

Reparations and the Human

David L. Eng

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Contents

Preface and Acknowledgments ix

Introduction i

1 Beyond Repair

Political and Psychic Genealogies in Locke and Klein 15

2 Beyond Trauma

War and Violence in the Transpacific 49

3 Beyond Sovereignty

Absolute Apology, Absolute Forgiveness 93

Notes 123

Bibliography 145

Index 155

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Preface and Acknowledgments

Most of the world's uranium supply is mined from Indigenous lands. The uranium used to produce the only two nuclear weapons ever deployed on human populations, those dropped on Hiroshima and Nagasaki during World War II, came in part from the territories of the Sahtu Dene, a First Nations people inhabiting northwestern Canada. Many of the Sahtu Dene men who labored on behalf of this atomic initiative died of cancer. To this day, their descendants suffer from extraordinary rates of malignancy and premature death. Although the Canadian government shuttered the mine in 1960, the land on which the Sahtu Dene live and the ecosystem on which they depend for their sustenance is poisoned by radioactive waste for eternity. Ignorant at the time of how their mining efforts would be applied or the destination of the ill-fated ore, the Sahtu Dene nonetheless felt implicated once they learned about their connection to those who were annihilated in Japan. In response, they sent a delegation to Hiroshima to apologize.

There is little in Western political or psychoanalytic theory that can adequately account for this extraordinary act and the Sahtu Dene's attempts to repair the violence of atomic destruction in Hiroshima for which they are, arguably, the least responsible. To be sure, Western conceptions of the sovereign state and the liberal individual underpin long histories of European colonization and trauma that seek to police the boundaries of the human being as well as the limits of repair in the face of unrelenting war and violence. *Reparations and the Human* interrogates political and psychic genealogies producing "bad" colonial subjects outside the pale of reparations and eccentric to definitions of the human. A category whose shifting values under colonial modernity have created clear distinctions among the very aggregate it seeks to universal-

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ize, “the human” is a comparatively recent historical term. The nominalization of an adjective—as in “human being”—it first appeared in 1840, according to the *Oxford English Dictionary*.¹ This book interrogates normative theories of the liberal human—and of repair, trauma, and sovereignty—evolving under European colonialism. However, it also necessarily moves *beyond* them to offer a different account of reparations and the human—from the time of colonial conquest in the New World to the era of nuclear devastation in Asia to the contemporary moment of the Sahtu Dene’s surprising actions in Hiroshima. In other words, *Reparations and the Human* seeks to do justice to those subjects injured yet long unacknowledged by conventional distinctions between victims and perpetrators in Western law, politics, and theory.

THIS BOOK REPRESENTS an expansion of my prior scholarship on law, psychoanalysis, and the Transpacific insofar as I have been compelled to engage with several fields and disciplines—from Indigenous and environmental studies to war history and diplomatic relations to scientific processes of uranium mining and enrichment—that required extended research, reading, contemplation, and synthesis. In this regard, I have many friends, colleagues, institutes, and foundations to thank for their continuous tutelage, support, and inspiration over the decade it has taken me to complete this book.

This project began with my prior writings on transnational adoption in Asia and the psychic possibilities of racial reparation. However, it blossomed into something more ambitious and significant in 2012–13, when I spent a year as a member of the School of Social Science at the Institute for Advanced Study (IAS) in Princeton. It is a small irony that the IAS, which the “father of the atomic bomb” J. Robert Oppenheimer directed from 1947 to 1966, became the place where I began to contemplate systematically how reparation converged and diverged across the political and psychic domains. I am especially grateful to André Dombrowski, Mark Driscoll, Neve Gordon, Moon-Kie Jung, Maria Loh, the late Diane Nelson, Nicola Perugini, Catherine Rottenberg, and Joan Scott—as well as Danielle Allen, Nicola Di Cosmo, Nancy Cotterman, the late Freeman Dyson, Sara Farris, Didier Fassin, Donne Petito, Judith Surkis, Peter Thomas, and Heidi Voskuhl—for creating an inimitable atmosphere of intellectual and social conviviality in the most improbable town in New Jersey. I am equally grateful to the Helsinki Collegium for Advanced Studies, and its then director Sami Pihlström, for providing me with an additional year of research and writing time in 2015–16 to develop this book.

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I am sustained by extraordinarily talented colleagues at Penn—especially in the Department of English and the Program in Asian American Studies—whose scholarly depth, institutional commitment, and dedication to our students make it inspiring to show up for class. Thank you, Hamit Arvas, Ericka Beckman, Pearl Brilmyer, Rita Copeland, Margo Crawford, Hardeep Dhillon, Anabel Bernal Estrada, Michael Hanchard, Nancy Hirschmann, John Jackson, Melissa Jensen, Fariha Khan, Baki Mani, Emily Ng, Ann Norton, Zita Nunes, Rupa Pillai, Anne Marie Pitts, Kevin Platt, Jean-Michel Rabaté, Paul Saint-Amour, Deb Thomas, Filippo Trentin, Loretta Turner, David Wallace, and Dag Woubshet, for being who you are.

