

**Beginning a Dialogue: The Argument for Institutional Trust for Forward-Looking
Collective Action Addressing Structural Injustice and Lessons of Transitional Justice**

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Abstract

According to Iris Marion Young, structural injustices arise as the cumulative outcome of many different agents' actions that are, for the most part, well within societally accepted norms. As such, addressing structural injustices requires a different approach than injustices where a perpetrator can be pinpointed. Building on McKeown's differentiation between pure, avoidable, and deliberate structural injustice, this bachelor thesis presents my argument for the use of institutional trust to address avoidable structural injustice. I argue that citizens need to be able to trust that their state will respond to their demands in order to facilitate collective action. I posit that institutional trust is normatively desirable, as it allows leveraging the organisational capacities of the state to remedy avoidable structural injustices. Further, I illustrate how transitional justice instruments, namely truth commissions and lustration, can help in building institutional trust. Here, I identify an opportunity for dialogue between the fields of transitional justice and structural injustice theory.

Keywords: Structural injustice, political responsibility, transitional justice, lustration, truth commission, institutional trust, analytic philosophy

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Introduction

Not all wrongdoing can be attributed to a single, clearly blameworthy wrongdoer. Instead, some injustices arise simply as the cumulative outcome of many different agents' actions that are, for the most part, well within socially accepted norms – these *structural injustices* require a different approach than injustices where a perpetrator can be pinpointed (Young, 2011). First proposed by Iris Marion Young (2011), structural injustice theory has sparked much conversation and debate in political theory. Specifically, the question of how to address structural injustices in practice, has remained one of the leading questions facing structural injustice scholars to date (Zheng, 2018). While proposing her conceptualisation of political responsibility, the social connection model and collective action as a remedy for structural injustice, Young (2011) deliberately remained open-ended on how specific collective action should look as they need to be adapted to their respective context (McKeown, 2021).

In this paper, I will argue for the role of institutional trust in facilitating collective action as proposed by Young (2011). I posit that to leverage the state's organisational capabilities to address avoidable structural injustice (McKeown, 2024), we need a minimum degree of institutional trust in the state's responsiveness to its citizens' collective demands. Should my argument hold, as I believe it will, I will open a dialogue with the field of transitional justice to explore how its focus on democratisation and the cultivation of institutional trust can help augment the structural injustice approach.

The field of transitional justice is one of increasing academic renown, though it originated in direct practical application more so than in theory (Teitel, 2014). As such, it provides an array of instruments to address past injustices of tyrannical or human-rights violating predecessor regimes, re-establish the rule of law, and foster democratic participation and trust (Teitel, 2000; Webber, 2012). However, though transitional justice and structural injustice theory share their non-ideal approach to justice and excel in the field the other may be lacking

in, their compatibility has yet to be discussed in the academic literature. In this paper, I look to remedy this oversight and provide a basis for future dialogue between structural injustice and transitional justice scholars. Consequently, I posit the following research question:

If addressing structural injustice involves a certain degree of trust in political institutions, what can we learn about creating trustworthy political institutions from transitional justice theory and practice?

Regarding my methodology, I will approach this research question from an analytic philosophy perspective. Analytic philosophy focuses on conceptual analysis: thus, I will analyse the concepts of structural injustice and trust, and draw out relevant and related concepts from the transitional justice literature in order to build my own theoretical argument. Here, priority is given to peer-reviewed publications and well-established philosophical concepts. Meanwhile, access is provided through the University of Groningen's online library portal (SmartCat) and freely accessible online sources such as Google Scholar.

Based on the research question above, I will derive two major sections of this paper. First, I will posit my argument on the use of institutional trust for structural injustice theory and its positive effects on facilitating collective action. Here, I will discuss Young's (2011) original conception of political responsibility and her social connection model, adopting McKeown's (2024) augmented definition of the different forms of structural injustice to highlight the importance of state capacities in addressing structural injustice. Further, I will engage with Bennett (2023), Faulkner (2018) and Hardin (1996) and their conceptualisations of institutional trust to more aptly define the kind of trust my argument is suited for. Throughout this section, I will also engage with several possible objections that could be levied against my argument for institutional trust.

In the second section, I will introduce the field of transitional justice. After a more general introduction to the field's background and theoretical grounding, I will discuss two

instruments that focus on fostering institutional trust more in-depth: truth commissions and lustration. Afterwards, I will then attempt to bridge theory and practice, combining the discussed aspects of transitional justice, structural injustice theory, and institutional trust to illustrate their compatibility and show how a dialogue between them presents a promising avenue for future research. Lastly, I will conclude this paper with a summary of my argument and reflections on its subsequent academic and practical implications.

Section I: Why Addressing Structural Injustice Requires Institutional Trust

As evidenced by the research question, this paper's topic of concern is twofold. Firstly, I will argue that collective action against structural injustice requires a certain degree of trust in political institutions. Secondly, if the first argument holds, I ask what lessons can be learned from transitional justice theory and practice when addressing structural injustices. In this section, I will address the first part of this question and argue for the need for a minimal degree of institutional trust in order for collective action against structural injustice to be effective. To do so, I will first introduce structural injustice theory and elaborate on the three different kinds of structural injustice as proposed by McKeown (2024). Then, I will answer two questions: Why would addressing structural injustice require trust, and what does it mean to trust government in this context in the first place?

Structural Injustice Theory: Differentiating Structural Injustices

First coined by Iris Marion Young in 2002, the term *structural injustice* has firmly cemented its place in the academic discourse of political philosophy and has been applied to a variety of contexts and other theories of justice and injustice (Young, 2002; Young, 2011; McKeown, 2021; Hayward, 2017; Nuti, 2019). Young's (2011) theory of structural injustice has since been widely debated, supplemented and criticised. For my argument, I will rely on McKeown's augmented version of Young's theory of structural injustice due to the particular

focus it puts on the responsibilities of influential actors such as big corporations and states, something largely omitted in Young's original conceptualisation (Young, 2011; McKeown, 2024).

According to Young (2011), “Structural injustice occurs as a consequence of many individuals and institutions acting to pursue their particular goals and interests, for the most part within the limits of accepted rules and norms” (p.52). Consequently, unjust outcomes can occur despite lacking one clearly responsible perpetrator. Thus, injustices can be perpetuated even by individuals doing nothing particularly morally wrong but simply because injustice is facilitated through unjust structures of society as a whole. Examples of such structural injustices include Young's (2011) original accounts on sweatshop labour and homelessness but have since also been extended to incorporate climate change, colonialism, racism and sexism (McKeown, 2021).

Further building on Young (2011), McKeown (2024) argues for the need to acknowledge the capacity of powerful agents to address structural injustice. As such, structural injustice can further be differentiated into pure, avoidable, and deliberate structural injustice. Here, "pure" structural injustice is coherent with Young's definition (2011) just provided: it is the unjust, cumulative outcome of many agent's actions within the system where not one singular actor can remedy the thus arising oppression and domination of specific social groups (McKeown, 2024).

Meanwhile, the term "avoidable structural injustice" acknowledges the capacity of powerful actors such as states and multinational companies to address these unjust outcomes (McKeown, 2024). Here, structural injustice remains the cumulative outcome of the actions of many different agents; however, it is asserted that "not all agents are objectively constrained by the structures to the extent that they cannot change them. There are some agents in positions of power that could act to change the unjust structures and fail to do so" (McKeown,

2024, p.43). Consequently, these types of structural injustice exist not because specific agents cannot remedy them but because of a lack of willingness to do so.

