

Contemporary Rights and Duties of Apology for Historic Injustice

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The passage of time undoubtedly complicates questions of the rights and duties that are owed as a result of past wrongdoing. Writing in 2001, Janna Thompson outlines what she called the “Exclusion Principle,” claiming, “It is a principle basic to reparative justice . . . that individuals or collectives are entitled to reparation only if they were the ones to whom the injustice was done.”¹ She continues, “It is also part of the Exclusion Principle that only perpetrators, whether these are groups or individuals, should be punished for injustice or required to make recompense.”² This is the central challenge faced by accounts of reparative justice relating to historic injustice: What, if anything, can be owed today if some or all of the original perpetrators and victims are dead? I here assess Andrew I. Cohen’s recent work on apologies for historic injustice. His account, I will argue, is both persuasive and far-reaching—indeed, more far-reaching than Cohen suggests. Some might think that this renders the theory implausible; to the contrary, I argue that this is the right way to confront the vast scale of historic wrongdoing.

In *Apologies and Moral Repair*, Andrew I. Cohen puts forward a sophisticated account of the role of apologies within corrective justice.³ The final chapter of the book addresses the specific case of apologies for historic injustice. Cohen maintains that “corrective justice assigns some rights and duties of apology for historic injustice,”

¹ Janna Thompson, “Historical Injustice and Reparation: Justifying Claims of Descendants,” *Ethics* 112, no. 1 (2001): p. 116.

² Thompson, “Historical Injustice and Reparation,” p. 116 n. 8.

³ Andrew I. Cohen, *Apologies and Moral Repair: Rights, Duties, and Corrective Justice* (New York: Routledge, 2020). All subsequent references to *Apologies and Moral Repair* will be cited by page number parenthetically in the text.

noting that “[a]ll injustices are historic or have some historic dimensions” (pp. 166–67); this is a simple reflection of the fact that corrective justice is necessarily responsive to things that have occurred and so are, at least to some degree, in the past. Cohen resists the idea that the passage of time in and of itself obviates the need for moral repair. There is good reason to think that in situations where wrongdoers refuse to act on their reparative duties, the moral state of affairs can get worse, not better.⁴ However, a defining feature of “historic” injustice is that at least some and perhaps all of the parties originally involved in the injustice in question are no longer alive. Cohen notes three ways that extant parties might nonetheless have contemporary rights or duties of apology relating to such injustices:

- (1) Any such rights or duties belong to the parties to the original transgression.
- (2) Rights and duties of apology can be passed down to descendants of parties of the original injustice.
- (3) While the subjects of rights and duties regarding apology for the original transgression are the original parties to the transgression, other linked rights and duties might arise and apply to descending generations. (pp. 170–71)

This typology is framed in terms of apologies specifically, but it is generally helpful for understanding how recent writing on historic injustice has proposed contemporary reparative rights and duties stemming from past wrongdoing. Let us label the three models, respectively, as Same Identity, Transmission, and Expansion accounts. Thinking of duties to pay compensation for historic injustice, some authors advocate Same Identity approaches in holding that some sorts of agents, such as states or corporations, have transgenerational identities such that their present-day versions possess reparative duties. Some others have put forward Transmission accounts, arguing that the descendants of wrongdoers may, in some cases, be deemed to have inherited liabilities as well as assets when gaining entitlements to the estates of their forbears. Finally, yet others put forward Expansion accounts in arguing that some present-day parties may possess

⁴ For discussion of this point, see Daniel Butt, “Settling Claims for Reparations,” *Journal of Race, Gender, and Ethnicity* 11, no. 1 (2022): pp. 63–67.

compensatory duties to victims not by dint of bearing responsibility for committing injustice, but stemming from their contingent relation to the persisting effects of said injustice. It is striking that much recent literature has sought to develop arguments relating to historic injustice that are best understood as Expansion accounts. An example of this would be discussion of the “Beneficiary Pays Principle” (BPP), which holds that putatively innocent beneficiaries can acquire compensatory duties even when they involuntarily benefit from wrongdoing perpetrated by others.⁵ We might also include here work on structural injustice that has sought to apply the concept of “political responsibility” to duties to redress the persisting harms of past wrongdoing.⁶ Other Expansion accounts instead hold present-day parties responsible for subsequent injustice to the descendants of the original victims of injustice.⁷ One could easily repeat the exercise in relation not to duties but rights of compensation, with related arguments in all three categories.

