e.g. Chicago) have voted on, with some rejecting and some approving, resolutions calling for Congress to study the impact of slavery and the possibility of reparations.

In the debate about an apology and reparations for slavery in the US, two competing approaches to memory and historical injustice are evident. One approach, Option A, is to call it even, not dwell on the past, and move forward. Option A reflects arguments that examining the past would re-open old wounds and exacerbate tensions, and that the present generation should not be forced to apologize or rectify something that they personally did not condone or participate in. Also, some argue that since many white and black Americans are descended from European, African, and Caribbean immigrants who came to the US after the 13th Amendment abolished slavery, they should not be held responsible. Some of these are legitimate objections, but some are put forward to deny and avoid grappling with the legacies of slavery and Jim Crow in the present.<sup>55</sup>

The right to forget risks placing cosmopolitans in the position promoting Option A. Given that social justice in the present is in part the struggle to dismantle inequities we inherited from the past, cosmopolitans ought to promote Option B, which is to remember, recognize, apologize, and rectify injustices of the past before we move forward. Option B reflects arguments that slavery and Jim Crow segregation produced legacies of institutionalized inequality that continue to shape the present. This option rejects the myth of time. Thus, we must examine the past, learn from it, and if justice requires, we must apologize and find ways to provide compensation. This option is evident in various efforts to press the government to issue an apology and provide reparations. The National Coalition of Blacks for Reparations in America (N'COBRA) has built a grassroots coalition of reparations advocates. In every Congressional session since 1989, Representative John Conyers (D-MI) has introduced H.R. 40 that would establish a commission to study slavery's impact in the present and issue recommendations for reparations. The bill symbolically invokes the "40 acres and a mule" slogan derived from General Sherman's Field Order No. 15, which would have granted 40 acres and the use of an army mule to newly emancipated black people living on the Sea Islands of South Carolina and Georgia. And Representative Tony Hall (D-OH) introduced H.C.R. 96 in 1997 which called on Congress to issue an official apology for slavery, and H.C.R. 356 in 2000 which,

---

<sup>54</sup> For discussions of Rosewood, see Barkan, *op. cit.*, pp. 296–299; and Kenneth Nunn, "Rosewood," in *When Sorry Is Not Enough*, pp. 435–437.

<sup>55</sup> For more detailed discussion of these and other reasons, see Barkan, *op. cit.*, Chapter 12; and *When Sorry Is Not Enough*, Parts 6 and 7.

in addition to an apology, would have established a commission similar to the one called for by Conyers.<sup>56</sup>

Critics of reparations and apologizing for slavery have made several types of arguments. Echoing Hill, some worry that reparation movements reinforce a "victim" identity within groups and freeze conflicting group identities into place. For Ian Buruma, "Instead of identifying as an American entitled to freedoms and rights and all men created equal, you are born into an aggrieved group deserving compensation. Then that's your whole identity and you can never get out of it."<sup>57</sup> These are important concerns. However, I think this position confuses cause and effect. Rather than telling black Americans to identify as Americans (the vast majority already does) for fear of racial polarization, the proper response is to ameliorate the inequities (both from the past and in the present) that produce the aggrievement and polarization. To not do so will only exacerbate the very division that Buruma and others fear because the inequities will remain and simply be papered over by symbolic appeals to a shared national identity.

The tension that might be caused by political movements for an apology or reparations is not any worse than the tension that arises from telling such movements to forget the past and to "get over it." If inequities undermine social cohesion, whether they stem from historical injustices or contemporary events, these injustices ought to be addressed if we are to establish a just society. Again, King's worry about moderates who tell nonviolent activists to "slow down" is applicable to this debate. King responded by criticizing anyone "who paternalistically believes he can set the timetable for another man's freedom" and to anyone "who is more devoted to 'order' than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice."<sup>58</sup> Tension is always present in society, whether it stems from ignoring an injustice or working to eliminate it. Justice requires that we opt for the tension that comes from remembering and rectifying injustices.

Those who worry that remembering the past will straightjacket our identities in the present might be persuaded to support future-oriented measures to provide restitution. Compensation, for example, in the form of money given to black individuals or families is a backward-looking approach. This is the type of compensation that critics see as reinforcing black Americans' identity as that of victim. Further, such a payment would likely carry strings attached that would require black Americans to give up affirmative action or to quit "complaining" about discrimination. Such payments are also opposed by the vast majority of whites but supported by a majority of blacks. One recent survey found that in response to the question "Do you think the government should or should not make cash payments to descendants of slaves?" 6% of whites and 55% of blacks said "should," and 90% of whites and 37% of blacks said "should not."<sup>59</sup> If

---

<sup>56</sup> For more detailed discussion of these efforts, among others, see Barkan, *op. cit.*, Chapter 12; and *When Sorry Is Not Enough*, Parts 6 and 7.