Lastly, "deliberate structural injustice" refers to those injustices that cannot only be remedied by powerful actors but are actively maintained by powerful agents advancing their interests. However, despite this acknowledgement of the capacity of powerful agents, ordinary individuals remain implicated in avoidable and deliberate structural injustices and retain their political responsibility towards them, as formulated by Young (2011) (McKeown, 2024). Due to my focus on institutional trust and the state's role when addressing structural injustice, this acknowledgement of powerful agents' capacity will become important later in this paper. For my argumentative purposes, I will thus adopt McKeown's (2024) differentiation between pure, avoidable, and deliberate structural injustice.

When looking at how to address structural injustice, Young (2011) identifies our current conception of responsibility - what she calls the liability model - as insufficient. In the liability model, a person can be considered legally and morally liable for wrongdoing only if said wrongdoing is a clear, at most times intentional, consequence of their own actions. However, since structural injustices need no apparent individual wrongdoing to produce unjust outcomes, the liability model and its conceptualisation of responsibility fall short of adequately addressing structural injustices. As structural injustices are the cumulative outcome of many different actions that cannot be considered morally wrong per se, targeting individual wrongdoers and placing the blame on them via the liability model does not suffice (Young, 2011; McKeown, 2021).

Consequently, Young (2011) proposes her own model of responsibility - the social connection model - promoting what she calls political responsibility instead of the legal responsibility emphasised in the liability model. Here, Young (2011) argues for the necessity of this new conceptualisation on the basis that "Structural injustice occurs as a consequence of

many individuals and institutions acting to pursue their particular goals and interests, for the most part within the limits of accepted rules and norms” (p.52). Subsequently, individuals can be politically responsible for structural injustices without actively committing any clear and intentional moral wrongdoing themselves. Instead, they are implicated through their participation in the unjust structures that cause harm. For Young (2011), structures must be the subjects of justice, not individuals.

Consequently, structural injustices cannot be tackled within the liability model and its methods but need to be considered in terms of the social connection model and Young’s (2011) conception of political responsibility. Here, Young’s proposed remedy for structural injustice is what she calls forward-looking collective action. Individuals who become aware of the injustices they help uphold must unite and collectively address these unjust processes, thus acting on their political responsibility. This collective action is forward-looking and functions without retroactive, backwards-looking blame attribution. Individuals are not being blamed for the existence of structural injustice, but they are held accountable for acting to change it (Young, 2011). This forward-looking component of collective action against structural injustice will be of primary importance in the later discourse between structural injustice theory and transitional justice.

Building on Young (2011), McKeown (2024) further emphasises the importance of power in her account of structural injustice. Powerful agents that fail to alleviate structural injustices or even actively perpetuate them to advance their interests are not only politically responsible but also morally. Here, this distinction is made on the basis that all “agents have some room to decide how to act within structures. Powerful agents have more elbow room to decide how to act than relatively powerless agents” (McKeown, 2024, p.208). Again, this special responsibility for powerful agents will become important in my later argument on the need for institutional trust and what this trust needs to entail in order to facilitate collective

action. Subsequently, I am adopting McKeown's (2024) amendment towards the Youngian account of political responsibility in order to further differentiate between companies and states as powerful actors and the role they play regarding collective action myself later on.

The Argument for Institutional Trust for Forward-Looking Collective Action

In the preceding section, I have introduced the necessary theoretical framework by adopting McKeown's (2024) differentiation between pure, avoidable and deliberate structural injustice, emphasising the role of powerful agents in addressing structural injustice and establishing Young's (2011) understanding of political responsibility and her call for forward-looking collective action. Subsequently, I will advance my argument on the need for institutional trust before addressing some possible objections.

I argue that trust between citizens and their government is vital for successful collective action addressing structural injustices. Contrary to Young (2011), who herself argued that "Prudence calls for mistrust of state institutions, even when we affirm their importance" (p.194), I contest that it is precisely a kind of institutional trust which is required. My argument for this is twofold.

Firstly, I propose that a certain degree of institutional trust is important to motivate individuals to act upon their political responsibility and unite in collective action. Citizens would not engage in collective action if they did not believe that their government was responsive to their demands. Here, they need not only to think their government is capable of addressing structural injustice but also trust it to be responsive to their demand to do so when uniting in collective action. Why would large groups unite and take to the streets to protest without trust that their voice will be heard?

Importantly, this is not to say that collective action cannot take place in circumstances where there is no such institutional trust. However, I argue that such "hopeless" collective action, where there is no belief by those protesting that their voice will be heard, serves a

different purpose than such collective action where this trust exists. Namely, such protests might serve to make others aware of the existing structural injustices and gather more support to grow the protest and enable systemic transformations in the future (Young, 2011). Indeed, I agree that such disruptive action is both essential and necessary in the fight against structural injustice (Hayward, 2017); however, as Goodin (2023) points out, such disruptive efforts can only be sustained for so long. This brings me to the second part of my argument.

As previously identified, states, as powerful agents in their own right, hold the potential to address avoidable structural injustices (McKeown, 2024). Consequently, I argue that institutional trust between citizens and states is normatively desirable to leverage the state's potential in realising transformative change addressing structural injustices. States can be held to discharge their political responsibility, addressing structural responsibility, and it is crucial that they do so, considering their level of organisation and agency (Parekh, 2011; McKeown, 2024).

One example of a state leveraging its organisational capability and acting on its political responsibility would be Finland's approach towards eradicating homelessness. Arguably, this example is especially topical, considering that homelessness was used as one of the original cases of structural injustice forwarded by Young (2011). Spearheaded by the Finnish Ministry of the Environment (*Ympäristöministeriö*), the PAAVO I and PAAVO II initiatives looked to end long-term homelessness through their own Finnish "Housing-First" approach, providing social support services and long-term contract accommodation to those in need (Pleace et al., 2015; Kaakinen, 2019). Launched in 2008, the Finnish government provided an initial investment of €90.3 million, reducing long-term homelessness by 35% by 2015 (Ympäristöministeriö, n.d). Since then, the central government has maintained its commitment to eradicating homelessness, steadily investing in improving its social services and refining the Finnish "Housing-First" approach (Allen, 2021; Pleace et al., 2016).

Now, while it is important to acknowledge the role of these non-state actors in Finland's steadily declining homelessness rate, the central government's initiative and continuous investment constitute a significant contribution (Kamppila, 2024; Allen, 2021). Without this commitment, alleviating the avoidable structural injustice that is homelessness would likely not have been possible. Subsequently, the Finnish case of combatting homelessness serves well to illustrate how states can leverage their capabilities to address structural injustice and why it is crucial that they do.

Now, it is important to distinguish between states and corporations as another example of powerful agents capable of addressing avoidable structural injustices (McKeown, 2024). My argument on the need for institutional trust does not extend to multinational corporations but is singularly focused on the state. Following McKeown (2024), the lack of democratic accountability mechanisms within corporations keeps them from being valuable subjects of institutional trust. One cannot and should not trust corporations to address structural injustices in their current state.

Defining Institutional Trust

In the previous section, I have advanced my argument that institutional trust in government is normatively desirable both to enable collective action by citizens who need to trust that their voice will be heard and to leverage the powerful agency states hold to address structural injustice thanks to their vast organisational capabilities. In this section, I want to define further what kind of institutional trust is at the centre of my argument by engaging with some of the academic discourse on institutional trust. Additionally, this section aims to answer an immediate objection that might arise, having read my argument made in the the previous section: Could too much trust in one's government to address structural injustice not lower the individual's perceived need to act upon their political responsibility and instead beget complacency?

In the academic discourse on structural injustice, much has been written on what motivates collective action and keeps people from engaging in the issue. In her work combining Mill's epistemologies of ignorance with Young's theory on structural injustice, Hayward (2017) has argued that in many cases, motivated ignorance is to blame for people's inaction and as such, disruptive action is necessary to “interrupt motivated ignorance, creating political openings for structural change” (p.408). Similarly, Goodin’s (2023) examination of the mechanisms perpetuating structural injustice has highlighted how difficult it is to motivate individuals to concede their advantages in pursuit of more just structures overall. Consequently, the concern that institutional trust would only help maintain the status quo and allow people to cling to their own advantages in an unjust system under the ignorant pretence that the government will act on its own is valid.