Relatively little of this work, however, deals explicitly with apologies, as opposed to other forms of contemporary reparative action, for historic injustice. This is certainly true for recent work on structural injustice and past wrongdoing. For example, in *Justice and Reconciliation in World Politics*, Catherine Lu generally avoids altogether the term “apology,” preferring instead the interestingly different term “acknowledgment.” “Contemporary societies have a duty to acknowledge and recognise past injustices, even if nothing can or needs to be done in the way of repair in contemporary circumstances,” she writes, noting that acknowledgment is “the primary duty that contemporary agents owe to historic agents.”⁸ There is little direct treatment of apology in Alasia Nuti’s *Injustice and the Reproduction of History*. She briefly touches on the issue when discussing reparation for past injustices with no structural effects in the

⁵ Daniel Butt, “‘A Doctrine Quite New and Altogether Untenable’: Defending the Beneficiary Pays Principle,” *Journal of Applied Philosophy* 31, no. 4 (2014): pp. 336–48.

⁶ Iris Marion Young, *Responsibility for Justice* (Oxford: Oxford University Press, 2011).

⁷ Bernard R. Boxill, “A Lockean Argument for Black Reparations,” *The Journal of Ethics* 7, no. 1 (2003): pp. 63–91; George Sher, “Transgenerational Compensation,” *Philosophy & Public Affairs* 33, no. 2 (2005): pp. 181–200.

⁸ Catherine Lu, *Justice and Reconciliation in World Politics* (Cambridge: Cambridge University Press, 2017), p. 180.

present and notes that her account is not opposed to such apologies, but also observes that she does not see them as duties of justice.⁹ Maeve McKeown's *With Power Comes Responsibility* explicitly maintains that reparations should be understood broadly to include apology, though she does not discuss the concept in any depth.¹⁰ Perhaps tellingly, the term "apology" does not appear in the index of any of these books. This is unsurprising, given that work on structural injustice has often sought to avoid the language of blame and liability that typically accompanies theorizing about apologies.

It is not just the structural injustice theorists, though, who skirt the topic of apology. Much discussion of the BPP, for example, accepts, if only for the sake of argument, that it makes sense to see present-day agents as innocent third parties in relation to historic injustice and then asks, in keeping with the Expansion approach, whether they might nonetheless have reparative duties qua beneficiaries. It is much easier to argue from such a starting point that innocent beneficiaries should give up their tainted benefits than to maintain that they should apologize for having had the benefits foisted upon them. The language of blame and apology comes most easily to those who adopt a Same Identity strategy. If a modern-day party is still, in some meaningful sense, the same party who committed a wrong, it is not difficult to see how a claim, at least, could be made that the party should apologize. But things are more difficult if one is pushing a version of Transmission or (at least some versions of) Expansion. On these models, as we move away from the agents directly morally responsible for the wrongdoing, apologies tend to drop out of the picture, even if other elements of reparation (including compensation, but also potentially truth-telling, commemoration, public education, structural reform, and so on) persist.

Cohen differentiates explicitly between the grounding of duties and rights to apologies. Perhaps unsurprisingly, given the above discussion, his account of how present-day parties can be said to have duties to apologize in relation to historic injustice is most convincing when it is framed in Same Identity or Expansion terms. This said, he does consider a Transmission account in his exploration of whether duties to apologize are heritable. Noting that "duties can transmit

⁹ Alasia Nuti, *Injustice and the Reproduction of History: Structural Inequalities, Gender, and Redress* (Cambridge: Cambridge University Press, 2019), p. 51n.

¹⁰ Maeve McKeown, *With Power Comes Responsibility: The Politics of Structural Injustice* (London: Bloomsbury, 2024).

