

**Joan Wallach Scott.** *On the Judgment of History*. New York: Columbia University Press, 2020. 114 pp.

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Nothing is more disturbing to the progressive mind than when history seems to shift into reverse gear. Like many onlookers all over the world, Joan Wallach Scott registered this sickening backwards lurch after the 2017 white-supremacist march on Charlottesville. “Hadn’t the Nazis been declared losers of World War II and morally out of bounds? . . . Didn’t the Civil War end slavery not only as a practice but as an acceptable idea?” (p. ix). But her incredulity and indignation gave way to the larger historical question that haunts especially Americans, bred in the national faith that everything is always getting bigger, better, brighter. By what right do we believe that history has a direction at all—much less a forward momentum that guarantees that the future will improve upon the present and deliver irrevocable judgments about past good and evil? By what right do we console ourselves that the judgment of history will eventually condemn villainy that has as yet gone unpunished? These meditations became her Ruth Benedict Lecture Series at Columbia University in 2019, now published in revised and enlarged form.

True to the book’s origins in the Charlottesville moment, its unifying theme is history’s verdict on three notorious episodes of racism in modern times: the Nuremberg trials of Nazi officials in 1946; the Truth and Reconciliation Commission created in 1996 after the abolition of apartheid in South Africa; and the centuries-long ongoing history of slavery and its aftermath in the US. A second theme, prominent in the first two case studies but less in evidence in the third, is the impact of the Hegelian view of the state as the vanguard of the forward motion of history and enactor of history’s judgments. An epilogue returns to Charlottesville and seeks a role for history beyond judgment.

This is a book of reflection, deep reflection, not new research. The rewards of reading come from Scott’s penetrating analyses of familiar historical materials and her dialogue with other analysts, from Hannah Arendt to Michel de Certeau to Ta-Nehisi Coates. She is eagle-eyed when it comes to spotting uncomfortable contradictions, analogies willfully ignored, and downright hypocrisy. American prosecutors at Nuremberg carefully framed their arguments against the Nazis in terms of bellicose motives and premodern state structures rather than the treatment of domestic minorities, lest the analogy to the treatment of racial minorities back home become too glaringly obvious. The South African Truth and Reconciliation Commission veered from an early Gramscian narrative that aimed to educate the oppressed about the structures that had burdened them to a Christian narrative about individual sin, confession, repentance, and redemption that effectively barred the way to any meaningful redistribution of land after apartheid ended. In both cases, Scott argues, it was the state—not the victims—that staged the judgments of history with all the procedural trappings of the rule of law. As Scott observes, the rule of law frames its judgments in terms of individual guilt and responsibility, not structural complicity in the wrongs to be righted.

The third case is at once the most agonizing, the most urgent, and the most resistant to analysis and all for the same reason: We are still in the thick of the long, bloody, bitter struggle over racism in the US. There have been inflection points in this weary history, and Scott enumerates them all: the original sin of the Three-fifths Compromise in the US Constitution, the abolitionist movement, the Civil War, the Fourteenth and Fifteenth Amendments, Reconstruction, Jim Crow reaction, the Civil Rights movement, and on and on, all the way to Charlottesville, the Black Lives Matter movement, and beyond. Yet the resolutions enacted, however imperfectly, by the Nuremberg trials and the Truth and Reconciliation Commission still elude the US. Scott reviews the suggestion that reparations be paid to African Americans and is clearly sympathetic to the idea on multiple grounds, ranging from compensation for the stolen labor of slavery to compensation for enduring and systematic

discrimination in almost every sphere of life. But she concludes that the very grounds that would justify reparations also rob them of their power to render historical justice, by reason of their sheer immensity: “This is a debt owed that no amount of money could ever repay” (p. 65). All that is left of the promise of the judgment of history to set things right is “just a wish that history retold might inaugurate change” (p. 77).

If history will not censure the unjust and vindicate the just—a “fantasy” Scott dismisses—what’s the point of history? Scott traces hopes that history will render a judgment back to Enlightenment doctrines of progress, but history had been cast in the role of impartial judge already in antiquity, as Tacitus’s maxim *sine ira et studio* (without anger or zeal) indicates. The future need not be imagined as an improvement on the present, only as a point distant enough for partisan passions to have cooled and decisions to have been tested by outcomes. In her epilogue, Scott calls for history to lay aside its magistrate’s robes and instead to “record a process of contention and conflict, a story of struggles with and for power, with no sharp boundaries between past, present, and future” and to become thereby an instrument of political change in the here and now (p. 82).

There’s no doubt that history can change minds and propel political reform, as Scott’s own earlier work on gender has demonstrated. But the call for justice is more than a call for change; it is a call for recognition of past wrongs by the entire polity, not just the victims. However flawed the Nuremberg trials and Truth and Reconciliation Commission may have been (and Scott is convincing on that score), they ultimately forced a consensus on the bare narrative of what had happened and the enormity of the injustice done, albeit in the teeth of resistance by many Germans and white South Africans. That consensus is always precarious, but it is also powerful. The untiring efforts of revisionists to undo it prove both points. Charlottesville and far too many other recent episodes in US history show that such a consensus has yet to crystallize about racism and its far-reaching implications. It’s not for lack of historical studies or even a multitude of historical voices; superb work on almost every aspect of racism in the US, narrated from diverse perspectives, and documenting profound and persistent structural injustice already exists. Scott and her interlocutors draw heavily upon this impressive corpus. There’s no need to wait until the future for history to deliver its verdict. Yet evidently the verdict of history alone cannot command consensus and compel recognition of injustice.

What could? It is significant that Scott’s two other case studies occurred at moments of rupture: the defeat of Nazi Germany and the election of Nelson Mandela as president of South Africa in 1994. It is also significant that both the Nuremberg trials and the hearings of the Truth and Reconciliation Commission posited the continuity of the state and therefore its responsibility for redressing past wrongs (including, in the German case, payment of reparations and restoration of property). These reckonings with the past were at once disavowals and new beginnings. In Aeschylus’s *The Eumenides*, the goddess Athena stages just such a moment when the vengeful Furies are replaced by the human law court as the arbiters of justice in Athens. Scott’s probing book prompts the question, What would such a *Eumenides* moment look like in the United States?

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