To address this objection, I need to define what exactly is meant when I write about institutional trust. As an area of concern for psychologists, political scientists, and philosophers alike, trust has captured the imagination of various academics, who examine it through the various lenses of their respective fields (Bennett, 2023; Faulkner, 2018; Uslander, 2018). As this is a philosophical paper on political theory, I will focus on the ethics of trust to narrow the scope.

The debate as to whether it is possible to trust institutions in the first place is a lively one. Building on the original distinction between trust and reliance by Baier (1986), whereby trust, unlike reliance, requires at least some minimum threshold of goodwill between those trusting and those trusted, several philosophical accounts of trust have since been developed to explain what exactly constitutes trust and institutional trust specifically as a concept (Bennett, forthcoming; Hardin, 1996; Faulkner, 2018). In this section, I will discuss Hardin's (1996) theory of encapsulated interest and Bennett's (2023) commitment account of trust.

Firstly, there is Hardin's (1996) theory of encapsulated interest. In encapsulated interest theory, a person is deemed trustworthy if the assumption can be made that said person holds an interest in maintaining a good relationship with the trustee. Thus, the trusted person has reason to incorporate their interests with that of the trustee (Hardin, 1996; Bennett, forthcoming). However, while popularly applied in the domain of social sciences (Faulkner, 2018), Hardin (2002) maintains that an extrapolation of this approach towards trust in institutions, and thus trust in government more generally, is epistemologically impossible.

Here, Hardin (2002) argues that the relationship between institutions and individuals fundamentally differs from the relationships between individuals only. Though "government and its agents might be genuinely trustworthy in many cases, [...] most citizens cannot be in a position to know that they are" (Hardin, 2002, p.170). Consequently, the interests of each citizen cannot be judged and incorporated by an institution, and vice versa, as the theory of encapsulated interest suggests, meaning that trust, as therein defined, cannot extend to institutions. Instead, Hardin (2002) prefers speaking of confidence in government instead of trust.

Meanwhile, other theories of trust are more positively inclined towards the possibility of institutional trust. Here, the commitment account of trust has emerged as the most promising for the argumentative purposes of this paper. According to the commitment account, trust is defined as relying on the trusted to honour their commitments to the trustee (Bennett, 2021). Regarding institutional trust, Bennett (2023) argues that this definition can extend to institutions, as institutions can undertake commitments the same as individuals do. Thus, institutions and governments can be considered valid subjects of trust in the commitment account. Subsequently, I will apply the conceptualisation of trust as in the commitment account for the purposes of my own argument and as a first step to define what kind of institutional trust I am arguing for to address this complacency-objection.

Having thus established what ethical account of trust I employ when talking of institutional trust, it is also essential to specify precisely between whom and regarding what this conceptualisation of trust is used for. When conceptualising trust between individuals, one can apply a 2-place or a 3-place model (Faulkner, 2018; Bennett, forthcoming).

In the 2-place model of trust, trust is construed as an attitude between two individuals (or individuals and institutions, as is the case in this paper). Generally, this attitude can best be framed as "X trusts Y" (Faulkner, 2018; Bennett, forthcoming). Concerning institutional trust, this model has been argued to be appropriate in the form of generalised trust in the institution to make the right choices. Here, Faulkner (2018) refers to generalised trust in government as the "idea that we can normatively expect government, and its representatives, to do the right thing—to make good decisions on our behalf, decisions that take account of our needs and dependencies—and are optimistic in holding this normative expectation" (p.640). Looking back at the complacency objection formulated in this section, it could indeed be said that such a form of generalised trust wherein "Citizens (X) trust government (Y)" could be a hindrance in getting people to act upon their political responsibility.

Meanwhile, the 3-place model of trust is a hybrid of sorts, where the general attitude is combined with a specific event or action. Here, "X trusts Y with Z" (Faulkner, 2018). Contrary to Faulkner's (2018) argument for a 2-place model of generalised institutional trust, I thus propose a 3-place-model of institutional trust in order to address this complacency objection: While citizens (X) should not unquestioningly trust government (Y) to address structural injustice (Z) of its own accord, I argue that citizens (X) need to trust government (Y) to be responsive to their demand of addressing structural injustice (Z).

This differentiation is helpful because it allows us to trust government in one regard while remaining critical of larger structural issues more generally. Here, the 3-place model of institutional trust is advantageous as it demonstrates how trust can be specific to particular

contexts. In the words of Bennett (forthcoming), “I might trust a plumber to fix my boiler but not to cut my hair”. This interpersonal example can usefully extend to the conceptualisation of institutional trust presented here. While it is valuable and desirable that there is a level of trust in one's government, we must not unquestioningly trust it in all regards. Instead, we may trust it to be responsive to our demands without needing to trust that it would act against structural injustice without the additional impetus of collective action. The 3-place model is representative of this distinction.

In this section, I have aimed to address the first of two objections regarding my argument in favour of institutional trust for collective action against structural injustice. I propose that concerns about complacency and inaction against structural injustice resulting from institutional trust can be answered by an appropriate conceptualisation of what institutionalised trust entails. Subsequently, I argued in favour of adopting the commitment account of trust in a 3-place model, allowing for citizens to trust in their government's responsiveness while still being critical of their own government's initial inaction in regards to avoidable structural injustice (Bennett, 2023; Faulkner, 2018; McKeown, 2024).

Trust, Capacity and Motive

In the previous section I further clarified the kind of institutional trust necessary to helpfully facilitate forward-looking collective action targeting structural injustice. Additionally, this definition included my answer to the complacency objection. I have argued in favour of adopting Bennett's (2023) commitment account in a 3-place-model of trust (Faulkner, 2018): Institutions can make commitments to address structural injustices they are implicated in; however, we must not unquestioningly trust that states will address avoidable structural injustices of their own accord. Instead, we must be able to trust that they are responsive to collective action, that they honour the commitments we demand of them and act on their capabilities to address avoidable structural injustice, all the while remaining critical

of the way the state is implicated in structural injustice in the first place. However, this conceptualisation of institutional trust raises another important objection, which I would like to answer in the following section: How is my adopted definition of institutional trust different from a mere belief in the capability of powerful actors to address structural injustice?

In the academic discourse on structural injustice, the importance of the different capacities of agents when addressing structural injustice has long been recognised. In fact, part of the novelty of Young's (2011) original framework on structural injustice lies in its combination of "an (indirect) outcome-based rationale for grounding responsibility with a capacity-based rationale for assigning specific duties" (Gädeke, 2021, p.187f.). Building on Young (2011), McKeown (2024) further emphasised the role of different capacities by distinguishing between pure, avoidable, deliberate structural injustices dependent on whether there are powerful actors that have the capacity to address them or not. Thus, seeing how my framework is substantially motivated by McKeown's (2024) capacity-based differentiation of structural injustice, the question of how far my conceptualisation of institutional trust exceeds the scope of mere capacity is a significant concern.

Addressing this objection, I first wish to underscore the importance of both capacity and trust. The varying capacities of different agents are essential for my argument insofar as my argumentation emphasises the organisational capacities to address avoidable structural injustices (McKeown, 2024) and, from them, derives the normative desirability for institutional trust in the first place. As such, institutional trust is necessary to leverage the organisational capabilities of the state. Now, addressing the objection, I would like to illustrate the difference between capacity and institutional trust by looking at the difference between an autocratic and a democratic state when addressing structural injustice. Here, I would posit that one would trust a democratic government to be more responsible in addressing structural injustice, even though an authoritarian regime might have the same

capability. I argue that the difference between the two substantially rests upon the differing motives autocratic and democratic states might act upon when addressing structural injustices. Here, it is this inclusion of motive that separates my conceptualisation of trust from mere capacity.