across generations,” he observes: “If I inherit an uncle’s apartment building, I might inherit duties, such as those he owed to lessors to maintain the property in certain ways and not to rent their units to other parties when their leases are still in effect” (p. 175). Cohen’s phrasing here and in a related example is qualified; he notes that such descendants “might” inherit duties of apology. This leaves open the possibility that there might be cases where this does and does not take place. This seems sensible, as we would not want to maintain in general that reparative duties are inherited simply by the fact that one agent is the descendant of or the heir to another. It is true that we sometimes think that it makes sense to hold that an heir inherits certain kinds of liabilities along with an estate, but this is crucially dependent upon either some voluntary undertaking to assume these debts or upon it being the case that the value of the estate does not exceed the cost of its associated liabilities. Broadly speaking, we do not think that someone should be saddled with a net debt from their parents or ancestors.¹¹ The crucial idea involved here is fairness; it is not fair if someone inherits a net liability without their consent. Even if we accept that duties can be transmitted in this kind of way, Cohen holds that they would be more limited than those of a perpetrator. The duty in question would be to “identify the transgression” and “acknowledge” the ancestor’s culpability (p. 176). This is a limited sort of apology; strikingly, the phrasing employed is reminiscent of Lu’s account of “acknowledgment.” In any case, Cohen accepts that this kind of “transmission of duties of redress might seem a bit unusual,” but maintains that a more intuitively plausible account would involve the persistence of such duties when attached to corporate agents, such as the duties owed by Georgetown University to the descendants of slaves sold in 1838 to support what was then Georgetown College in Washington D.C. (p. 176). This, as he notes, however, is really a Same Identity rather than a Transmission case; the continuity of identity of the corporation in question here is key. He further outlines an Expansion account, grounded not so much in responsibility for the original but for later acts of wrongdoing that were experienced directly not by the original victims but by their descendants. Insofar as anyone currently alive or any extant institutions were responsible for such wrongdoing, it seems there is a *prima facie* case for apology, plausibly alongside other forms of reparation.

¹¹ I discuss such cases in Butt, “Inheriting Rights to Reparation: Compensatory Justice and the Passage of Time,” *Ethical Perspectives* 20, no. 2 (2013): pp. 245–69.

So far, so good. We have expressed some doubt (which, to be fair, Cohen seems to share) about the plausibility of the transmission of duties of apology, but have accepted that they might persist in cases where we can plausibly say that the agent or institution responsible for the original wrong still exists or where later actors have perpetrated further wrongdoing. But what of rights of apology? What should we say of those to whom the apologies are owed? To be clear, and as Cohen notes, we need not run the same account in relation to both rights and duties. We might in a given case, for example, think that an institution responsible for wrongdoing persists through time and so has duties of apology on grounds of Same Identity, but believe that there is no equivalent persisting institution on the victim side, meaning that an account of rights to apology will need to be grounded differently. It is not difficult to see how a case for present-day rights to apology can be made if we see the victims in question either in terms of institutional Same Identity—such that they retain their identity in a meaningful way across generations—or in terms of Cohen’s account of Expansion, if we deem them to have been wronged by instances of wrongdoing that have affected them directly within their lifetimes.

Cohen wants to go further than this, however. His account is open to the possibility of both an individual version of a Same Identity argument, whereby apologies are owed, in a sense, to the original victims, and to the idea of the heritability of rights to apology by heirs. The former case is explored in relatively deeper detail. The key question concerns whether the moral reasons we have for apologizing when a victim of wrongdoing is alive—reasons that Cohen defends in terms of duties to repair breaches of normatively significant relations—still have any kind of force when that victim is dead. In maintaining that they can have such force, Cohen relies upon a distinction between the idea that a dead person can bear rights of reparation (about which he seems dubious, on the grounds that they are, after all, dead) and the idea that the antemortem individual in question can bear rights of reparation, which he takes to be plausible: “Some contemporary parties can have duties *to* an antemortem person. The antemortem person’s right can have various beneficiaries for its fulfillment, such as the dead (if that is possible) and/or to some other party(ies)” (p. 173). Cohen expresses doubt about the possibility of fulfilling the expressive dimensions of reparation (such as apologies) directly to antemortem persons, but he is more supportive of the idea that apologies might be owed to antemortem persons but fulfilled by things that duty bearers “say or do to the living” (p. 174). The idea here is that the antemortem

agent's right to an apology would convert to a right to an apology "to a proxy" upon their demise. Insofar as such as a proxy might share interests with the transgressed, then an apology to a proxy might satisfy the rights of the antemortem person, as opposed to satisfying any of the proxy's rights.