Parts of *Reparation and the Human* have appeared in previously published forms. A section from chapter 1 appeared as “Colonial Object Relations” in *Social Text* and as “Reparations and the Human” in the *Columbia Journal of Gender and Law*; a section of chapter 2 appeared as “The History of the Subject and the Subject of History” in *History of the Present*; and a section of chapter 3 appeared as “Reparations and the Human” in *MLA Profession*.

Finally, I would like to thank A. Mattson Gallagher, Kate Mullen, Chris Robinson, Chad Royal, and Liz Smith at Duke University Press for shepherding this book to completion and Matthew MacLellan for preparing the index. I could not imagine publishing *Reparations and the Human* with anyone other than the inestimable Ken Wissoker, who has been my stalwart friend and editor at Duke for three decades and four monographs strong—or writing it for that matter while being with anyone other than my brilliant and patient Moomin partner, Teemu Heikki Petteri Ruskola.

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Introduction

Two catastrophes in the twentieth century marked a radical shift in our conceptions of the human being and, more specifically, of human precarity. The Holocaust and the atomic bombings of Hiroshima and Nagasaki invoked in graphic terms the specter of total human destruction. In *The Origins of Totalitarianism*, Hannah Arendt famously wrote that citizenship is nothing more or less than “the right to have rights,” and she observed in the context of European warfare and its crises of statelessness that “the world found nothing sacred in the abstract nakedness of being human.”¹ By deriving the human from its inscription in Western law, the legal status of an individual under European modernity and sovereignty came to predicate rather than to describe all human beings and their fundamental rights in a long and uneven history of colonial settlement and violence. In time, the skeletal figures liberated by Allied troops from German death camps and the suppurated frames of survivors of nuclear disaster in Japan stretched not only Arendt’s trenchant analyses of totalitarianism but also the human imagination itself to index a realm of bare life altogether beyond rights—of “life unworthy of life” (*lebensunwertes Leben*)—and those with no right to live at all.

In response, a new international order of human rights with attendant notions of reparations arose from the ruins of World War II. This new legal regime sought to subrogate the sovereignty of the nation-state in order to defend the sovereignty of the human being—however long the latter had been subordinated to the former concept in Western law and politics. Traditionally, reparations could be claimed by a victorious nation-state from a defeated one as compensation for the costs of war. For the first time in history, reparations were extended to encompass individual and group claims against state-sponsored violence and crimes against humanity. Confounding prior legal divisions sep-

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arating public war from private grievance, as well as state responsibility from civil liability, reparations and human rights sought to protect the abstract nakedness of being human and to compensate for the striking failures of the modern nation-state to ensure the sanctity of human life—a new dream of enlightenment emerging from the ashes. Great evils of the past and present, as the law scholar Martha Minow observes, are nothing new. What was new were “mounting waves of objections and calls for collective responses to mass violence.”²

While genocide in Europe and nuclear holocaust in Asia oriented the human imagination toward the specter of planetary annihilation—a prospect accelerated by the advent of Cold War hostilities between East and West under the threat of “mutual assured destruction”—the “final solution” and the atomic bombings also cleave from one another in significant ways. In the space of postwar Europe, the history of the Holocaust is settled: Nazis were perpetrators and Jews were victims. In contrast, in the space of postwar Asia, there was and continues to be little historical consensus as to who were the victims and who were the perpetrators in the aftermath of atomic destruction. Unlike the Holocaust, whereby Germany paid reparations to Jews as well as to the state of Israel, the possibility of reparations for those who survived the atomic bombings remains unthinkable. Indeed, nuclear weapons to this day remain legal instruments of warfare under international law such that “sovereignty is nuclear weapons,” in the words of international legal theorist Antony T. Anghie.³ My book begins with this notable disjuncture to explore a history of reparations and the human in Cold War Asia.

Reparation is a key term in both political theory and psychoanalysis—particularly in object relations—but the concept functions very differently in each field and is rarely discussed across them. While political theory conceives of reparations primarily as a noun—an event, a response, an accounting, a payment meant to write a history of violence into the past—psychoanalysis approaches the concept more as a verb: a continuous process mediating relations between love and hate, between idealization and aggression, among contending subjects. We should neither bemoan this slippage nor consider it a political liability. To the contrary, the gap between *reparations* (in the plural) as a noun and *making reparation* (in the singular) as a verb keeps open a space for new victims to be apprehended and new injuries to be claimed. In other words, as psychoanalysis indexes the radical indeterminacy of human relations—including the desire to repair and thus the will to maintain a relationship to an injured other—it becomes a vital heuristic for exploring the social and psychic effects of power, violence, and the politics of redress. These overlapping processes es-

² Introduction

establish the conditions of possibility for the emergence of the human being in the first instance while also subordinating subjects and populations deemed less than human.

