

Global Rectificatory Justice

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Chapter 1 Introduction

The discussion on global justice is vibrant and expanding. The discussion has mainly focused on one aspect of justice, namely distributive justice. But as already Aristotle showed, there are also other "...species of the just...", one of them rectificatory justice (Aristotle 1980, 114). In this book I argue for global rectificatory justice. The present global order; the global economy as well as global governance mirrors in many respects colonialism. Hence, we still live in a post-colonial era and our understanding of global justice should account for the legacy of colonialism. As a point of departure, I will give five examples of how this history still stamp our world.

1. With the publication of John Rawls's work *A Theory of Justice* in 1971, justice was rekindled in political philosophy and ethics (Rawls 1971). The theory was intended for justice within nations but as early as 1979 Charles Beitz argued for a global application of Rawls's theory of distributive justice and Thomas Pogge developed the argument in his book *Realizing Rawls* (Beitz 1979, Pogge 1989). When Rawls published his own contribution to the discussion about international justice in *The Law of Peoples* the discussion on global justice intensified (Rawls 1999). Rawls

limited his discussion to international *political* justice - excluding the so called Difference Principle and thus barring considerations of redistribution of resources in favor of the least advantaged on a global level. This move has been questioned by many (Buchanan 2000, Tan 2004, Caney 2005, Brock 2009). Given the global inequalities and widespread poverty, which persist today, Rawls's limitation is indeed questionable. However, what is striking about the present discussion on global justice is that it is mostly concerned with political justice and global *distributive* justice (Moellendorf 2009, Armstrong 2012, Risse 2012). However, justice is a wider concept than that.

The present borders between rich and poor nations coincide roughly with the historical borders between former colonial powers and their colonies. Is this merely a coincidence or is there a connection between the history of colonialism and the present global inequalities? During colonial times, the economies of the colonies in Asia, Africa and Latin America were adjusted to the interests of the colonial powers. As a consequence of the Spanish and Portuguese exploitation of Latin America, the British, Belgian, Portuguese, German and French of Africa, the British, French, Portuguese and Dutch of Asia, Europe prospered while many colonies sank in despair. What happened during this period in history is well captured in the title of Uruguayan author Eduardo Galeano's book *Las venas abiertas de América Latina* (*Open Veins of Latin America*) (Galeano 1971). A "blood transfusion" took place from the South to the North.

2. The legacy of colonialism was addressed in the United Nations conferences on racism in Durban 2001 and the follow-up Durban review conference in Geneva 2009. Under General Issues, the final declaration from the Durban conference states:

14. We recognize that colonialism has led to racism, racial discrimination, xenophobia and related intolerance, and that Africans and people of African descent, and people of Asian descent and indigenous peoples were victims of colonialism and continue to be victims of its consequences. We acknowledge the suffering caused by colonialism and affirm that, wherever and whenever it occurred, it must be condemned and its reoccurrence prevented. We further regret that the effects and persistence of these structures and practices have been among the factors contributing to lasting social and economic inequalities in many parts of the world today; [----]

19. We recognize the negative economic, social and cultural consequences of racism, racial discrimination, xenophobia and related intolerance, which have contributed significantly to the underdevelopment of developing countries and, in particular, of Africa and resolve to free every man, woman and child from the abject and dehumanizing conditions of extreme poverty to which more than one billion of them are currently subjected, to make the right to development a reality for everyone and to free the entire human race from want.

100. We acknowledge and profoundly regret the untold suffering and evils inflicted on millions of men, women and children as a result of slavery, the slave trade, the transatlantic slave trade, apartheid, genocide and past tragedies. We further note that some States have taken the initiative to apologize and have paid reparation, where appropriate, for grave and massive violations committed. [----] (United Nations 2001)

The final document from the follow-up conference on racism in April 2009 contains a call for reparations for sufferings during colonial rule. It reads: We

62. *Recalls* that slavery and the slave trade, including the transatlantic slave trade, apartheid, colonialism and genocide must never be forgotten and in this regard welcomes actions undertaken to honour the memory of victims;

63. *Notes* actions of those countries that have, in the context of these past tragedies, expressed remorse, offered apologies, initiated institutionalized mechanisms such as truth and reconciliation commissions and/or restituted cultural artifacts since the adoption of the Durban Declaration and Programme of Action, and calls on those who have not yet contributed to restoring the dignity of the victims to find appropriate ways to do so. [----] (United Nations 2009)

Both declarations emphasized the enduring consequences of colonialism, and in particular, of slavery and the slave trade, the need for remembrance and restoration were highlighted and claims for rectification including compensation to the victims was a hotly debated issue at both conferences.