Now, the nature of this differentiation already implies that authoritarian regimes can and, in some instances, do address structural injustices. Take, for example, the case of the Soviet Union and its efforts to erase homelessness, answering the prime example of structural injustice, as Young (2011) proposed it in her original framework. In the mid-1950s, the USSR launched its residential housing construction program, looking to provide each family with an apartment of their own by 1980. At the time, living space per capita was set at a mere 52.7 sq./feet, with most citizens having to live communally. Due to the countryside's collectivisation and the Stalinist regime's massive industrialisation policy, the urban population had increased from 26.3 million in 1926 to 56.1 million by 1939 (Morton, 1984).

By 1980, the USSR had managed to reduce the number of households that lived communally or in dormitories to 20%. As a result of the USSR's efforts, state production of new apartments peaked in 1959, with 2.7 million new apartments built, with an average of 2 million new apartments annually until 1980 (Morton, 1984). Subsequently, we can see how the USSR, an autocratic regime, managed to remedy, at least partly, the structural injustice that is homelessness. However, it is important to consider what motivated this response to homelessness in the first place.

For Young (2011), action against structural injustice comes after recognising one's own implication in structural injustice and the subsequently inferred political responsibility. As such, recognising a structural injustice as a structural injustice is an integral part of the process. And, while Soviet officials did like to frame the housing program as a sort of acting on responsibility, it was mainly in order to realise the industrialisation and modernisation of

the USSR and its military apparatus as outlined in Stalin's five-year plan (Morton, 1984). In fact, the severity of the housing crisis largely stemmed from the same push towards industrialisation and militarisation in the first place, as the "intentional underinvestment in housing and other urban services was a cornerstone of Stalin's industrial policy" (Morton, 1984, p.71). Ultimately, while the Soviet Union's housing program did succeed in reducing homelessness and the number of households living communally, the quality of the provided apartments was meagre and unsustainable (Morton, 1984). As such, while autocratic regimes might try addressing structural injustices in pursuit of ulterior motives, the motivation behind such action is unlikely to be out of recognition of their political responsibility and thus hardly normatively desirable.

Consequently, I maintain that the conception of institutional trust argued for in this paper differs from a mere recognition of capacity due to the importance of its motive. While autocratic states have empirically shown to be capable of addressing structural injustices (e.g. by reducing homelessness), the motive for doing so is not congruent with the recognition of structural injustice as a structural injustice, which I deem imperative for the establishment of institutional trust, in the context of my argument.

Recalling Bennett's (2023) commitment account, which I adopted for my conceptualisation of institutional trust, we can trust institutions to make commitments and honour them. A commitment towards increasing military and industrial capacities might partially require the state to address the structural injustice of homelessness. However, it is not a commitment to recognising moral responsibility for remedying a structural injustice. Subsequently, while the outcome might be considered just as positive through a utilitarian lens, I argue that addressing structural injustice out of recognition of one's implication and political responsibility is normatively preferable.

Nonetheless, this “capacity objection” importantly narrows down the context in which my argument holds: Institutional trust is essential for collective action addressing structural injustice only concerning avoidable structural injustices in a democratic context. The argument does not apply if the state itself is actively upholding the structural injustice in pursuit of ulterior motives, as might more often be the case in autocratic contexts. Here, the injustice would be deliberate, as the state actively perpetuates the unjust status quo (McKeown, 2024). In case of deliberate structural injustice, there would be little sense in advocating for institutional trust in a government that actively works to uphold injustice.

Additionally, I would like to clarify that, in turn, my argument does not diminish the importance of collective actions such as protests in contexts where institutional trust is – rightfully- not present. Here, disruptive action is crucial in giving the oppressed a voice of their own, highlighting structural failures and injustices and overcoming the motivated ignorance that positions of advantage and privilege bring (Hayward, 2017; Beausoleil, 2019). Especially in instances of deliberate structural injustice such disruptive action is crucial. However, collective action in such contexts serves a different purpose than the kind of institutional trust needed to leverage a democratic state’s capacities to address avoidable structural injustice I am arguing for here. Either way, these context-dependent purposes of disruptive action should not be considered mutually exclusive.

Finally, it is further important to acknowledge that the capacities of states to address structural injustices vary also: Some states, through historical oppression, domination and structural injustices in the global political arena, are more powerful than others. As such, while a discussion of historical responsibility would exceed the scope of this paper (*see* Nuti, 2019; McKeown, 2021), it is clear how my argument on leveraging the state's organisational capabilities primarily concerns those state actors with the necessary capacities.

Section I: Concluding Remarks

In this section, I have posited my argument on the need for institutional trust to address avoidable structural injustice by facilitating and motivating collective action in a democratic context. Firstly, I have argued that people need to be able to trust in the responsiveness of the democratic institutions of their state in order to engage in collective action, such as protests. Further, I have proposed that such trust is normatively desirable, insofar as it allows to leverage the organisational capacities of the state as a powerful actor able to remedy avoidable structural injustices.

In defence of my argument, I have considered two possible objections: The complacency objection and the capacity objection. In order to answer the complacency objection, whereby too much institutional trust might lead to inaction as people ignore their own political responsibility while unquestioningly trusting their state to act, I have further clarified what kind of institutional trust my argument is making a case for. Drawing on Bennett (2023) and Faulkner (2018), I have argued for adopting the commitment account of institutional trust in a 3-place-model: While citizens should not trust the state to address avoidable structural injustices on its own merit, they need to be able to trust that the state will be responsive to their demands that it should.

Regarding the capacity objection, I have argued on the differentiation between the here-employed conceptualisation of trust and a mere recognition of state capacity based on motive. Here, I have illustrated how democratic states are better suited to address avoidable structural injustices than autocratic ones: I maintain that addressing structural injustice requires recognising the injustice as structural and acting on political responsibility instead of ulterior motives. However, I also importantly narrowed down the scope of my argument, whereby this conceptualisation of trust for collective action is not normatively desirable in

case of deliberate structural injustice where the state itself works to maintain the unjust status quo.

Based on this argument, it becomes evident how the academic discourse on structural injustice theory might benefit from engaging in a dialogue with transitional justice approaches: If we identify states to be possibly powerful agents against avoidable structural injustice yet benefit from a certain degree of institutional trust in order to enable and make collective action more successful, then what can we learn from a discipline that focusses on the creation of strong, trustworthy institutions?

Section II: Lessons from Transitional Justice

In the previous section, I sought to answer the first part of my research question: "If addressing structural injustice involves a certain degree of trust in political institutions, what can we learn about creating trustworthy political institutions from transitional justice theory and practice?" Here, I have proposed my argument regarding the need for institutional trust to facilitate collective action, looking to leverage the capacities of democratic states to address avoidable structural injustice. Consequently, this second section will open a dialogue between transitional justice and structural injustice theory, examining their compatibility and what either one might learn from the other. Within, I will elaborate on the forward-looking components both theories share and argue for the compatibility of backwards-looking transitional justice with structural injustice theory. Lastly, I will attempt to bridge theory and practice by pinpointing how the application of trust-fostering transitional justice instruments can helpfully add to the toolbox of structural injustice theory by enabling the kind of trust I argued for in the first section of this paper.

The Field of Transitional Justice

Initially defined by Ruti Teitel (2000), the term *transitional justice* encompasses various practices and approaches that aim to justly structure the transition process between autocracy and democracy. Here, the Nuremberg Trials in the denazification process in Germany after 1945 and the establishment of democracies in the former Soviet bloc are often pointed to as the earliest examples of transitional justice application (Teitel, 2000).