It is important to emphasize from the outset that Arendt's stateless and displaced persons in Europe were hardly the first group to suffer the contingencies of being human. Those who were colonized and enslaved before them had given the lie to any fundamental concept of natural or universal rights long before the traumas of Hitler's Third Reich. A distinguished line of Afro-diasporic and African American thinkers from Frantz Fanon and Sylvia Wynter to Hortense Spillers, Alexander G. Weheliye, and Zakiyyah Iman Jackson have interrogated the social and the psychic conditions under which one qualifies for inclusion as a full member of the human race.⁴ Given the brutal history of European colonization and settlement, along with the ravages of the transatlantic slave trade and its enduring legacies, Fanon concluded that the project of decolonization would require nothing less than "quite simply the substitution of one 'species' of mankind by another."⁵

Reparations and the Human extends the critical insights of this intellectual tradition in Black studies to investigate the distinct forms this problematic takes in the space of the Transpacific. I offer a novel genealogy of reparations and the human in Western political and psychoanalytic thought by insistently placing the concepts in a comparative historical and geographical context. The book considers relations among Europe, the Americas, and Asia from the Age of Discovery (chapter 1) to the aftermath of genocide in Germany and nuclear holocaust in Japan (chapter 2) to our present moment of atomic fallout and environmental collapse (chapter 3). It analyzes a long history of colonial modernity and how, in turn, political and psychic genealogies of reparation established during the settlement of the Americas and the rise of European Enlightenment continue to determine shifting configurations of the human being and human rights in the face of war and violence across the Cold War Transpacific.

Throughout the book, I track how the idea of reparations appears as a central concept mediating sanctioned as well as disavowed histories of human trauma and suffering. The acknowledgment of trauma and suffering and the will to repair retroactively confer the juridical categories of victim and perpetrator, along with psychic categories of good and bad objects, colonizing and Indigenous subjects—deciding who is worthy or unworthy of redress. Together these social and psychic processes delimit the notion of the human being across disparate times and spaces. This book traces the dynamics structuring the differential productions of this figure—its arrogation of injury, its claims to political recognition, its rights to economic compensation.

As Western conceptions of the sovereign state and individual constitute the political foundations for European colonization and conquest by demarcating the boundaries of the liberal human and its rights to repair, my book necessarily investigates normative theories of repair, trauma, and sovereignty on the collective and individual level, and across the social and psychic domains. However, I necessarily move *beyond* these foundational categories to offer another account of reparations and the human—an alternative approach to repair and responsibility in a precarious world of vulnerable subjects. The philosopher Elizabeth V. Spelman observes that the act of repair is a core aspect of human life. We live in a world full of violence and aggression, one constantly in need of fixing. Yet we repair only that which is valuable to us.⁶ *Reparations and the Human* takes as its point of departure this simple insight to consider who and what is considered deserving of attention and care, of repair.

Chapter 1, “Beyond Repair: Political and Psychic Genealogies in Locke and Klein,” traces a conceptual history of reparations from the political theories of John Locke (1632–1704) to the psychoanalytic theories of Melanie Klein (1882–1960), beginning with dispossession and death in the New World and ending with the nightmare of total war and genocide in the Old World. *Reparation* in Locke becomes a key political term for establishing the natural rights of sovereign European man in liberal political theory while simultaneously functioning to justify a differential redistribution of life, liberty, and property across the Transatlantic. In the space of Locke’s New World, the concept of reparations does not limit violence and restitution as it does in Europe. To the contrary, it comes to rationalize a political process by which genocide and an unfettered appropriation of Indigenous lands can be pursued in the name of justice.

While there is little scholarship in political theory focusing on the limits of reparation in response to claims of colonial injury, there is even less critical attention paid to the colonial dimensions of object relations or, more generally, to the psychic dimensions of liberal reason. Concomitantly, I explore in chapter 1 how reparation in Klein functions as a key psychoanalytic concept producing a closed circuit of victims and perpetrators. Klein developed her notions of reparation in the interwar years, as the dream of enlightenment dissolved into ashes, but she embedded her theory in an earlier scene of European war and settlement. Nearly 250 years after Locke, Klein propounds a theory of psychic violence and repair, one implicitly analyzing the legal, political, and economic effects of English—and European—colonizing violence that Locke’s philosophical writings sought to legitimate.

