

## **RESOLVED: "The U.S. government should give Slavery Reparations to its African-American citizens."**



### **Making Amends Debate Continues Over Reparations for U.S. Slavery**

The U.S. government's first reparations plan to compensate African-Americans for the legacy of slavery was 40 acres and a mule apiece -- that was Gen. William Sherman's promise to former slaves shortly after the Civil War ended in 1865. His order set aside land on the Georgia and South Carolina coasts for the settlement of thousands of newly freed families. But the promise was quickly recanted and the land was taken back, with no other plans for reparations.

Since then, the issue has been revisited time and again by leading civil rights activists. In 1963, for example, Martin Luther King Jr., called Sherman's promise "a check which has come back marked 'insufficient funds.'" King called instead for "a check that will give (African-Americans) upon demand the riches of freedom and the security of justice."

Support from the White House and Congress still remains weak: President Bush is said to oppose paying slave compensation, and U.S. Rep. John Conyers' proposal to set up a commission to study the impact of slavery has languished for over a decade.

The supporters of reparations face many hurdles, however. Critics say it will be difficult to determine plaintiffs and defendants, arguing that non-black Americans living today are not responsible for slavery and that their tax dollars should not be used for compensation.

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## A push for slavery reparations

With global attention and cases in court, scholars say issue has momentum

The Associated Press

Advocates who say black Americans should be compensated for slavery and its Jim Crow aftermath are quietly chalking up victories and gaining momentum.

Fueled by the work of scholars and lawyers, their campaign has morphed in recent years from a fringe-group rallying cry into sophisticated, mainstream movement. Most recently, a pair of churches apologized for their part in the slave trade, and one is studying ways to repay black church members.

The overall issue is hardly settled, even among black Americans: Some say that focusing on slavery shouldn't be a top priority or that it doesn't make sense to compensate people generations after a historical wrong.

Yet reparations efforts have led a number of cities and states to approve measures that force businesses to publicize their historical ties to slavery. Several reparations court cases are in progress, and international human rights officials are increasingly spotlighting the issue.

"This matter is growing in significance rather than declining," said Charles Ogletree, a Harvard law professor and a leading reparations activist. "It has more vigor and vitality in the 21st century than it's had in the history of the reparations movement."

The most recent victories for reparations advocates came in June, when the Moravian Church and the Episcopal Church both apologized for owning slaves and promised to battle current racism.

### Episcopalians take point on issue

The Episcopalians also launched a national, yearslong probe into church slavery links and into whether the church should compensate black members. A white church member, Katrina Browne, also screened a documentary focusing on white culpability at the denomination's national assembly.

The Episcopalians debated slavery and reparations for years before reaching an agreement, said Jayne Oasin, social justice officer for the denomination, who will oversee its work on the issue.

Historically, slavery was an uncomfortable topic for the church. Some Episcopal bishops owned slaves — and the Bible was used to justify the practice, Oasin said.

"Why not (take these steps) 100 years ago?" she said. "Let's talk about the complicity of the Episcopal Church as one of the institutions of this country who, of course, benefited from slavery."

Also in June, a North Carolina commission urged the state government to repay the descendants of victims of a violent 1898 campaign by white supremacists to strip blacks of power in Wilmington, N.C. As many as 60 black people died, and thousands were driven from the city.

The commission also recommended state-funded programs to support local black businesses and home ownership.

### **1921 riot as global rights violation?**

The report came weeks after the Organization of American States requested information from the U.S. government about a 1921 race riot in Tulsa, Okla., in which 1,200 homes were burned and as many as 300 black people were killed. An OAS official said the group might pursue the issue as a violation of international human rights.

The modern reparations movement revived an idea that's been around since emancipation, when black leaders argued that newly freed slaves deserved compensation.