3. In September 2011 a delegation from the Herero people in Namibia led by Chief Kuiama Riruako arrived in Berlin. The purpose of the visit was to bring home twenty Herero skulls that were brought to Germany after the genocide against the Herero in 1904. “For us it means the return of our relatives, grandmothers and great-grandfather”, Ida Hoffman a member of the committee said to journalists (The Telegraph, 2011).

The visit of the Herero delegation to Berlin put a spotlight on the massacres committed by German soldiers under the lead of General Lothar von Trotha. Von Trotha was under the command of Emperor Wilhelm II when he ordered the extermination of the Herero nation as retaliation for threats to Germans in South West Africa. Before the massacres, the Herero population was estimated to 80 000, and in three years it went down to 16 000.

The visit of the Herero delegation to Berlin was not the first time descendants of the Herero tribe claimed rectification. When German Chancellor Helmut Kohl visited Namibia in 1995, Herero soldiers presented him with a petition demanding payment for war crimes against the Herero people (Gewald 1999, 1).

Finally, in 2004, on the centenary of the genocide, the German minister for Economic Development and Cooperation Heidemarie Wiecezorek-Zeul apologized on behalf of the German government but she ruled out any economical compensation to Namibia or to the descendants of the victims (BBC News 2004).

4. In April 2011 four elderly Kenyans travelled to London. They were some of the thousands of prisoners detained by the British during the war against the Mau-Mau movement in Kenya 1952-1960. The four were victims of castration, torture and rape committed in British detention camps. In a court decision from October 2012 the Kenyans were given the right to sue the British government. The Guardian reported in May 2013:

When the claimants gave evidence at the high court in London last year, Wambugu Wa Nyingi told how he was detained on Christmas Eve 1952 and held for nine years, much of the time in handcuffs. He was beaten unconscious during a particularly notorious massacre at a camp at Hola in

which 11 men died. "I feel I was robbed of my youth and that I did not get to do the things I should have done as a young man," he said. "There is a saying in Kikuyu that old age lives off the years of youth, but I have nothing to live off because my youth was taken from me" (Cobain, 2013).

5. In my class with international master's students in applied ethics I raised the question whether colonialism had left "morally relevant traces" in the present. A bright Pakistani female student spoke out and explained, not without some anger in her voice;

Yes, certainly! Everything Pakistani is today considered of less worth compared to the West: we consider our own history as shameful and we feel that we are still slaves under the British rulers. These feelings have also a cultural impact today; to be beautiful is to have blond hair, not black, to be civilized is to eat with knife and fork, not to eat in our traditional way and our traditional languages are superseded by English.

Her outcry mirrors well what Rajeev Bhargava calls "epistemic injustice", a kind of cultural injustice implying that "concepts and categories" providing self-understanding and orientation is replaced and marginalized by a dominant power, in this case the colonizer (Bhargava 2013).

Global rectificatory justice in theory and practice

What do the above mentioned different examples have in common? The present global economic order, the Durban conference against racism, the Herero bringing back their forefathers' skulls, the Mau Mau-adherents who sued the British

government and the Pakistani student's sense of humiliation remind us of the legacy of colonialism. How should we relate to this legacy? The former colonial powers have tried to repress the memories but we should not forget them. There are still victims among us who bear witness and the unjust global order mirrors the history.

Colonialism was a global phenomenon. European nations ruled almost all peoples in Latin America, Africa and Asia. At its height, the British Empire governed one quarter of the world's population. As my cases above illustrate, although decolonization began over 60 years ago, the consequences of colonialism are still evident. Indeed, as I will argue in this book, since this historical era still shapes the global order the legacy of colonialism provides a strong case for global rectificatory justice.