In Klein, reparation constitutes the colonial settler as *both* an aggressive perpetrator *and* a defensive victim. On the one hand, by arrogating violence and

trauma for the self-same European subject, Klein's notions of reparation produce the colonial settler as a good object deserving of repair; on the other hand, they simultaneously displace and manage a brutal history of aggression against Native populations through a colonial morality that configures the Indigenous other as a bad object undeserving of any human consideration. I describe this differential psychic production of repair as "colonial object relations."

Colonial object relations are not a moral response to violence but, rather, an instrumental effect of colonial reason. They condition the possibilities and limits of repair by establishing a politics of recognition, identity, and injury—of who is deserving and what is capable of being redressed—under European sovereignty and liberalism, determining its uneven distribution of universal rights and its lethal dispensations of the human and human life. In contrast to a number of recent psychoanalytic commentators, I suggest that reparation in Klein offers more than just a theory about the salvaging of a relational tie between contending subjects of violence. It also delineates a psychic practice—one established precisely through an unresolved history of colonial conquest, racial capitalism, and their biopolitical legacies—by which violence is preserved *in potentia* for the consolidation of liberal subjectivity and nation-building. Ultimately, the limits of *racial* reparation index the social and psychic dilemma of repairing not the good but the bad objects of colonial conflict produced by a long history of Enlightenment bad faith. In the same breath, it calls for a post-colonial critique of psychoanalysis.

Placing Locke and Klein in conversation with one another reveals an economy of idealization and aggression—a "coeval violence of affirmation and forgetting"—that, in the words of postcolonial scholar Lisa Lowe, "structures and formalizes humanism. This economy civilizes and develops freedom for 'man' in modern Europe, while relegating others to geographical and temporal spaces that are constituted as uncivilized and unfree."⁷ Simultaneously, it demonstrates how the social contract is also, and indeed, a psychic contract—a psychic as well as racial contract, to extend the writings of political theorist Charles W. Mills in an alternative direction.⁸ From another perspective, the juxtaposition of Locke and Klein resituates political theorist Wendy Brown's critique of the codification of "states of injury" and the protocols of resentment in contemporary US identity politics by relocating its proper subject not in the racially subordinate but, rather, in a longer genealogy of the European liberal human and *its* injured history of consciousness.⁹ Investigating the psychic dimensions of this privileged subject reveals how liberalism and colonialism remain indis-sociable even when liberalism seeks to repair the injuries of colonialism and even when it seeks to redistribute property in the name of justice. In the fi-

nal analysis, Locke and Klein underscore how political and psychic processes of reparation are profoundly compromised in the history of liberal reason—indeed, how they ultimately expose a problem of *racial* reparations and the human. Chapter 1 thus offers an alternative account of repair from the perspective of the colonized rather the colonizer.

Whereas chapter 1 explores reparations through the problem of *colonization* and the rights of man in the Americas, chapter 2, “Beyond Trauma: War and Violence in the Transpacific,” examines the concept in terms of *decolonization* and human rights in Cold War Asia, as the world was forced to confront new biopolitical technologies of violence threatening to annihilate planetary life.¹⁰ The modern concept of genocide emerged in the wake of the Holocaust in Europe, while nuclear devastation in Japan inaugurated the Atomic Age. In the same moment, the atomic bombings connected the specter of nuclear holocaust singularly and indelibly to Asia. Today we imagine atomic destruction in the language of “nuclear universalism,” one threatening the existence of every living creature and thing on planet Earth, yet the Asian origins of “ground zero” must not be forgotten.

In the catastrophic wake of the Holocaust and atomic bombings, the liberal rights of European man were, as Arendt underscored, both inadequate and exhausted. Recast and reinvented as universal human rights under the shadows of Cold War decolonization, the ascension of human rights discourses sought to revive faith in a postwar new world order by ascribing rights to the human as such. Described by legal historian Samuel Moyn as the “last utopia,” the gradual emergence of human rights in the postwar aftermath of catastrophe aspired legally to save the sovereign individual and its rights to self-determination.¹¹ Eventually adopted as the universal engine of social progress and justice—in the words of international law scholar Costas Douzinas, “by left and right, the north and the south, the state and the pulpit, the minister and the rebel”—reparations and human rights must be approached as a concerted, albeit inadequate, attempt to come to terms with the unfathomable legacies of human violence and erasure under colonial modernity.¹²

Chapter 2 transports us from postwar Europe to Cold War Asia, from the International Military Tribunals (IMT) in Nuremberg to the International Military Tribunals of the Far East (IMTFE) in Tokyo, and from the Transatlantic to the Transpacific. It brings together legal proceedings, reportage, and literature on war and violence in the Transpacific to explore the postwar ascension of reparations and human rights in regard to three interlocking historical events and their Cold War aftereffects: first, the atomic bombings of Hiroshima and