About six years ago, the issue started gaining momentum again. Randall Robinson's "The Debt: What America Owes to Blacks," was a best seller; reparations became a central issue at the World Conference on Racism in Durban, South Africa; and California legislators passed the nation's first law forcing insurance companies that do business with the state to disclose their slavery ties. Illinois passed a similar insurance law in 2003, and the next year Iowa legislators began requesting — but not forcing — the same disclosures.

Several cities — including Chicago, Detroit and Oakland — have laws requiring that all businesses make such disclosures.

### **For critics, a movement 'based on a fallacy'**

Reparations opponents insist that no living American should have to pay for a practice that ended more than 140 years ago. Plus, programs such as affirmative action and welfare already have compensated for past injustices, said John H. McWhorter, a senior fellow at the conservative Manhattan Institute.

"The reparations movement is based on a fallacy that cripples the thinking on race — the fallacy that what ails black America is a cash problem," said McWhorter, who is black. "Giving people money will not solve the problems that we have."

Even so, support is reaching beyond African-Americans and the South.

Katrina Browne, the white Episcopalian filmmaker, is finishing a documentary about her ancestors, the DeWolfs of Bristol, R.I., the biggest slave-trading family in U.S. history. She screened it for Episcopal Church officials at the June convention.

"Traces of the Trade: A Story From the Deep North," details how the economies of the Northeast and the nation as a whole depended on slaves.

"A lot of white people think they know everything there is to know about slavery — we all agree it was wrong and that's enough," Browne said. "But this was the foundation of our country, not some Southern anomaly. We all inherit responsibility."

She says neither whites nor blacks will heal from slavery until formal hearings expose the full history of slavery and its effects — an effort similar to South Africa's Truth and Reconciliation Commission after apartheid collapsed.

## **Does America owe us? A Harvard law professor and a Pulitzer Prize-winning journalist discuss the pros and cons of reparations**

E.R. Shipp, New York Daily News

**POINT BY CHARLES J. OGLETREE, JR.**

ON AUGUST 17 IN WASHINGTON, D.C., a few thousand people gathered on the National Mall. They were there to participate in the Millions for Reparations Rally, organized by the Durban 400 and the National Black United Front. The number of marchers was small, certainly far short of the other "Million" marches organized since Dr. King's famous 1963 March on Washington. But the low number did not indicate the relative importance of the issue, only its complexity.

Many (but by no means all) Whites feel a great deal of antagonism toward our demand for some accounting of the history of slavery in America. Even those Whites sympathetic to the concept of reparations must have been concerned about the aggressive theme of the rally: "They owe us!" It seemed to confirm the worst suspicions of those who object to reparations as a "free" payout to people who have never experienced slavery from people who have never had anything to do with slavery.

There are Blacks who would rather forget the history of slavery and discrimination altogether and "move on." Others believe that, in passing the Civil War Amendments and the Civil Rights Act, America has done enough to repair the damage of slavery and its aftermath. Still other Blacks feel that an issue focusing on the descendants of slaves proves too divisive for our diverse Black American community. Large numbers of Black Americans, after all, arrived in the country from Africa and the Caribbean after slavery ended and, so the thinking goes, should not profit from reparations. The potential for divisiveness meant that many civil-rights organizations either stayed away from the rally or sent only a token presence. And even some of those who endorse reparations found the rally's speakers and theme didn't capture the issue's full range, and so they attended without really participating.

The institution of slavery in America, dating back to 1619, provides the foundation for the Reparations Movement. Millions of African slaves were transferred from the continent of Africa to perform hard labor in the Americas and were responsible for establishing our nation's vital economy. After more than 240 years, the Emancipation Proclamation and the Civil War put an end to formal slavery. Black people were promised land, and Major General W.T. Sherman attempted to make good on that promise when he issued Special Field Order No. 15, granting certain freed slaves "a plot of not more than (40) forty acres of tillable ground." But the promise was broken when President Andrew Johnson rescinded the order.