Meanwhile, others maintain that transitional justice more so originates in the efforts of emerging democracies of Latin America to address past human rights abuses in the 1980s (Arthur, 2009; Hansen, 2014). Either way, as a field that was born in practice more so than it was in theory, the development of a theory of transitional justice is still in its early stages, with much of its current epistemology being shaped by discourses on the theory of law and jurisprudence (Teitel, 2000; Teitel, 2014; Williams & Nagy, 2012; David, 2011). Further, the concept of transitional justice has expanded in scope since its first narrow application in terms of redress and retroactive accountability for humanitarian crimes. Thus, conceptualisations such as "steady-state transitional justice" already apply transitional justice ideas to contexts beyond those of chaotic, local transition towards a more general, globally normative role (Teitel, 2000).

As such, the transitional justice field has expanded vertically and horizontally. Here, vertical expansion refers to the inclusion of a greater number of agents and stakeholders in the transitional justice process. Where transitional justice was initially primarily concerned with the executive branch of the state as the leading dispensary of justice, there has been an increasing trend of internationalisation (Hansen, 2014; Teitel, 2014). This enforcement of transitional justice through international bodies and tribunals is vital as it "allows that justice be pursued in instances where the political leadership lacks commitment to accountability principles" (Hansen, 2014, p.107). At the same time, critique towards such top-down

transitional justice approaches has also led to the development of more participatory frameworks that are mindful of incorporating local communities and injustice victims directly in the decision-making process (Hansen, 2014). Simultaneously, horizontal expansion refers to the field's trend of increasingly being applied to contexts beyond immediate, liberalising political transitions. Nowadays, transitional justice has found application in transition processes between non-democratic regimes (non-liberalising transitions) and contexts where there are no immediate political transitions or regime changes (Hansen, 2014).

As such, the UN Secretary-General (2004) forwarded the broad and inclusive definition of transitional justice as comprising “the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation” (p.4). Due to its focus on previously perpetrated injustices, it can best be categorised as following a non-ideal theory of justice (Teitel, 2000).

Generally, instruments of the transitional justice toolbox usually pursue several goals: depending on their implementation context, they aim to re-establish trust, facilitate truth-seeking, ensure future accountability, promote recognition and compensate victims (Teitel, 2000; Hansen, 2014; Williams & Nagy, 2012). Some concrete examples include truth commissions, tribunals for crimes against humanity, lustration, reparation payments, and public apologies (Destrooper, 2023; Ottendörfer, 2019; Webber, 2012; David, 2011). However, despite the strong focus on publicness and transparency these listed instruments share, there has also been advocacy for more "quiet transitional justice" where meaningful negotiations are held behind closed doors (Dempster, 2020). In this more pragmatic approach, the reduced publicity and increased confidentiality aim to ensure the space necessary for agreements between previous conflict parties (Dempster, 2020).

This section does not represent a comprehensive overview of the academic discourse on transitional justice. However, this excerpt illustrates the expanding scope of transitional justice and its wide range of applications. Considering this versatility, the following section will examine how far transitional justice and its many different instruments can positively inform structural injustice theory approaches.

On the Compatibility of Transitional Justice and Structural Injustice Theory

If Structural Injustice Theory and Transitional Justice are to helpfully augment one another – as I argue they can and should – we first need to understand how far the two are compatible in the first place. Looking back, Young (2011) importantly identified collective action as a remedy for structural injustice to be blameless, non-isolating, and forward-looking. As a result, the question arises: If many instruments of the transitional justice tradition rely on a backwards-looking attribution of blame, how can Young's social connection model (2011) and transitional justice be compatible? In this section, I will argue the need to look back and take retroactive responsibility when addressing structural injustice. Further, I will highlight the forward-looking dimensions of transitional justice to demonstrate the compatibility of structural injustice theory with transitional justice instruments.

Criticism towards Young's uncompromising insistence on forward-looking action is not new. In her foreword to Young's book *Responsibility for Justice* (2011), Martha Nussbaum raised the concern about the forward-looking approach that "people get a free pass indefinitely since no task ever goes onto the debit or guilt side of their ledger, and the new task always lies ahead of them" (Nussbaum, 2011, p.xxi). Without retroactive responsibility and accountability for one's actions or inaction, people will be less likely to act on their political responsibility, making backwards-looking responsibility components desirable (Nussbaum, 2011; McKeown, 2021).

Consequently, Young's social connection model (2011) has been amended with backward-looking components before. For example, Sangiovanni (2018) proposes that individuals implicated in structural injustice can indeed be considered moral wrongdoers despite not being considered liable due to the lack of intent, traceability, and the small scope of their contribution. Consequently, they are still responsible, yet excused. Nonetheless, this distinction remains important as "despite this excuse, their being wrongdoers explains why they have remedial duties they would not have otherwise had as mere causally involved bystanders" (Sangiovanni, 2018, p.468).

Similarly, Young's opposition to backwards-looking accountability has been criticised in the academic discourse on how to approach historical injustices. Where Young (2011) initially rejected efforts for historical redress in favour of focussing on contemporary structural injustices, Nuti (2019) argued for the need for such backward-looking acknowledgement and historical reparations. According to Nuti (2019), the past remains present, leading to historical-structural injustices we can observe today. Thus, backward-looking approaches are merited.

Recalling the broader definition of transitional justice as "the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation" (UN Secretary-General, 2004, p.4), Nuti's (2019) argument for addressing historical injustices identifies another critical overlap between the discourse on backwards-looking duties toward historical-structural injustices and conceptualisations of prospective and retroactive transitional justice: Both identify the need for backwards-looking action addressing past injustice in order to enable a more just future.

Subsequently, I agree with the critiques of Young's pure focus on forward-looking action when addressing structural injustice just introduced (Nussbaum, 2011; Sangiovanni, 2019; Nuti, 2019). For the purposes of this argument, adopting Sangiovanni's (2019)

augmentation to Young's (2011) social connection model illustrates how the need for backwards-looking remedial duties can be reconciled without diminishing the need for forward-looking collective action overall.

Notably, despite its origins in the pursuit of retroactive justice and redress, transitional justice has been identified to include both forward-looking and backwards-looking components, whereby "law in transitional periods is both backwards-looking and forward-looking, retrospective and prospective, continuous and discontinuous" (Teitel, 2000, p.215). As such, transitional justice practices possess a symbolic character that enables the normative shift in the transition between regimes, uprooting aspects of the repressive predecessor to facilitate liberalising and ideological transformation (Teitel, 2000).

Similar to Teitel (2000), Webber (2012) distinguishes between three different forms of transitional justice: retrospective justice, prospective justice and "the adjustment of contending legal and political orders". Firstly, there is retrospective justice, wherein one party's wrongful action has caused another party to suffer a loss; the decision maker then intervenes to restore the balance, forcing the wrongdoer to make good the victim's loss. The ideal remedy is precisely calibrated to repair the loss caused by the wrongdoer's previous action" (Webber, 2012, p.102). This description of retrospective transitional justice is congruent with Young's (2011) description of the liability model, where they are both similarly narrow in focus and application. Both depend on the clear identification of a specific wrongdoer that can be considered liable for the harm suffered by another person.

Meanwhile, addressing past and current injustices is essential for prospective transitional justice to enable a more just future. As such, injustices are not only addressed for their own sake but rather in hopes of "changing their society for the future, reconstructing it on different —and, ideally, more just —foundations" (Webber, 2012, p.103). Here, there is an important intersection between the social connection model and prospective transitional justice:

Remedying structural injustice is inherently forward-looking in nature for both. Having thus established the more general theoretical compatibility of the two theories, the following section will more closely examine two specific transitional justice instruments: truth commissions and lustration.