Nagasaki ending World War II; second, the internment of Japanese Americans by the US government during that war; and third, contemporary legal claims by “comfort women,” young women and girls conscripted into sexual slavery by the Japanese Imperial Army.¹³

Unlike the Holocaust in Europe, reparations for the atomic bombings in Japan remain unthinkable to this day, and contemporary legal suits for apology and redress brought by surviving comfort women against the Japanese government have also been largely unsuccessful. In contrast, Japanese American claims for reparation against the US government have been comparatively effective, culminating in the Civil Liberties Act of 1988, whereby the US government apologized for internment and granted \$20,000 to every surviving internee.¹⁴ These three interconnected events—as well as the law’s profoundly differential responses to their traumatic legacies—implicate overlapping histories of European colonialism, Japanese imperialism, and US empire in the Transpacific. In the same breath, they confound our assumptions about—indeed, our ability to distinguish between—victims and perpetrators. Rethinking the transnational possibilities and limits of reparations and the human after genocide, I bring the problem of racial reparations and the human into the irradiated space of the Transpacific. As numerous commentators have emphasized, the Cold War in Asia was anything but cold. To borrow a compelling concept from Asian American feminist theorist Mimi Thi Nguyen, the “gift of freedom” paradoxically bestowed upon this region and its stateless refugees a series of unending US-led military interventions, partitions, and wars connected to the rise of the American Century, European decolonization, and movements for postcolonial self-determination across the Third World.¹⁵

Chapter 2 continues the exploration of the quandaries of reparation by examining how psychoanalytic paradigms of trauma come to shape and to diverge from legal designations of victims and perpetrators deserving and undeserving of repair as well as juridical determinations of innocence and guilt. An analysis of European genocide, the IMT, and what the feminist historian Joan Wallach Scott describes as “the judgment of history” opens a new perspective on the social and psychic consequences arising from those foundational events. As Scott contends, that judgment configured the Holocaust as a singular incident, memorialized it as the epitome of evil, and mobilized Jewish claims to eternal victimhood.¹⁶ To think the impossibility of the judgment of history in the space of the Transpacific, I turn to John Hersey’s August 1946 *New Yorker* essay “Hiroshima,” detailing the aftermath of the atomic bombing through the eyes of six surviving inhabitants. I also draw on the literary oeuvres of authors Kazuo

Ishiguro and Chang-rae Lee to connect nuclear devastation to internment and the comfort women system as well as to the conflicting postwar histories of civil rights in the United States and human rights on the world stage.

In contrast to the unanimous verdicts of guilt at Nuremberg, the dissension that marked the contentious judicial proceedings at the tribunals in Tokyo underscores how psychoanalytic approaches to the history of the (traumatized) subject supplement the subject of (Cold War) history still in search of a historical consensus. Here the psychic comes to subtend the legal. As psychic paradigms of trauma and guilt are mobilized to produce the proper juridical subject of human rights violation and crimes against humanity—the paradigmatic Holocaust victim—they simultaneously work to shore up the sovereignty of the injured human being as well as that of the victorious nation-state in the name of justice and repair. This shoring up of state and individual self-determination should not, however, be confused with an ethics of recognition.

There are undoubtedly situations where legal judgments must be made and punishments allotted. However, determinations of guilt and innocence, and the naming of victims and perpetrators, are not, as the philosopher Judith Butler observes, “the same as social recognition. In fact, recognition sometimes obligates us to suspend judgment in order to apprehend the other”—indeed, to apprehend the humanity of the other in order to apprehend a humanity *in* the other.¹⁷ Ultimately, I argue, the suspension of historical judgment in Cold War Asia demands that we begin to theorize reparation and the human outside paradigms of sovereignty altogether. We must do so not for the sake of the victorious nation-state or its privileged citizen-subject but, rather, on behalf of those rendered inhuman by their fraught political legacies and loaded psychic dynamics.

Chapter 3, “Beyond Sovereignty: Absolute Apology/Absolute Forgiveness,” offers one such theorization. It returns us to the Transatlantic by bringing together the aftereffects of nuclear fallout and environmental disaster in the Transpacific with an earlier scene of colonial violence in the Americas. As such, the book ends where it begins: with Indigenous dispossession in the New World. Here I turn to an account of uranium mining and nuclear arms production—in particular, the creation of Little Boy, the atomic bomb detonated by the US military over Hiroshima on August 6, 1945. While the long-lasting physical effects of atomic arms production, detonation, and testing become increasingly evident today, the unpredictable social effects of nuclear fallout remain unknowable. The toxicity of the Atomic Age devastates communities in radically uneven ways, even as it forms unanticipated social bonds and unpredictable alliances through the unwilling address of injured and unknown others.