How, then, can the legacy of colonialism have implications for a theory of global justice today? What does rectificatory justice mean in the light of colonialism? What does global rectificatory justice require in practice? The aim of this book is to respond to these questions.

A case based argument

The following story illustrates the idea of global rectificatory justice:

Assume that I live a life in prosperity and welfare. My next door neighbor, on the other hand, lives in poverty and misery. Let us also assume that many years ago my grandparents stole the land from my present neighbor's grandparents and our present difference in welfare is the result of this historical fact. Then, it seems that my neighbor with good reasons could demand to get a part of my land or income, and thus, that I have some moral

obligations to compensate my neighbor. And these obligations are generated by the acts of my forefathers.

Today we live in a “global village”. My neighbors are peasants in Malawi, miners in Bolivia and slum dwellers in the Philippines. Although the story is indeed a rough mirror of real history, it helps us to generate some moral intuitions for further analysis.

The present global economic and political order is characterized by inequality: poverty in some parts – almost 1 billion people (“the bottom billion”) live on less than one dollar a day - and affluence in other parts, and unequal power relations not least visible by the structures of global institutions like the IMF, the World Bank, and the WTO. This order was to a large extent shaped by colonialism. Most of the former colonies are still, many decades after their independence, suppliers of raw materials or of basic industrial products for markets dominated by the global elite. The past endures in the present.

Political philosophy

Justice is a key concept in political philosophy and can be approached from different viewpoints. In his discussion on justice, Aristotle distinguishes between *distributive* and *rectificatory* justice. Distributive justice deals with the distribution of scarce resources and goods. Rectificatory justice on the other hand, is backward-looking and focuses on correction for past misdeeds. Aristotle writes:

...for in the case also in which one has received and the other has inflicted a wound, or one has slain and the other been slain, the suffering and the action has been unequally distributed: but the judge tries to

equalize things by means of the penalty, taking away from the gain of the assailant [...] therefore corrective justice will be the intermediate between the loss and gain (Aristotle 1980, 115).

Given that the history of colonialism involves “inflicting wounds”, there is a *prima facie* case for rectificatory justice. But what does rectificatory justice imply if the harm was done a long time ago? Is there a time limit on claims for rectification and could the descendants of victims of colonialism demand rectification? I will come back to these questions later in the book.

A theory of rectificatory justice can also draw from more recent work in philosophy. Building on John Locke’s theory of property, Robert Nozick’s influential and controversial entitlement theory is an example of a historical, backward-looking theory of justice. According to Nozick, a person is entitled to his or her property provided that it is acquired in a just way. Hence, property rights depend on justice in acquisition and justice in transfer (Nozick 1974).

Nozick’s theory is a philosophical justification of libertarianism. But, with some factual assumptions, Nozick’s entitlement theory can justify a demand for global rectificatory justice. Given that that the present concentration of property and wealth in the rich part of the world at least partly is the result of unjust historical acquisitions and transfers, i.e. plunder, thefts and war, one could, based on Nozick’s entitlement theory, argue for a global “...rectification of injustice in holdings” (Nozick 1974, 152). Historical injustices thus beg for rectifying actions.

The main contribution of Nozick’s book *Anarchy, State and Utopia* was that it introduced a historical perspective to the present discussion on justice. As a libertarian Nozick emphasized property rights. My emphasis is different. I will focus

on injustices during colonialism and the social and economic reverberations of colonialism today.

Rectificatory justice in practice

Historical injustice raises the issue of redress. In recent times we have witnessed the emergence of a number of truth and reconciliation commissions, inquiring human rights violations during dictatorships and oppressive regimes. These commissions have in some cases resulted in prosecutions and court trials and in others public acknowledgements and apologies.

Acknowledgements of historical obligations and demands for rectificatory justice are not new in politics. They have been raised in relation to various historical instances of oppression and exploitation. In 1928, in relation to a dispute between Germany and Poland, the permanent Court of International Justice (predecessor of the International Court of Justice), defined reparatory justice in the following way:

The essential principle contained in the actual notion of an illegal act is that reparation must, as far as possible, wipe out all the consequences of the illegal act and re-establish the situation which would, in all probability, have existed if that act had not been committed (in Beckles 2013, p.13).