Instruments and Case Studies of Transitional Justice

In the previous section, I reconstructed critiques of Young's purely forward-looking approach to addressing structural injustice (2011) and subsequent arguments on the need for backwards-looking remedial duties, illustrating how theories of structural injustice are not inherently incompatible with backwards-looking justice approaches present in transitional justice. Further, I emphasised how both theories share their focus on forward-looking components when addressing injustice. In this section, I will subsequently explore how transitional justice instruments can be applied to create trustworthy institutions and foster institutional trust through both their forward and backwards-looking dimensions. To do so, I will discuss two specific transitional instruments: truth commissions and lustration.

Truth Commissions as Instruments of Transitional Justice

Since the 1970s, there have been more than 40 state-supported truth commissions looking to address past injustices and promote reconciliation in various cultural and political contexts worldwide, “and it is now rare for any state to undergo a political or post-conflict transition without facing calls for the truth, often prompting a truth commission” (Kochanski, 2020, p.113). While truth commissions, just like transitional justice as a whole, were initially confined to the redress of more recent injustices in the transition from autocracy to democracy, their application has since expanded to include historical injustices in consolidated democracies (Destrooper, 2023).

Generally, truth commissions aim to “uncover the truth in the hope that the exposure of past wrongs will prevent their recurrence in the future; [...] The past is confronted, but with a predominant focus on how to go on from here” (Webber, 2012, p.104f). As such, while truth commissions might incorporate reparatory action as part of their mandate and, as victim-centred instruments often tangibly benefit from doing so, backwards-looking reparations are not necessarily the primal focal point (Webber, 2012; Kochanski, 2020). Here, it is again possible to identify overlap with the academic discourse in the field of structural injustice, where the recognition of victims of historical injustices and subsequent remedial duties in the form of reparations and otherwise are topics of debate (Young, 2011; Nuti, 2019; McKeown, 2021). As such, through their confrontation of past injustice and victim-centred approach, truth commissions can serve to rebuild institutional trust.

Despite the inherent contextuality of truth commissions, specific characteristics allow for an operational classification. According to Hayner (2011), truth commissions can be identified based on (1) their focus on an injustice in the past, (2) their investigative focus over a given period, (3) their temporary existence concluded by the release of a report, and (4) their official state mandate. Here, it is especially due to their official state mandate that truth commissions serve the process of re-establishing institutional trust. Through this mandate, the state takes a first step in recognising past injustices and their victims (Kochanski, 2020). Meanwhile, Sarkin (2018) goes further in proposing a normative conceptualisation wherein forward-looking¹ truth commissions should entail “widespread public support”, independent institutional setup and funding, and transparently agreed upon recommendations for redress (p.354f.).

¹ Sarkin (2018) further presents a backwards-looking definition of what a truth commission looks like. However, since this definition is largely congruent with the one proposed by Hayner (2011), it will not be elaborated upon further in this paper.

As illustrated, truth commissions have not only been applied in cases of recent transitions but when addressing historical injustices in consolidated democracies as well (Destrooper, 2023). This matter is of particular importance, considering that my previous argument has been demonstrably embedded in the context of avoidable structural injustices in a democratic context. For this purpose, I will discuss Belgium's Truth Commission and its attempt addressing Belgian colonial legacy and injustices perpetrated in the Congo as a specific example demonstrating this transitional justice instrument's forward-looking and backwards-looking properties (Destrooper, 2023).

Belgium's parliamentary commission on its colonial past in the Congo, Rwanda, and Burundi was established in 2020, examining Belgium's colonial atrocities and legacies to develop a way forward for relations between Belgium and its former colonies (Destrooper, 2023). Originally claimed by Belgian monarch Leopold II at the conference of Berlin, dividing up Africa between the European colonial powers, the Congo Free State was established in 1885. Interestingly, this state was not officially part of Belgium but belonged to the private lands of its monarch and was run more similarly to a corporation than a country. In the subsequent exploitation of natural resources perpetrated by Leopold's privately-owned corporate state, the indigenous people were brutally oppressed and murdered. While any precise number is hard to quantify due to a lack of record-keeping, the violent nature of the colonial regime is preserved in photographs – numerical estimates of the number of people dead due to killings, famine and disease reach up to 10 million (Verbeeck, 2020; Webster & Rannard, 2020). By 1908, the Congo Free State was transferred to the Belgian state's authority, leading to the official creation of the Belgian Congo. While the use of violence became less arbitrary than in Leopoldian times and living conditions marginally improved, exploitation and oppression continued. In the 1950s, due to Belgium's declining capacity to maintain its colonial empire and in response to several Congolese revolts and riots, the Belgian Congo was granted independence in 1960.

However, the transition of power and sovereignty was ill-prepared and informed Congolese political instability from the very start (Verbeeck, 2020).

Ultimately, the Belgian Truth Commission failed to produce a final outcome. Despite two years of work reconstructing the historical injustices perpetrated by the Belgian colonial regime and their link to contemporary injustices, the chair of the commission conceded that no joint declaration could be issued as there was too much political opposition to the expert's recommendation of a public Belgian apology for colonialism. It was feared that such an apology might form the basis for legal demands for reparations (Webster & Rannard, 2020; Mathys & Van Beurden, 2023).

Nonetheless, despite its ultimate failure, the Belgian Truth Commission was identified to potentially “provide breeding grounds for further struggles for justice and thick accountability that may then have more potential to disrupt the status quo, lead to more transformative justice efforts, and challenge epistemic injustice” (Destrooper, 2023, p.169). As such, the Belgian Truth Commission fell short of its goals and did not provide any backward-looking remedy for the historical injustices of Belgian colonialism, however, might still prove a useful first step in changing the narrative, rebuilding institutional trust, and addressing injustice looking forward.

On a more critical note, the Belgian case highlights the need for robust, context-sensitive, and inclusive application truth commissions require. Otherwise, seeing how much power such commissions can hold in shaping narratives of justice and injustice, they might instead have adverse effects, perpetuating epistemic injustices and further reinforcing harmful narratives and power structures (Destrooper, 2023; Ottendörfer, 2019). In her examination of a truth commission case in Sierra Leone, Ottendörfer (2019) went even further by arguing that such commissions build up hope to repair past injustice and inspire democratic participation, only to inevitably lead to disappointment, adverse effects, and loss of hope when expectations are not met. Consequently, a more critical stance towards truth commissions as instruments of justice

also reveals the danger of disappointing expectations and destroying people's hope regarding concrete injustice remedies (Destrooper, 2023; Ottendörfer, 2019). In such instances, institutional trust will be lost alongside the belief that the government will be responsive to justice demands, dangerously impacting future justice pursuits.

In the end, the effectiveness of truth commissions as justice instruments is contingent on context and implementation. If there is a lack of backing from essential stakeholders (such as the Belgian politicians and the public in the example just explored), producing any satisfactory outcomes will be unlikely (Destrooper, 2023). However, when procedures are well-designed, broadly supported, and the commission itself is sufficiently mandated, truth commissions hold the potential for building institutional trust by recognising past injustices and their victims.

Lustration as an Instrument of Transitional Justice

In the previous section, I have examined the case of the Belgian Truth Commission to highlight the prospective and retrospective dimensions of transitional justice and truth commissions. Here, I have stressed their potential for forward-looking justice pursuits looking to address historically embedded injustices when rigorously implemented. In this section, I will apply the same lens to lustration as another instrument of transitional justice.

Lustration is commonly defined as removing public officials who were implicated in human rights violations and injustices of the previous regime from positions of public trust (e.g. in bureaucracy, educational sector, and judiciary) (Morgan, 2020). Yet, beyond this empirical definition, lustration can be understood as a symbolic cleansing process to rebuild trust in the rule of law and the state during and after political transition (David, 2011; Morgan, 2020). Consequently, there is a dual meaning of lustration as a transitional justice process, construing it as “a political-security process, which signifies the purification of society” (David, 2011, p.66).