Much of the world's uranium supply is mined from Indigenous lands. The uranium for Little Boy and the larger Manhattan Project, too, came in part from territories of the Sahtu Dene, an Indigenous people on the shores of Great Bear Lake in northwestern Canada. Most of the Sahtu Dene men who helped mine and transport the ore died of cancer. Their families all suffer from exorbitant rates of cancer. Like Oedipus, the Sahtu Dene were ignorant at the time of their actions—of the intended purpose of the ore they helped to extract or of its final destination. Nonetheless, they felt implicated once they learned many decades later of their connection to Hiroshima's fate. In response to the disaster, the Sahtu Dene sent a delegation to Hiroshima to apologize.

The Sahtu Dene's extraordinary response to the atomic bombing brings together a long history of Indigenous dispossession in the Americas with recent militarism and violence in the Cold War Transpacific. It highlights global framings of colonialism and race that bring together Asian, Asian American, and Indigenous communities in unexpected ways. In the same breath, their performative act raises the question of what it means to take responsibility for a historical catastrophe for which you are not quite responsible. Here I extend Jacques Derrida's notion of "absolute forgiveness" to create a corollary concept of what I call "absolute apology." If, as Derrida contends, absolute forgiveness demands forgiving something that is unforgivable, absolute apology involves apologizing for something for which you are not directly responsible.

Absolute apology thus offers an alternative model of reparations and the human eccentric to structures of state sovereignty, with its political calculations of cause and effect, its nominations of perpetrators and victims as figures for punishment and redress, its writing of an authorized history of violence into the past in the name of justice. To the contrary, the Sahtu Dene's actions illustrate a model of apology adjudicated not by the sovereign authority of the settler state and its sanctioned citizen-subjects but by those considered nonsovereign bad objects—the dispossessed, the exiled, the refugees, the stateless. It therefore situates the problem of repair beyond legal frameworks demanding the nomination of one victim and one perpetrator, assuming the clear innocence of the former and the incontestable guilt of the latter. It not only complicates ideas about repair and responsibility but also offers an alternative to them.

Separated from their land by colonial settlement, targets of enormous state violence and neglect, and victims of unfathomable environmental disaster, the Sahtu Dene nonetheless voluntarily adopt the mantle of a perpetrator, or what Jewish studies scholar Michael Rothberg describes in a different historical context as an "implicated subject."¹⁸ They denaturalize the conventional legal boundaries separating victims from perpetrators in a long history of liberal rea-

son and take responsibility for pain and misery that claim them as much as anyone else. Their actions thus highlight a nonsovereign model of repair, an ethics of living together not in resolution with the violence of the past but, rather, in continuous relation to its enduring traumatic legacies—to their permutating consequences in the present and their unforeseen effects in the future.

As they cleave to the victims of the atomic bombings in Japan, the Sahtu Dene assent to a notion of history, to borrow a concept from literary critic Cathy Caruth, as being implicated in each other's traumas.¹⁹ Absolute apology thus reconsiders the universal aspirations of the human and human rights from the perspective of complicity and responsibility rather than the position of moral certitude and blamelessness. Along with Wynter, this book thus strives for "a redescription of the human outside the terms of our present descriptive statement of the human, Man, and its overrepresentation," without which we will never "unsettle [the] coloniality of power."²⁰ *Reparations and the Human* attempts to provide not only a description but also a redescription of the inherited political and psychic legacies of the human—of repair, trauma, and sovereignty—inside as well as outside its Western legacies and assumptions. Ultimately, the book underscores the fact that "we have never been human," to revise a concept from French philosopher Bruno Latour, suggesting that contemporary calls for the posthuman may be politically premature.²¹

I end this introduction by noting that there is a robust body of contemporary scholarship interrogating the prospects and liabilities of human rights and the redemptive power of the law after colonialism, genocide, enslavement, and occupation. Recent decades have witnessed various colonial as well as post-colonial governments across the globe addressing violations of the human and human rights as they attempt to confront histories of state-sponsored violence and terror, and as they seek to transition from authoritarian to more democratic modes of governance. Such violations, it is crucial to emphasize, are not restricted to any particular state form—capitalist or socialist, liberal or authoritarian, right-wing or left-wing, Western or Third World—in the Global North or Global South.

Notably, since their rapid ascension in the mid-1970s, discourses of universal human rights have sought to bind violations of the human specifically to authoritarian left-wing regimes. Human rights appeared on the scene precisely when they could be imputed to socialist rather than capitalist states, and when totalitarianism, as political theorist William Pietz has argued, could be detached from its origins in European fascism (Germany) and associated with "Orientalized" states (Russia) and left-wing governments in Asia and Latin America.²² This shift has significant implications for the dream of decoloniza-

tion, the will to racial justice, the hope for economic equality, and the politics of reparation.