One much noticed example of historical rectification is the compensation given by Germany to Israel after the Holocaust and another is the policy of affirmative action in favor of black people and former slaves in the United States. The Truth and Reconciliation Commission in South Africa after the fall of the apartheid-regime in 1994 is perhaps the most systematic recent process to achieve both reconciliation and rectification. In parallel to the South African process, initiatives were taken in

Latin America, for example in Chile and Argentina, to restore justice when democracy was reestablished after the military dictatorships in the 1970s and 1980s.

Although the colonial powers did their utmost to hide the dark side of the colonial period after the colonies became independent, there are at least some examples of rectificatory processes after colonialism. The Kenyans' claim for a court trial in Britain reminded the world of the hidden history of detention camps and torture, the Herero people has repeatedly demanded rectification from Germany and when French president Hollande visited Algeria in 2012 for taking part in the celebration of the nation's 50th anniversary as an independent state, he acknowledged trespasses by the French army during colonial times, although he refused to apologize. In 2013, the Caribbean's heads of state decided to form a commission with the aim of preparing rectificatory claims against Britain and other slave trading nations for harms during colonial times. These examples illustrate that the legacy of colonialism has both a personal and a political side. Individuals were subjected to harm and oppression and could claim rectification. But entire nations and peoples were also victims of injustices.

Rectificatory justice in theory

The above mentioned rectificatory political processes have fueled the discussion on rectificatory justice in history and political theory. Historians have reported on various cases of rectificatory processes after periods of dictatorships and human rights violations, and there is an ongoing philosophical discussion on the meaning of rectificatory justice and on the justification of compensation to afflicted groups. For example, John Torpey is mapping reparation claims; one scale refers to violations;

from theft of cultural artifacts (for example artworks) to human rights violations and another scale refers to possible forms of reparations; from symbolic to economic (Torpey 2003, 13). Alfred Brophy takes the Black Americans' claims for reparations as a point of departure for discussing controversial premises behind rectification (Brophy 2006). In his book *The Guilt of Nations*, Elizir Barkan gives an account of a number of rectificatory processes that has been going on as residues of World War II and some examples of rectification for colonialism and its aftermath (Barkan 2000). Richard Vernon discusses some matters of principle, for example if rights survive death persons, the attribution of responsibility for compensating past deeds, and how past deeds continue in the present in relation to a number of cases of historical injustices (Vernon 2012), and Jeff Spinner-Halev argues that our emphasis should not be on compensation for injustices in the past but on the fact that some past injustices become enduring and are therefore felt today (Spinner-Halev 2012).

Janna Thompson examines a number of cases of reparative demands, and in particular the cases of Aborigines in Australia and Maoris in New Zealand and develops a theory of reparation and reconciliation with a focus on broken treaties (Thompson 2002). Bernard Boxill argues for African Americans' reparations after colonialism and slavery (Boxill 2003), Stephan Winter discusses whether uncertainty of what would have happened if history had taken a different path undermines the demands of black Americans (Winter 2006), and David Lyons examines the historical entitlement arguments for returning American land back to Indians (Lyons 1982).

Rhoda Howard-Hassmann discusses whether there are good reasons for reparations to Africa (Howard-Hassmann 2008), historian Hilary Beckles (2013)

argues for “Britains black debt”, i.e. that Britain has a debt to pay to the Caribbean for slave trade, slavery and exploitation during the colonial times.

Theoretical accounts relating the legacy of colonialism to the ethical discussion on global justice today are rare. Kok-Chor Tan argues that ideas of reparation for colonial injustices can supplement egalitarian arguments for global justice (Tan 2007), David Miller raises the question if former colonial nations have inherited responsibilities for what was done to the colonies and line up alternative scenarios for how rectification could be done (Miller 2007), and Daniel Butt argues that colonial injustices undermine the legitimacy of present resource holdings (Butt 2009).