<sup>57</sup> Quoted in Diane Cardwell, "Seeking Out a Just Way to Make Amends for Slavery," *New York Times*, August 12, 2000. Available online at: <<http://search.nytimes.com>> (August 5, 2001).

<sup>58</sup> King, *op. cit.*, p. 84.

<sup>59</sup> From the USA Today/CNN/Gallup poll conducted in January and February of 2002. I am borrowing the term "chasm" from Robert Smith and Richard Seltzer, who define a

reparations are presented in this manner, an opposing majority will simply block reparations supporters.

However, there are plenty of alternatives that would provide restitution in a more forward-looking manner: a domestic Marshall Plan, a small business development fund, a full employment economy, a scholarship fund, an overhaul of public school funding and curriculum, and enhanced political representation, just to name a few. These plans begin from current inequalities—whatever their cause—and would help build a more equitable society.<sup>60</sup> Such forward-looking measures might be more appealing to critics of reparations, since they can be supported for reasons other than compensation for historical injustice.<sup>61</sup> Any agreement that will be reached regarding an apology or even restitution for slavery will have to be constructed so that different groups can agree to it for different reasons.

However, these forward-looking programs, despite their focus on ameliorating persistent economic and social inequalities, may not satisfy those who support an apology as an official recognition of the injustice of slavery. As Rodney Roberts observes,

rectification calls for an apology. Since restoration and compensation can address only unjust losses, an apology is necessary in order to effect rectification, because it is the apology that addresses the matter of righting the wrong of an injustice. What makes an injustice *wrong* is the lack of respect shown when one's rights are violated. Hence the righting of the wrong is accomplished by way of an apology, that is, an acknowledgment of wrongdoing, which includes the reaffirmation that those who suffered the injustice have moral standing.<sup>62</sup>

As such, an apology is one way to create a polity in which black Americans are equal moral, civic, and political members from the start and to recognize that this equality was denied at the founding of the US and delayed from Reconstruction to the present. An apology is important. But since an apology is an admission of wrongdoing, Rep. Jesse Jackson, Jr. (D-IL) is correct to argue that it must be followed by some concrete forms of restitution. It is precisely because an apology would open the door to substantive forms of restitution that the US government will continue to refuse both to the descendants of slavery.

## VII. Conclusion

As we enter the 21st century, we are faced with a call to adopt two different moralities. One is that individuals ought to be free to forget where they came

---

(Footnote continued)

"chasm" as a difference of 40 points or more. See their *Contemporary Controversies and the American Racial Divide* (Lanham, MD: Rowman & Littlefield, 2000), p. 9.

<sup>60</sup> Representative Jesse Jackson, Jr. (D-IL) supports these types of policies because they would put substance behind a symbolic apology for slavery. See "An Apology for Slavery? Contrition Carries Conditions," June 17, 1997. Available online at: <<http://www.jessejacksonjr.org/issues>> (August 5, 2002).

<sup>61</sup> I borrow the backward- and forward-looking distinction from Bernard Boxill. See *Blacks & Social Justice*, revised edition (Lanham, MD: Rowman & Littlefield, 1992). For varieties of restitution, including compensation and apology, see *When Sorry Is Not Enough*, Parts 6 and 7; Randall Robinson, *The Debt* (New York: Penguin, 2000); and Williams, *op. cit.*, Chapter 6, in which she argues for enhancing political access and representation for historically excluded groups.

<sup>62</sup> Roberts, *op. cit.*, 2001, p. 358, italics in original.

from in order to construct new identities and exercise autonomy. The other is that governments must remember historical injustices and provide some form of restitution as a way to promote reconciliation. Hill's right to forget reflects an argument against essentialized identities that I share, but also reflects an argument against historically situated identities that I reject. If we de-essentialize identities and recognize how our histories and the groups to which we belong partially constitute our identities, then Hill's moderate cosmopolitanism is a viable theoretical stance in itself.

To the extent that present-day inequalities are legacies of historical injustices such as slavery, we have an understandable debate about the extent to which our past shapes our present. Justice requires that we remember, not forget, where we—as individuals and as a collective—came from. Justice also requires that we ameliorate social inequalities that undermine, distort, and limit individual choices and opportunities, whether these inequities are legacies of historical injustices or current policies. Even if individual and collective memories of the past are contested, partial, and imperfect, we must continually examine our past and come to grips with it rather than sweep it under a rug in a collective act of amnesia. As William Faulkner wrote in *Requiem for a Nun*, "The past is never dead. It's not even past."