Today discourses of universal human right function, in part, as a mechanism for the disciplining of postcolonial nation-states striving for self-determination through the legal judgments of an international community of former colonizers. At the same time, contemporary models of reconciliation and forgiveness attached to national apologies, truth commissions, and monetary restitution have yet to rectify the unfinished business of colonialism. A growing body of writings by scholars such as Stephen Hopgood, Nicola Perugini and Neve Gordon, and Randall Williams explores how discourses of human rights have been hijacked for all sorts of political ends.²³ In contrast, the topic of reparations has received comparatively less critical attention and, in contemporary scholarship and politics, tends to be either univocally lauded by progressives as an uncontested good or else skeptically dismissed by liberals and conservatives alike as a political impossibility. *Reparations and the Human* intervenes in these debates by examining the complex entanglements between political rights and economic redistribution embedded in colonial modernity and liberal social contract theory devoted to guaranteeing life, liberty, and property for sovereign European man. At the same time, my book explores their ongoing aftereffects in the Cold War Transpacific as a consequential limit case for the politics of repair and redress.

The history of reparations is as politically compromised as it is psychically fraught, despite the concept's present-day associations with justice. In short, we should neither conflate nor confuse a history of reparation in either political or psychoanalytic theory with the ethics of repair. Let us think back to the colonial history of reparations as political concept: among the three great eighteenth-century transatlantic revolutions—the French (1789–99), American (1775–83), and Haitian (1793–1803) Revolutions—the third stands out as exemplary in the history of the rights of man insofar as it was the most successful slave revolt in the world. Unlike their American and French counterparts, enslaved Haitians liberated themselves into freedom from their French colonial masters. Yet, as the Caribbean anthropologist Michel Rolph-Trouillot observes, the Haitian Revolution was forgotten even as it occurred, and in its volatile aftermath, Haiti had to pay France onerous reparations for the loss of its colonial possessions in Saint-Domingue.²⁴

Today the long-lasting consequences of these economic concessions endure. Haiti continues to be the most impoverished nation in the Western Hemisphere, suffering from widespread poverty, disease, political instability, and lack of adequate infrastructure, tragically exposed each and every time an earth-

quake strikes the region. Similarly, after the US Civil War, the US government directed reparations to enslavers for the loss of their human property rather than to enslaved people who had been human property. Moving forward into the postwar period, although Germany paid significant reparations to Jews and to the state of Israel, the country has never paid reparations for the genocide of the Herero in Namibia. Similarly, Japan has yet to reckon with its own colonial histories in Korea and other parts of East and Southeast Asia, a history I will examine in chapter 2 of this book. Such omissions mark a national amnesia regarding crimes against humanity committed against the colonized—a pattern of nonrepair and nonrecognition rooted in New World discovery, continuing through Cold War Asia, and persisting into our postcolonial present.

What would it mean, then, to investigate reparations not as a solution to, but as a source of, post/colonial violence? What would it mean to analyze the concept as a key term by which aggression and violation is systematically directed and channeled according to a post/colonial logic of human and inhuman, civilization and savagery, blamelessness and culpability, and capitalist and socialist modernity across different times and geopolitical spaces? What would it mean to examine the human not as the basis of, but instead as a problem for, human rights and ethics? If there is nothing essential to being human beyond the fact that we coexist, remain vulnerable, and are governed in relation to one another by power, then how might we rethink reparations in terms of the political and psychic architecture establishing the modern, sovereign nation-state and its privileged citizen-subject? When does reparation become punitive and oriented toward revenge and punishment rather than restoring a social order of livable relationality? If the history of reparations and the human is profoundly compromised in both political and psychoanalytic theory, then how might we redefine the concept of repair in the service of emancipation and antisubordination? How might we approach the concept less as a noun than as a verb—that is, less as a settled event than as an unfinished process, an ongoing demand for justice for those erased from humanity? How do we come to know injury and harm? How are we to judge and redress them? In the final analysis, historical and conceptual dilemmas of reparations and the human index the problem of writing a consensual history of violence—of determining who is affirmed and who is forgotten in the aftermath of catastrophe.

In their attempts to repair past wrongs and injuries, nation-states engage in legal forms of apology as well as economic modes of redress meant to write a history of violence into the definitive past. However, a calculus of moral sentiment attached to national apology or material symbolism linked to economic payments meant to manage the suffering of others remains inadequate to the drive

for justice. Psychic temporalities of trauma, loss, and suffering do not operate through the logics of juridical and financial accountability, nor can they be resolved by the sovereign authority of the nation-state and its self-determined liberal subject. Ultimately, if the past is irreparable, then a reconceptualized notion of reparations must concern itself in the present with creating the conditions of possibility for just futures and for new relationalities to be sustained. As renewed demands for reparations come to occupy center stage in debates concerning unresolved legacies of dispossession and transatlantic slavery, a critical reassessment of reparations from a comparative perspective is long overdue. This book is my attempt to provide one from the vantage point of Cold War Asia by investigating reparations and the human not as a moral response to but, rather, as a form of continued state violence.