According to Thomas Pogge a root cause of the present gap between the global “haves” and the global “have-nots” is the colonial history of oppression and genocide. However, he does not elaborate on the implications of this history for present day claims for global justice (Pogge 2002, 203-204).

Among critical voices of demands for rectification are the philosophers Jeremy Waldron, who argues that historical redress presupposes problematic counterfactual calculations (1992, 2007) and George Sher, who questions if descendants to victims of oppression and injustices have any right to claim rectification (1980, 2006).

My argument

The argument for rectificatory justice that I develop in this book is built on the following premises: 1) there is a moral obligation to rectify the consequences of harmful acts, 2) colonialism was in various ways harmful for the colonies, 3) the present unjust global structure is a legacy of colonialism, and 4) the obligation of

rectificatory justice is trans-generational so long as there are identifiable beneficiaries and victims of past injustice in the present.

My argument is first based on the “do-not harm-principle”, or – in other words – the “principle of non-maleficence” (Beauchamp and Childress 2001). When harm is perpetrated, the victim can claim redress. This is the basic idea of rectificatory justice.

During the era of colonialism, colonies were harmed in different ways. They were subjects to interventions, war and occupation, slavery and forced labor, genocides and massacres, extermination of domestic religions and cultures, forced replacement of populations, economic dominance and exploitation and various other kinds of human rights violations. Individuals and peoples who were victims of these harmful acts have a right to redress. Rectificatory justice is a way to “...restore the dignity of the victims” as the follow-up UN conference on racism in 2009 says. In this respect, my argument for rectificatory justice is backward-looking; what happened in the past is the basis for present claims for justice.

The legacy of colonialism is enduring. Since the global structure is still shaped by colonialism, the argument developed in this book is also forward-looking. Relations of dominance and subjection, as well as inequalities inherited from colonialism ought to be changed. In this way, global distributive justice and global rectificatory justice are complementary, or in the words of Nigerian philosopher Peter Osimiri,

...while the rectificatory theory of justice provides a sound basis for repairing historic injustices, it also provides a strong normative platform for reforming the present global economic order into one that is fairer to the poor (Osimiri 2010).

But is it really fair to assign duties of rectification for the deeds of one's forefathers? When God in the Old Testament is said to punish "...the children for the sin of the fathers to the third and fourth generation..." (Deuteronomy 5:9) one could question both the rationality and goodness of such a God. Why should a person who has done nothing be punished? This questioning of inter-generational rectification will be discussed later in the book.

Method

This is a book in ethics, or more precisely in applied ethics. Ethical questions are raised concerning the implications of past wrongful acts and their enduring consequences for the present relations between the global rich and the global poor, i.e. ethics is applied to both a historical period and the present global order.

I develop arguments for a normative thesis and discuss possible objections. Some arguments have the form of thought experiments, as the one about the poor neighbor above. In a thought experiment, one tells a story that is analogous to an actual historical event and investigates what moral intuitions the story generates. The moral intuitions generated by the thought experiments are related to ethical theory, in this case a theory of rectificatory justice.

As all argumentation in applied ethics, even my argument depends on factual accounts and assumptions. In my case, I rely on reports and accounts of the history of colonialism and its political and economic consequences, and of facts of how the present global world order works. As a consequence, my argument can be challenged from two angles. A critical reader can either question the ethical

reasoning, i.e. the author's moral intuitions and normative theory, or the factual basis.

Is history relative?

It has become fashionable to argue that history is relative. In the discussion on historical reparations, one sometimes encounter the view that different groups interpret history differently and that history is subjective. One group has one view of what happened in the past and another group has a different view. "History has become increasingly malleable", as Barkan writes (Barkan 2000, x).

History is always a matter of interpretation and critical historians remind us that official historical accounts are normally written by the victors. As a consequence, the voices of the victims are more seldom heard, or as Klaus Neumann writes,

In many cases, the vast majority of sources about a past injustice were generated by those responsible for it. Often, the voices of victims only survive in the accounts of their tormentors (Neumann 2013, p.7).

One aspect of this subjectivity of history is that social identities and national sentiments normally are shaped by an established interpretation of historical events.