This dual meaning can be illustrated using the example of lustration processes against former East German Stasi surveillance collaborators. Thanks to rigorous execution, the removal and blockage of former perpetrators from positions of public trust served as a first step in re-establishing a solid foundation of trust in the state's democratic institutions and civic accountability (Mata, 2015). As such, while backwards-looking in attributing blame to individual perpetrators, lustration processes possess a forward-looking component in their symbolic meaning (David, 2011).

Still, lustration processes as instruments of justice require close scrutiny. Returning to the example of the Soviet Union previously used, lustration processes in many former Soviet republics have been criticised. With noticeable democratic backsliding, “the assumption that transitional justice is an essential precondition of building a sustainable, democratic political order requires more rigorous testing” (Horne & Stan, 2018, p.357). Similar to truth commissions, the symbolic value of lustration processes can be abused if not correctly implemented, making removed officials into pawn sacrifices instead of meaningfully fostering trust looking forward.

Nonetheless, through its prospective and retroactive transitional justice dimensions (Webber, 2012), lustration can be vital in re-establishing institutional trust. Through the symbolic gesture of removing implicated officials, trust is restored “based on the recognition that social reconstruction must work by rebuilding social and political expectations regarding issues such as individual human rights and the responsibilities of institutions in new or reconstructed democracies” (Morgan, 2020, p.62). In the end, people coming together and acting in unison against injustice might just require the removal of former perpetrators beforehand.

Concluding Remarks: Bridging Theory and Practice

In this paper, I have argued for the usefulness of institutional trust in facilitating forward-looking collective action addressing structural injustice. I have argued that citizens need to be able to trust that the state will be responsive to their demands if we want to leverage the capacities of democratic states to address avoidable structural injustices. Subsequently, I explored how transitional justice instruments can help build institutional trust and trustworthy state institutions. In this concluding section, I am now going to bridge the gap between theory and practice by illuminating overlaps and intersections of institutional trust, structural injustice and transitional justice, identifying their potential to helpfully augment one another in areas of weakness, before closing with a couple of academic and practical implications of this paper.

In the first section, I argued for the benefit of institutional trust for collective action targeting structural injustice by employing Bennett's (2023) commitment account in a 3-place model (Faulkner, 2018): Citizens need to be able to trust that their government is responsive to their collective demand of addressing an avoidable structural injustice, while not trusting unquestionably and remaining critical. In the second section, I introduced the field of transitional justice and its forward and backwards-looking components. I discussed the computability of transitional justice and structural injustice theory, arguing that a structural injustice framework that allows for remedial duties can benefit from the prospective and retrospective dimensions of transitional justice and its instruments. Here, I discussed lustration and truth commissions as two specific transitional justice instruments in more depth to further highlight the theories' compatibility. I have shown how these instruments build institutional trust when rightly implemented.

In order to bridge theory and practice, the relationship between all three components can be understood as follows: institutional trust can motivate collective action by allowing people to trust in the responsiveness of their government to their demands to do so. As such,

the organisational capacities of powerful, democratic states can more efficiently be used to address structural injustices. In order to cultivate the required kind of institutional trust, structural injustice theory can draw from transitional justice practices: Tools such as lustration and truth commissions, thanks to their combination of forward and backwards-looking properties, can address past injustice, thus fostering institutional trust and motivate the tackling of structural injustices in the present.

In this regard, my examination of truth commissions as instruments of transitional justice and the Belgian case allow for some conclusions regarding the intersectionality between structural injustice theory, transitional justice, and my argument on trust. Firstly, the operational definition of truth commissions and the academic discourse on their forward-looking properties underscores the previously made argument on the compatibility of both theories. Ideally, truth commissions possess both forward-looking and backwards-looking properties, allowing both for steps towards remedying historical injustice, uncovering entanglements with contemporary injustice, and recommending measures for future transitions towards a more just future. Here, the role of trust in transitional justice processes is emerging both as a goal and part of the process. Where truth commissions aim to address historical injustice to “uncover the truth in the hope that the exposure of past wrongs will prevent their recurrence in the future” (Webber, 2012, p.104f), they are importantly looking to re-establish a basis of institutional trust, as truth commissions are, by their operational definition, state-mandated (Hayner, 2011).

Similarly, lustration and its symbolic dimension build the kind of institutional trust I argue to be beneficial in facilitating collective action. It recognises past injustices, re-establishing trust and the rule of law, and subsequently enables a more democratic and just future (David, 2011; Mata, 2015). Here, careful and sensitive implementation is pivotal in order not to abuse or subvert the symbolic power lustration processes hold (Horne & Stan,

2018), further illustrating the importance of motive, which I similarly argue to be a vital component of the institutional trust helpful in addressing structural injustice: Pawn sacrifices are not sufficient as lustration processes need to entail the genuine recognition of past injustice and the responsibility to address it.

Conclusion

Resulting from my argument, there are a couple of academic and practical implications. Academically, this paper adds to the increasing amount of literature, looking to apply and broaden the contexts in which transitional justice approaches can be applicable. In structural injustice theory, more concrete policy recommendations of what can be done to address structural injustices beyond the general framework by Young (2011) are only beneficial. Consequently, a more rigorous exploration of the potential transitional justice instruments might hold for structural injustice theory presents a promising avenue for future dialogue between these fields. This paper serves as a first stepping stone in this direction.

Practically, this paper's argument further illustrates the vital role powerful agents, specifically democratic states, need to play in addressing avoidable structural injustices (McKeown, 2024). By highlighting the benefits of institutional trust for collective action and how transitional justice instruments can foster it, political decision-makers and activists alike can model their activities accordingly. Nonetheless, any concrete measures need to be adapted to their respective context. Here, it is essential to distinguish between those scenarios where institutional trust is beneficial and those where it is not (e.g. in instances of deliberate structural injustice).

Ultimately, addressing avoidable structural injustices requires us to leverage the capacities of the democratic states that are supposed to represent their citizen's interests. For this, we will need to be able to trust them to be responsive to our demands that they do. The dialogue between the theoretical insights of structural injustice theory and transitional justice practices started here can help uncover how we can ensure that these democratic states do so

and what instruments can help build the required institutional trust. From this perspective, avoidable structural injustices can be overcome as we recognise our shared responsibility and leverage the capacities of powerful, democratic states whose commitments can be trusted.

References

- Allen, M., Benjaminsen, L., O’Sullivan, E., & Pleace, N. (2021). Ending homelessness: the contrasting experiences of Denmark, Finland and Ireland. Policy Press.
<https://doi.org/10.46692/9781447347187>
- Arthur, P. (2009). How “Transitions” Reshaped Human Rights: A Conceptual History of Transitional Justice. *Human Rights Quarterly*, 31(2), 321–367.
<https://www.jstor.org/stable/20486755>
- Baier, A. (1986). Trust and Antitrust. *Ethics*, 96(2), 231–260.
<http://www.jstor.org/stable/2381376>
- Beausoleil, E. (2019). LISTENING TO CLAIMS OF STRUCTURAL INJUSTICE. *Angelaki: Journal of Theoretical Humanities*, 24(4), 120–135.
<https://doi.org/10.1080/0969725X.2019.1635832>
- Bennett, M. (2021). Demoralising trust. *Ethics*, 131(3), 511–538.
<https://doi.org/10.1086/712564>
- Bennett, M. (2023) Trusting groups, *Philosophical Psychology*, 37:1, 196-215.
<https://doi.org/10.1080/09515089.2023.2179478>
- David, R. (2011). Lustration and transitional justice: personnel systems in the Czech Republic, Hungary, and Poland (1st ed., Ser. Pennsylvania studies in human rights). University of Pennsylvania Press. <https://doi.org/10.9783/9780812205763>
- Dempster, L. (2020). ‘Quiet’ Transitional Justice: ‘Publicness’, Trust and Legitimacy in the Search for the ‘Disappeared’. *Social & Legal Studies*, 29(2), 246–272.
<https://doi.org/10.1177/0964663919833027>