Cohen also says that if we "suppose that persons typically identify and take an interest in their descendants and that the converse is also typically true," then the door seems open, at least, to the possibility of duties of apology to descendants (p. 175). As stated, this is technically a Same Identity account, as the rights in question are held by the antemortem victims, not the descendants themselves. But Cohen also entertains the idea of a Transmission account. He first suggests that descendants might inherit rights to reparation in a general sense, then notes that the "various rights of redress might be to a cluster of goods," potentially including not only rights to material redress but also to apology (p. 177). If so, an agent with duties to apologize might owe such duties not only to antemortem parties, but also to present-day agents, insofar, again, as making such apologies "might serve important moral functions" (p. 177).

This is, of course, all contentious. Some will dispute whether it makes sense to think of rights to apology, as opposed to rights for material compensation, as being the kind of thing that can be inherited or whether they are by nature nontransferable. We can test the argument by thinking about a case within a single generation. Suppose you damage my car, but when you come to apologize, I tell you that I have transferred my rights to reparation to my neighbor, so you should go and perform all the reparative duties you owe me to her instead. It seems clear that you could pay her the compensation you owe me, but what would it mean for you to apologize *to her* for what you have done to me?

Others will dispute whether the Same Identity account actually needs to be confined only to antemortem persons. The question of whether one can owe duties to the dead simpliciter (as opposed to antemortem persons specifically) is much disputed and I, with others, argue in favor of the more straightforward account that Cohen seems to find dubious, though it is unclear how we are to settle the issue either way other than by metaphysical fiat.¹² What should be clear, though,

¹² Daniel Butt, "What Structural Injustice Theory Leaves Out," *Ethical Theory and Moral Practice* 24, no. 5 (2021): pp. 1161–75; Zofia Stemplowska, "Duties to the Dead: Is Posthumous Mitigation of Injustice Possible?" in *Oxford Studies in Political Philosophy: Volume 6*, ed. David

even if we only accept Cohen's account of what is owed to antemortem persons, is how broad a set of duties to apologize this understanding could ground. There are very many dead people who were subject to wrongdoing and, plausibly, very many individuals (or at least institutions) who on Cohen's account might have duties to make apologies. What should we make of the potential scale of duties to make expressive forms of reparation that this account appears to open up?

Cohen anticipates this issue. His discussion at the start of Chapter 9 suggests ways in which we might shrink down the set of cases that give rise to contemporary corrective action. In explaining this, it will be helpful to say something about a central example that Cohen utilizes throughout the chapter: an instance of wrongdoing in New York City in 1889. Cohen relates the tale of Terrance Lavin, who recounted, in 2014, that he had discovered details about the life of his great-great-grandfather, Patrick Lavin, a member of the New York City Police Department (NYPD). Patrick Lavin, it transpired, had belonged to a political group implicated in police corruption. In 1889, while visiting a saloon owner who had not paid off corrupt police officers, Patrick Lavin had bludgeoned to death the building's janitor, Casper Pfof, a recent immigrant from Germany, in front of Pfof's wife. Thereafter, Cohen notes, "there were half-hearted official inquiries, Lavin's eventual indictment for manslaughter, further corruption-inspired delays in legal proceedings, and, four years later, the local District Attorney dismissed all charges. Lavin went on to serve in the NYPD until his retirement in 1911" (p. 168). In 2014, Terrance Lavin tracked down a descendant of Pfof, Stephen F. Pfof II, who knew nothing of any of this. Noting that "[t]hey both seem to be white men," Cohen tells of how the two visited the scene of the historic crime, with Lavin stating, "Where we stood, there is no mark reminding people of the tragedy that occurred there, and no need for one" (p. 168).

Cohen seems supportive of this analysis. He introduces the Lavin and Pfof story as an instance of a transgression that does "not fit the mold of historic injustices as the term figures in social and political theorizing," noting that the reasons why it does not fit are "instructive for what it is about historic injustices that matters today" (p. 168). The thought is that Pfof's plight does not seem to have had the right sort of downstream effects. Pfof II is unaware of the hardships that his great-great grandmother must have faced in the aftermath of her husband's

Sobel, Peter Vallentyne, and Steven Wall (Oxford: Oxford University Press, 2020), pp. 32–60.

death and Cohen notes that the killing “is not a raw exemplar of a persistent pattern of oppression and official nonrecognition against persons of German descent” (p. 169). Instead, Cohen argues, the historic injustices “that command our fraught attentions today” involve parties who identify with past injustices, which remain unredressed. He continues:

The failure to redress those injustices sorely impacts contemporaries. It is often part of the narrative people tell for why their lives do not go as well as they hope. Those past injustices still matter to them, perhaps because something similar persists to this day. . . . Bygones are not gone for many African Americans; Jews; Armenians; Kurds; indigenous groups in North America, Australia, Taiwan, south Asia, and many other parts of the globe; and plenty of other minority communities and stateless ethnic groups. (p. 169)

It appears that for historic injustices to “matter” in the present day, there needs to be this kind of persisting contemporary effect.