A pertinent example of a need for reevaluating history is the recent findings of historians David Anderson and Caroline Elkins of the British combat against the Mau Mau-movement in Kenya in the 1950s. The established view of British civilization fighting superstitious and brutal African warriors has to be reconsidered from the ground (see Chapter 4).

Does this view of history force us to adopt a relativist stance? And does it imply that demands for rectification always are based on one group's point of view and that those demands are thus *per se* questionable? It is true that history is a battlefield for different interpretations. It is also true that different actors usually recapitulate the past in different ways and that their reports are informed by their values and their self-interests. However, this does not imply that we must surrender to relativism. The Holocaust is not just a narrative told by Jews and the slave trade is not just a narrative told by Africans. There are historical facts behind the narratives and these can be critically examined.

The scientific virtues of objectivity, impartiality and fair assessment does not necessarily conflict with sympathy for the victims and efforts to highlight historical injustices, as long as there are good reasons for this ethical positioning. For those involved in an endeavor of rectificatory justice it is of utmost importance to get the historical facts correct. There are good reasons for rectification only if the stories told by the victims, and the interpretations of the history behind the rectificatory claims, have a solid empirical underpinning.

Overview

As a point of departure, in Chapter 2 I show how the present discussion on global justice ignores an important premise. I argue that the current global order, including the distribution of wealth and power, in different ways mirrors the colonial structure. Further, I argue that, what Thomas Pogge calls, the "international resource privilege", an alliance between on the one hand multinational corporations and on the other authoritarian leaders in developing countries, has its roots in colonialism.

John Rawls's *Law of Peoples* has greatly influenced the discussion on global justice. In Chapter 2 I also argue that a principle of rectification should be added to the principles of international justice that Rawls suggests. I draw the conclusion that a historical perspective will contribute to a more comprehensive notion of global justice.

A discussion of whether there are good reasons for rectification after colonialism must relate to the legacy of colonialism; was colonialism detrimental or beneficial for the colonized peoples' situation and what are its political and economic consequences today? Chapter 3 gives a broad introduction to colonialism and imperialism; how European hegemony was established, "the scramble for Africa" when Africa was divided between European colonial powers at the Berlin Conference 1884-1885, the colonization of Asia and the United States' dominance over Latin America etcetera.

After a general overview of the colonial history in Chapter 3, Chapter 4 presents and discusses five examples of the practice of colonialism. The examples illustrate different aspects of this period of history; one example of a rather peaceful but nevertheless in the long run destructive colonial period (Uganda), one example of a vicious quest for minerals and other raw materials which undermined a country's future (Congo), a genocide that had lasting consequences (South West Africa/Namibia), a war of liberation that was violently resisted by the colonial power (Kenya) and finally one example of how colonies and pseudo-colonies were integrated in the world market with fatal consequences for the countries' own economic development (India).

The point of departure of Chapter 5 is the question of how colonialism and imperialism shaped the present global structure. The primary question is: How were the present poor nations and former colonies affected by the fact that they were dominated by foreign powers for hundreds of years? The second question is: How did colonialism affect the development in the present day wealthy nations? Both these questions are highly controversial and experts in the field are divided in their answers. Hence, the aim is to relate my argument to some answers given by historians and economists and discuss the implications for the argument for rectificatory justice after colonialism.

The impact of colonialism was not restricted to political and economic spheres. There was also a colonization of minds, traditions and cultures. This form of enduring colonialism has been revealed by post-colonial theory. In Chapter 6 the “epistemic injustice” of colonialism is discussed with the help of the Indian social theorist Rajeev Bhargava’s theory of the colonization of “epistemic frameworks”.

Did former colonies demand rectification when they got independence? Chapter 7 gives an overview of rectificatory claims after colonialism. Some examples are the Herero claims against Germany, the claims of former Mau- Mau adherents against Great Britain, compensation to the Aborigines in Australia and Caribbean claims for rectification for slavery and the slave trade.