- Destrooper, T. (2023). Belgium's "Truth Commission" on its overseas colonial legacy: An expressivist analysis of transitional justice in consolidated democracies. *Journal of Human Rights*, 22(2), 158–173. <https://doi.org/10.1080/14754835.2022.2042220>
- Faulkner, P. (2018). Finding trust in government. *Journal of Social Philosophy*, 49(4), 626–644. <https://doi.org/10.1111/josp.12262>
- Gädeke, D. (2021). Who should fight domination? Individual responsibility and structural injustice. *Politics, Philosophy & Economics*, 20(2), 180–201. <https://doi.org/10.1177/1470594X211003333>
- Goodin, R. E. (2023). *Perpetuating advantage: mechanisms of structural injustice*. Oxford University Press. 2024. <https://doi-org.proxy-ub.rug.nl/10.1093/oso/9780192888204.001.0001>
- Hansen T. O. (2014). The vertical and horizontal expansion of transitional justice. In S. Buckley-Zistel (Ed.), *Transitional justice theories*. Routledge. <https://doi-org.proxy-ub.rug.nl/10.4324/9780203465738>
- Hardin, R. (1996). Trustworthiness. *Ethics*, 107(1), 26–42. <https://doi-org.proxy-ub.rug.nl/10.1086/233695>
- Hardin, R. (2002). *Trust and Trustworthiness*. Russell Sage Foundation.
- Hayner, P. B. (2011). *Unspeakable truths: transitional justice and the challenge of truth commissions* (2nd ed). Routledge. <https://web-p-ebshost-com.proxy-ub.rug.nl/ehost/detail/detail?vid=0&sid=964d8ebd-6a91-4ca9-96b0-9435b3280e94%40redis&bdata=JnNpdGU9ZWhvc3QtbGl2ZSZzY29wZT1zaXRl#AN=336656&db=nlebk>

- Hayward, C. R. (2017). Responsibility and ignorance: On dismantling structural injustice. *The Journal of Politics*, 79(2), pp.396-408. <https://doi.org/10.1086/688355>
- Kaakinen, J. (2019). Housing first: How Finland is ending homelessness. *OECD Observer*.
<https://doi.org/10.1787/aa39e88f-en>
- Kamppila, V. (2024). Homelessness in Finland 2023. In ARA (ARA-08.02.00-2024-1). The Housing Finance and Development Centre of Finland.
<https://www.ara.fi/download/noname/%7BD50ED07F-44B3-482C-9B37-09801E31944D%7D/182255>
- Kochanski, A. (2020). Mandating Truth: Patterns and Trends in Truth Commission Design. *Human Rights Review*, 21(2), 113–137. <https://doi.org/10.1007/s12142-020-00586-x>
- Mathys, G., & Van Beurden, S. (2023). History by Commission? The Belgian Colonial Past and the Limits of History in the Public Eye. *The Journal of African History*, 64(3), 334–343. <https://doi.org/10.1017/S0021853723000683>
- McKeown, M. (2021). Structural injustice. *Philosophy Compass*, 16(7).
<https://doi.org/10.1111/phc3.12757>
- McKeown, M. (2024). *With power comes responsibility: the politics of structural injustice*. Bloomsbury Academic.
- Morton, H. W. (1984). Housing in the Soviet Union. *Proceedings of the Academy of Political Science*, 35(3), 69–80. <https://doi.org/10.2307/1174118>
- Nuti, A. (2019). *Injustice and the reproduction of history: Structural inequalities, gender and redress*. Cambridge University Press. <https://doi.org/10.1017/9781108325592>
- Ottendörfer, E. (2019). Assessing the role of hope in processes of transitional justice: mobilising and disciplining victims in Sierra Leone's truth commission and reparations

programme. *Globalisations*, 16(5), 649–663.

<https://doi.org/10.1080/14747731.2018.1558632>

Parekh, S. (2011). Getting to the root of gender inequality: structural injustice and political responsibility. *Hypatia*, 26(4), 672–689. <https://doi.org/10.1111/j.1527-2001.2010.01159.x>

Pleace, N., Culhane, D., Granfelt, R. & Knutagård, M. (2015). The Finnish Homelessness Strategy – An International Review. In Reports of The Ministry of The Environment. Ministry of the Environment. <http://urn.fi/URN:ISBN:978-952-11-4381-6>

Pouryousefi, S., & Tallant, J. (2023). Empirical and philosophical reflections on trust. *Journal of the American Philosophical Association*, 9(3), 450–470. <https://doi.org/10.1017/apa.2022.14>

Sarkin, J. (2018). Redesigning the Definition a Truth Commission, but Also Designing a Forward-Looking Non-Prescriptive Definition to Make Them Potentially More Successful. *Human Rights Review*, 19(3), 349–368. <https://doi.org/10.1007/s12142-018-0509-3>

Teitel, R. G. (2000). *Transitional justice*. Oxford University Press. 2024. <https://doi-org.proxy-ub.rug.nl/10.18574/nyu/9780814794661.001.0001>

Teitel, R. G. (2014). *Globalising transitional justice: contemporary essays*. Oxford University Press. <https://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=779663>

- UN Secretary-General. (2004). The rule of law and transitional justice in conflict and post-conflict societies: report of the Secretary-General. United Nations Digital Library System. <https://digitallibrary.un.org/record/527647>
- Uslaner, E. M. (Ed.). (2018). The oxford handbook of social and political trust (Ser. [oxford handbooks]). Oxford University Press. 2024. <https://doi-org.proxy-ub.rug.nl/10.1093/oxfordhb/9780190274801.001.0001>
- Verbeeck, G. (2020). Legacies of an imperial past in a small nation. Patterns of postcolonialism in Belgium. *European Politics and Society*, 21(3), 292–306. <https://doi.org/10.1080/23745118.2019.1645422>
- Webber, J. (2012). 3. Forms of Transitional Justice. In M. Williams & J. Elster (Ed.), *Transitional Justice: NOMOS LI* (pp. 98-128). New York, USA: New York University Press. <https://doi-org.proxy-ub.rug.nl/10.18574/nyu/9780814794661.003.0004>
- Webster, E. & Rannard, G. (2020). Leopold II: Belgium "wakes up" to its bloody colonial past. <https://www.bbc.com/news/world-europe-53017188>
- Williams, M. & Nagy, R. (2012). Introduction. In M. Williams & J. Elster (Ed.), *Transitional Justice: NOMOS LI* (pp. 1-30). New York, USA: New York University Press. <https://doi-org.proxy-ub.rug.nl/10.18574/nyu/9780814794661.003.0001>
- Young, I. M. (2002). 'Civil Society and Its Limits', *Inclusion and Democracy*. Oxford University Press. <https://doi-org.proxy-ub.rug.nl/10.1093/0198297556.003.0006>
- Young, I. M., & Oxford University Press. (2011). *Responsibility for justice* (Ser. Oxford political philosophy). Oxford University Press. <https://doi-org.proxy-ub.rug.nl/10.1093/acprof:oso/9780195392388.001.0001>

Zheng, R. (2018). What is My Role in Changing the System? A New Model of Responsibility for Structural Injustice. *Ethical Theory and Moral Practice: An International Forum*, 21(4), 869–885. <https://doi.org/10.1007/s10677-018-9892-8>