

Conference at Utrecht University, The Netherlands
15 & 16 June 2022

Reparations for historical injustices

Historical and comparative perspectives



Location: Sweelinckzaal, Drift 21, Utrecht



Conference theme

Over the past few decades, the question of how to deal with historical injustices and claims for reparations has taken centre stage in both public and academic debates worldwide. The idea that past injustices ought to be redressed is often analysed as an essentially 'modern' phenomenon that originated in post-WWII historical contexts, and is usually related to the legacy of the Holocaust, decolonization, and a new international human rights morality.

Yet both practices and concepts of historical reparations have deeper historical roots and are by no means confined to "the West". Some of these roots can be traced back to practices of peace treaty making and adjudication courts in post-conflict situations; others to mercantile arbitration; and yet others to legal concepts of redress and restitution in Roman private law. From the perspective of intellectual history, moreover, notions of historical reparations are informed by conceptions of an unjust past that is 'man-made' and a form of 'moral' evil (instead of natural evil or divine punishment), as well as by the languages of natural law and natural (or human) rights. Finally, strategies of claim-making for historical reparations can be unearthed in concrete practices of petitioning, for example by formerly enslaved African Americans or victims of colonial and revolutionary violence.

Considered separately these discourses and practices have deep histories. But it remains unclear how they intersected and might constitute a genealogy for how reparations for historical injustices are understood today. This raises the question when and how these strands of historical, legal, and political thinking merged with each other, and with concrete claim-making practices. How did such processes evolve into new ways of thinking and novel practices? In other words, how to write a history of historical reparations? That is the central question this conference poses. It starts from the assumption that writing the history - or histories - of historical reparations requires multiple perspectives ranging from legal and intellectual history to cultural and political history. It also requires linking such histories to a variety of present-day approaches to and practices of (historical) reparations, in other words, a comparative approach.

Ultimately, examining long-term historical and comparative perspectives on historical reparations shifts the debate to both *origins* as well as to *discontinuities and alternative discourses* about who is entitled to reparations, how and why. In doing so, the conference may offer new perspectives on how modern societies should come to terms with the dark pages of their own history.

Day 1: Wednesday 15 June

09.00-09.30	Registration, coffee and tea
09.30-10.00	Welcome
10.00-11.45	Panel 1
11.45-12.45	Lunch
12.45-14.30	Panel 2
14.30-15.00	break
15.00-16.45	Panel 3
17.00-18.15	drinks & snacks reception
18.15-	conference dinner

Day 2: Thursday 16 June

09.00-09.30	Coffee and tea
09.30-11.15	Panel 4
11.15-11.30	Break
11.30-13.15	Panel 5
13.15-15.15	lunch & activity
15.15-17.00	Panel 6
17.00-17.15	closing
17.15-	drinks, conference dinner, goodbye

External visitors are welcome, but there are only limited places available. Please register at: rhi.conference@uu.nl

The conference is organized by dr. René Koekoek, principal investigator of the research project Repairing historical injustice. Legal, intellectual, and political origins, c. 1650-1830 funded by a VENI-grant of the Dutch Organization of Scientific Research (NWO).

Credits images:

- A pair of bronze statues symbolizing a man bowing to Japan's wartime sexual slavery victims, "A Heartfelt Apology," at the Korea Botanic Garden in Pyeongchang, Gangwon, South Korea. [YONHAP].
- Engraving/broadside, entitled "Dr. Dorislaw's Ghost, Presented by T[ime] to unmask the Vizards of the Hollanders", referring to the so-called "Amboyna Massacre" of 1623 (London, 1652) [British Museum].
- Signing of agreement between Germany and Jewish Claims Conference to continue German compensation payments to eligible Holocaust survivors and providing funding for homecare for elderly victims (Berlin, 2012) [Johannes Eisele/Agence France-Presse].

Day 1: Wednesday 15 June

10.00-11.45

Panel 1: Starting the conversation - approaches to reparations

Chair: Ido de Haan (Utrecht University)

Wouter Veraart (VU University Amsterdam)

The Wheel of Restoration. Three approaches: forgetting, remembering, reconciliation

David van der Linden (University of Groningen)

Reparations for a Massacre: Transitional Justice in Early Modern France

Xiaoyang Hao (Kyushu University, Japan)

Moral vs. Legal Responsibility: Debates on the "Comfort Women" Issue and the Asian Women's Fund

12.45-14.30

Panel 2: Early modern and modern approaches to reparations

Chair: Beatrice de Graaf (Utrecht University)

Ronen Steinberg (Michigan State University)

Repairing the Past while Building a New Future: Reparations in the French Revolution

Judith Pollmann (Leiden University)

Practices and principles. Reconstructing early modern notions of reparation in the Low Countries

Lorena de Vita (Utrecht University)

Reinventing Reparations: Wassenaar 1952

15.00-16.45

Panel 3: Reparations in legal thought and practice

Chair: Marc de Wilde (University of Amsterdam)

Joe Sampson (Oxford) [online]

Restorative Justice and Impossibility in Early Modern Thomism

Marc Loth & Lianne Wijntjes (Tilburg University)

Themis' "Unfinished Business": Can Law do Justice to Historical Injustice?

Niké Wentholt (University of Humanistic Studies, Utrecht)

Addressing Historical Injustice in Civil Court: on the Possibilities and Challenges for Transformative Justice

Day 2: Thursday 16 June

09.30-11.15

Panel 4: Nineteenth-century reparations for slave owners and reparations today

Chair: tbc

Jessica Balguy (EHESS Paris) [online]

Slave owners of colour in Martinique on the eve of the abolition of slavery in 1848

Claudia Rauhut (Universität Bonn)

Reconsidering Slave Owner's Compensation in Caribbean Claims for Slavery Reparations

Lauren Lauret (Leiden University)

No emancipation without compensation. Anti-abolitionism in the Netherlands, 1833-1863

11.30-13.15

Panel 5: Languages of repair

Chair: Ann Rigney (Utrecht University)

René Koekkoek (Utrecht University)

Nation-building and Reparations for Descendants of Huguenot Refugees in Revolutionary France, 1790-1796

Ñusta Carranza Ko (University of Baltimore)

Exploring historic reparations: Spanish colonization, mass atrocities, and what remains in Peru

Marieke Zoodsma (Tilburg University)

"I needed him to tell the world": A cross-country analysis of people's evaluation of political apologies

Different location: Drift 21, 1.05 (same building, 1st floor)

15.15-17.00

Panel 6: The place of communities in addressing historical injustices - reframing the social

Chair: tbc

Obiozo Ukpabi (University of Humanistic Studies, Utrecht)

Corrective justice as repair? Examining multi-layered impact of corporate accountability litigation to redress eco-social harms in Nigeria

Naomi Ormskerk (University of Humanistic Studies, Utrecht)

Procedural justice as repair? Examining Church-initiated procedures to address abuse in Dutch Catholic institutions

Nicole Immler (University of Humanistic Studies, Utrecht)

From reparations to repair? Examining the Dutch Slavery/Colonial Past through the 'transformative justice' lens