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Notes

PREFACE

- I OED Online, s.v. “human (n, 2a),” accessed July 25, 2024, https://www.oed.com/dictionary/human_adj?tab=meaning_and_use#1122977.

INTRODUCTION

- I Arendt, *The Origins of Totalitarianism*, 298, 299.
2 Minow, “Breaking the Cycles of Hatred,” 14.
3 Anghie, “Politic, Cautious, and Meticulous,” 66.
4 See Fanon, *Black Skin, White Masks* and *The Wretched of the Earth*; Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom”; Spillers, “Mama’s Baby, Papa’s Maybe”; Weheliye, *Habeas Viscus*; and Jackson, *Becoming Human*.
5 Fanon, *The Wretched of the Earth*, 1.
6 Spelman, *Repair*, 8. Spelman writes, “For though we do not repair everything we value, we would not repair things unless they were in some sense valuable to us, and how they matter to us shows up in the form of repair we undertake” (8).
7 Lowe, “The Intimacies of Four Continents,” 208, 206.
8 See Mills, *The Racial Contract*.
9 See Brown, *States of Injury*.
10 For an account of the “human being after genocide” and in the face of unprecedented postwar biopolitical weapons of mass destruction, see Wald, “Exquisite Fragility.”
11 According to legal historian Samuel Moyn, the postwar ascendance of human rights came in fits and starts. A discourse of human rights appeared in the wake of the Holocaust, including the UN’s “Universal Declaration of Human Rights” in 1948. However, it was not until the mid-1970s that contemporary notions of human rights as they are conceived today were finally established as the “last utopia” in the wake of the failures of other internationalist movements. See Moyn, *The Last Utopia*.

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- 12 Douzinas, *Human Rights and Empire*, 33.
- 13 There is considerable debate on the use of the term *comfort women*. Although it is the nomenclature that has gained the most purchase in international human rights discourses since the 1990s, feminist scholars have argued that the term *military sexual servitude* or *militarized sexual labor* is more accurate. See Kang, *The Traffic in Asian Women*; and Moon, “Military Prostitution and the U.S. Military in Asia.”
- 14 Civil Liberties Act of 1988, H.R. 422, 100th Cong. (1988).
- 15 See Nguyen, *The Gift of Freedom*.
- 16 See J. W. Scott, *On the Judgment of History*.
- 17 Butler, *Giving an Account of Oneself*, 44.
- 18 See Rothberg, *The Implicated Subject*.
- 19 Caruth, *Unclaimed Experience*, 24.
- 20 Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom,” 268.
- 21 See Latour, *We Have Never Been Modern*.
- 22 See Pietz, “The ‘Post-colonialism’ of Cold War Discourse.”
- 23 See Hopgood, *The Endtimes of Human Rights*; Perugini and Gordon, *The Human Right to Dominate*; and Williams, *The Divided World*.
- 24 See Trouillet, *Silencing the Past*; and Dubois, *Haiti*. Haiti agreed to pay in 1825 150 million francs—the equivalent of \$21 billion in 2020 terms—in order to gain the political recognition that would end the fledgling nation’s diplomatic and economic isolation. In 1828, the sum was lowered somewhat, but Haiti made debt and interest payments from 1825 through 1947. This onerous debt continues to devastate Haiti’s political stability, economic prosperity, and social welfare.

1. BEYOND REPAIR

- 1 Freud, *Beyond the Pleasure Principle*.
- 2 Freud formally gathers these inexplicable psychic complexes under the name “death drive” in 1920. However, as early as 1915, as we witness in *Thoughts for the Times on War and Death*, Freud was already contemplating what we might describe as the socialization of the death drive. Writing directly amid the engulfing violence of World War I, Freud argues that Western civilization has lost its ethical bearing, killing with impunity, while refusing to be haunted by the death of the other it has directly brought about through war, violence, and weapons of mass destruction.
- 3 Freud, *Thoughts for the Times on War and Death*, 277–78. Chillingly, Freud continues in regard to Germany:

Moreover, it has brought to light an almost incredible phenomenon: the civilized nations know and understand one another so little that one can turn against the other with hate and loathing. Indeed, one of the great civilized nations is so universally unpopular that the attempt can actually be made to exclude it from the civilized community as “barbaric,” although it has long proved its fitness by the magnificent contributions to that community which it has made. We live in hopes that the pages of an impartial history will prove that that nation, in whose language we write and for whose victory our dear ones are fighting, has been precisely