What is the *meaning* of rectificatory justice? In Chapter 8 I analyze the concept of rectificatory justice. I start by giving an account of some philosophical views of rectificatory justice. The main part of the chapter contains an analysis of the concept and theory of rectificatory justice. In order to structure the discussion of rectificatory justice a model of rectificatory justice is developed and the model is then applied to

historical rectification after colonialism. I develop a theory of rectificatory justice and address the questions of who can rightly claim rectification and who owes rectification, whether there are temporal limitations to rectification, and what is owed in the name of rectification after colonialism. Finally, I discuss the question whether it is unfair and even anachronistic to claim rectification for past wrongs.

Do demands for rectification merely open up wounds that have been healed? Are forgiveness and reconciliation perhaps better alternatives than rectification? The relation between rectification on the one hand and forgiveness and reconciliation on the other is discussed in Chapter 9 I argue that both political forgiveness and reconciliation are related to and normally require rectification. Although rectificatory justice, forgiveness and reconciliation cover similar conceptual space and in some ways overlap, there are also crucial differences and neither forgiveness nor reconciliation can replace rectification.

The idea of rectificatory justice is controversial and a number of philosophical arguments have been raised against it. The arguments that claims for rectificatory justice come into conflict with ethical presentism and ethical individualism, that they presuppose problematic counterfactual premises, that they are insensitive to changing circumstances and that descendants have no right to claim rectification while they would not have existed if the previous harm had not taken place (the non-identity problem) are discussed in Chapter 10. However, neither objection undermines the argument for rectificatory justice after colonialism.

In the Durban Declaration of the United Nation's conference on racism 2001, slavery and the slave trade were in focus. The delegates expressed their sorrow about this dark period in history and demanded that it should be commemorated. The question

of rectification was hotly discussed. Is there a moral reason to rectify African nations for of the harmful impact of the slave trade? This question is discussed in Chapter 11.

What are the practical implications of historical rectification and how should the relations between former colonies and former colonial powers be shaped in the future? In the remaining part of the book, these questions are addressed.

Migration from former colonies to former colonial powers is an important feature of international migration flows during the latter part of the 20th century. The question discussed in Chapter 12 is if a generous immigration policy on behalf of persons from former colonies is an appropriate measure for former colonial powers to compensate for colonial injustices. I conclude that since migration from the global south to the global north on the whole is detrimental to the long-term interests of the south it is not a fitting way to rectify.

Colonialism shaped the global order and had enduring consequences for the relations between the former colonial powers and the former colonies. How can these relations of dominance and submission be changed? Critics of the TRIPS-agreement (Agreement on Trade Related Intellectual Property Rights), regulating patents and intellectual property rights on a global level, argued that the interests of the global poor to get access to pharmaceutical products came into conflict with the pharmaceutical companies' interest of globalizing intellectual property rights. Surprisingly enough, the resistance from developing nations and many NGOs to the agreement were at least partly successful in shaping revised regulations more to the favor of the global poor. In Chapter 13, the TRIPS-discussion is analyzed from the point of view of rectificatory justice.

I argue that the fact that the position of the global poor and former colonies managed to influence the outcome, could be seen as a model for how more equal relations between the global rich and the global poor might be realized in the wake of rectificatory justice.

The conclusions of the argument are drawn in Chapter 14. First, it is argued that rectification is a way to realize justice and restore a moral equilibrium and to respect the rights of victims of past wrongs, and that there are beneficial consequences of rectification. Former perpetrators will through rectification enhance their international reputation and rectification will restore the self-respect of the citizens of a nation that is guilty of historical wrongs.

How then is global rectificatory justice related to global distributive justice? According to theories of global distributive justice, there is a need for global redistribution in favor of the poor in the developing countries. A theory of global rectificatory justice has similar implications. However, even to the extent that the social and economic implications are similar, the motives behind are different. Hence, a theory of global rectificatory justice is complementary to a theory of global distributive justice and it will enable us to develop a more comprehensive understanding of the meaning of global justice.

How can former colonial powers compensate for past and present injustices? The British apology and compensation to former adherents of the Mau Mau movement could be seen as an exemplar. This question is also today raised by the heads of the Caribbean states who claims rectification for the slave trade and they are awaiting a response.