Cohen’s approach here echoes the work of a number of scholars who have written on the persisting structural effects of historic injustice; it is telling in this regard that he here cites Jeff Spinner-Halev’s *Enduring Injustice*.¹³ In particular, his argument echoes Nuti’s recent work on what she calls “historical-structural-injustice” (HSI), which is “constituted by the structural reproduction of an unjust history over time and through changes.”¹⁴ Her account is inspired in part by what she calls the “impracticability objection,” namely, “if all the injustices that occurred in the past are important, redressing historical injustice is an impractical task.”¹⁵ She denies the claim that past injustices, in and of themselves, give rise to present-day obligations of justice: “From the perspective of HSI, we should focus not on all injustices that occurred in the past but only on those that are reproduced into the present.”¹⁶ I argue elsewhere that a full account of the demands of corrective justice is wider than Nuti maintains and that it can include instances of past injustice that do not seem to have this

¹³ Jeff Spinner-Halev, *Enduring Injustice* (Cambridge: Cambridge University Press, 2012).

¹⁴ Nuti, *Injustice and the Reproduction of History*, pp. 8–9.

¹⁵ Nuti, *Injustice and the Reproduction of History*, p. 15.

¹⁶ Nuti, *Injustice and the Reproduction of History*, p. 47.

kind of lingering structural effect in the present.¹⁷ It is unclear, in any case, that Nuti's approach is available to Cohen, given his account, in particular, of Same Identity duties to antemortem persons. If a contemporary duty is owed to an antemortem person, why should it be necessary that the past injustice is having a negative effect on contemporary people? This is not to say that such effects are unimportant. They may constitute distinct grounds for reparative action on an Expansion account and, as we will see, they may appropriately be prioritized when reparative resources are limited. However, if we believe that duties can be owed to antemortem persons or that rights to apology or other forms of reparation can be inherited by descendants, then there is no rationale on Cohen's account to exclude instances of historic injustice that do not seem to have persisting contemporary effects. Instead, what seems to be important for Cohen's account is whether the passage of time has in some way lessened the moral reasons contemporary agents would have for fulfilling these duties.

Cohen accepts that this need not happen, as we can see in his discussion of Georgetown University's reparative duties in relation to the nineteenth-century slave Cornelius Hawkins. The key in relation to Same Identity duties to antemortem persons is whether such persons would identify with present-day persons. Cohen suggests that this is plausible in relation to Hawkins's own descendants and "perhaps too (though likely less so) with some descendants of other slaves" (p. 174). By contrast, he argues that "[a]ntemortem Hawkins likely has negligible interest in some unrelated twenty-first-century person who was neither descended from him nor in a socially significant group to which he belonged" (p. 174). We might note at this point that this claim does not seem to depend on the present-day descendant being the victim of some kind of persisting structural injustice. Perhaps one has a greater or keener interest when this is the case, but presumably one might more generally wish one's descendants well. The more important point here is that insofar as it is sufficient that there is identification with "a socially significant group" to which one belonged, there is extensive scope for identifying appropriate present-day proxies for the fulfillment of duties to apology. Let us return once more to the case of Patrick Lavin and Casper Pfost.

On the surface, the case for contemporary rights and duties to apologies here seems weak, as it appears that the injustice has washed out of the system. Immigrants of German descent do not face contemporary injustice, neither Lavin nor Pfost's descendants were

¹⁷ Butt, "What Structural Injustice Leaves Out."

initially aware of what had happened to their forebears, and it is not even clear that the specific social groups the historic persons belonged to still exist in a recognizable form. There seems no clear agent who would bear contemporary duties of redress and it seems difficult to see how the antemortem person of Pfof would identify with an appropriate proxy to receive an apology, even if there was someone to give it. This, however, seems to me to be too quick. Let us think first about duties of redress.

It indeed seems implausible to think that the descendants of Lavin owe duties of apology. They are not the same agents (so Same Identity fails), they do not seem to have acted unjustly in the interim period or caused further harm (so there is no Expansion case), and we have cast doubt on the plausibility of a straightforward Transmission of duties of apology via descent. But there is another party plausibly in play here: the New York Police Department. Lavin was a police officer, he carried out his actions while engaged on official business, he was implicated in systematic police corruption, and it seems that there were clear failures in the subsequent handling of the case. The NYPD bears significant responsibility for the ways that Casper Pfof, and indeed his wife and children, were deeply wronged. The NYPD is an institution that persists to the present day. There is a clear case, on Cohen's account, for a Same Identity assignation of remedial duties to the present-day NYPD. If we are willing to sanction apologies directly to the dead, then it seems that nothing more needs to be said to ground a present-day duty to the historic person of Casper Pfof.

It is also not difficult to build a case using Cohen's antemortem person framework. The key question here concerns how we conceptualize the "socially significant group" with which the antemortem person might identify. It may be difficult to see this if we describe the group in question as something like "U.S. citizens with German heritage." But what if we think, instead, of the group "victims of police brutality and corruption" or, more specifically, "first generation immigrants who are treated unjustly by the New York police"? Why would we not think that an apology to, for example, a contemporary migrants' rights group or a group that campaigns against police brutality or corruption might be meaningful to the antemortem person of Casper Pfof?

The point here is not restricted to this specific example. It is not that, as it happens, this case involves both an institutional actor and a form of injustice that has contemporary parallels. The point is rather that this is likely often to be the case. The former claim depends, if

framed in Same Identity terms, on the involvement at some level of an institutional actor with some degree of continuity through time or the identification of a relevantly connected present-day equivalent. More discussion would be needed for a full theory here, but it is not difficult to see how such a case could be made in a wide range of examples. The latter claim, however, is much more expansive. It is much more difficult to think of forms of past injustice that do not have some present-day parallel than to think of ones that do. The standard elements of wrongdoing—cruelty, prejudice, intolerance, violence, deceit, betrayal, and so on—are tragically repeated throughout human history. If one accepts that one has a reparative duty, it will generally not be difficult to come up with an appropriate proxy for the antemortem persons in question.

This observation raises a familiar problem. It now seems as if the set of apologies that might be owed is massive. Are we not now back in the domain of Nuti's Impracticability Objection? Is it either possible or meaningful to apologize to everyone to whom an apology is owed? I offer four observations here by way of conclusion. First, apologies do not have the zero-sum character of other aspects of redress, such as material compensation. There is nothing preventing apologies from being made to larger or smaller numbers of victims; apologizing to one in no way precludes apologizing to another. Second, even if we believe that there are limits on what can practicably be done, perhaps on account of the expense or difficulty involved in investigating historic injustice in a way that would be necessary to make meaningful contemporary apologies, it should be acknowledged that there is a moral cost to stopping short of fulfilling existent duties of apology. A rights violation may be permissible or excusable, but it nonetheless remains a rights violation. Third, this is not the only area where contemporary agents face difficult choices based on the scale of apparent reparative duties. In particular, duties to apologize now look obviously similar to duties to commemorate, where there are acknowledged dilemmas and trade-offs when it comes to choosing whom to remember and in what level of detail.¹⁸ Fourth, even if we accept that some types of institutions—most obviously states—might have good reason to prioritize redress for those instances of historic injustice that have persisting structural effects, it does not follow that other types of agent—whether institutions or individuals—who are more specifically linked to particular forms of past injustice should

¹⁸ For discussion, see Zofia Stemplowska, *Attentive Justice for the Dead* (forthcoming).

disregard duties of redress in cases where only antemortem persons seem to have an interest in a present-day apology.¹⁹

It appears that neither Terrance Lavin nor Stephen F. Pfof II saw a need for an apology or memorial for Casper Pfof in the place where he was murdered in 1889. I disagree and, to be blunt, if I meet a similar fate, I would hope that neither my descendants nor those of my killers would be so blasé about how I should be remembered. At the very least, when institutions such as the NYPD are confronted with credible evidence of their past wrongdoing and when we can identify agents in the present day who plausibly represent those who were wronged in relevantly similar fashion, they should apologize. Doing so is likely to serve the interests of a wide range of people, be they living, antemortem, or even, on some accounts, dead.

¹⁹ I discuss this thought in further detail in Butt, “What Structural Injustice Leaves Out,” p. 1170.