It's not as if the government has made good on the promise of equality stated in the Constitution. As recently as 1999, a federal court ordered that reparations be paid to Black farmers discriminated against by the U.S. Department of Agriculture. The opinion explicitly

referenced "40 acres and a mule." But the promissory note for most of the farmers remains unpaid; the government disputes which of them is to benefit from the settlement. And state governments are even less keen to settle with uncompensated victims of their discriminatory practices.

We cannot "move on" until a powerful and important discussion about race reaches beyond the most elite or intellectual circles. The Reparations Movement demands, among other things, that the hard discussion about race and responsibility in America no longer be deflected or ignored by splitting it up into discrete areas, such as affirmative action, or antipoverty causes, or crime and justice. Instead, we want to ensure that the world understands the impact of slavery on Africa and on the African diaspora. Far too many Westerners do not appreciate the gravity of removing tens of millions of African people from that continent, the pain and suffering of the Middle Passage, and the enduring legacy of racism bequeathed to us by slavery. Few Americans have even addressed, let alone come to terms with, this country's opposition to ending slavery and the lasting effects of that resistance.

If Black people cannot "get over" this history, it is because, even as we progress to greater freedom, we suffer the lingering effects of the broken promise of equal treatment. The historically Black institutions that could have ensured our equality have been systematically dismantled or destroyed. The country has yet to deal with this baleful record of discrimination, and we cannot move forward until we confront the presence of our past.

What amazed and encouraged me at the Millions for Reparations March was not the speeches but the energy and excitement generated by the many grassroots activists who did attend. As more people become interested in reparations, each has a different idea of what the movement entails. This diversity of opinion is both right and good: Reparations has many different meanings. It includes the recovery of property lost after Reconstruction. It requires compensation for the victims of lynching and ethnic cleansing. That process started in 1994 with an award to the victims of the Rosewood, Florida, massacre that occurred in 1923. Tulsa, Oklahoma, has also given compensation to the Black survivors of the 1921 Greenwood race riot. And it includes restitution from corporations and public entities that profited from the business of slavery.

If the march continues to stimulate a debate about who really does "owe" us, what sort of compensation we should seek and who should receive it, that will more than make up for those who were unable, or unwilling, to make it to Washington that weekend.

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## COUNTERPOINT BY E.R. SHIPP

**THE LEAST-REMEMBERED PORTION OF** Dr. Martin Luther King, Jr.'s speech at the 1963 March on Washington was this passage: "When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the inalienable rights of life, liberty and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, which has come back marked 'insufficient funds.' But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation."

And I, for one, refuse to believe that nothing has changed since 1963, that America has not honored, or begun to honor, that promissory note. Unfortunately, too many Black Americans today, often egged on by politicians and preachers and professors who don't mind dazzling their audiences with sound-good inanities and foolishness, are running around hollering, "They owe us!" Mind you, they are a minority among us so-called minorities. Exhibit A: Only three or four thousand people showed up in Washington in August for what had been billed as the Millions for Reparations March.

Some members of this movement, no doubt looking at their bank accounts or reflecting on the difficulties they are experiencing in these tough economic times, are salivating at the thought of a paycheck, even if they cannot identify a single slave from their past. Others are so desperate for excuses to explain their own failures, so embittered and so jealous of White people that they go through life feeling what a New York City councilman, Charles Barron, said at the reparations march: "I want to go up to the closest White person and say, 'You can't understand this; it's a Black thing' and then slap him, just for my mental health."

These are the people who proclaim, "They owe us!" when the antecedents for those pronouns are profoundly confusing. I am--proudly--part of "they" if "they" means Americans who have given blood, sweat and tears for this country. I am a "they" who can trace my past back to slaves of African and Native American and European descent in Georgia and North Carolina and to their progeny, who spread throughout the country during slavery and after. I am a "they" whose family has been involved, in one way or another, in every war since the first one that mattered, the Revolutionary War. I give quarter to no one who would deny me the right to be counted among the "theys."

I am an "us" in the view of the reparationists only because I am Black. And that, for them, is all that matters. But what about those Blacks whose ancestors may have been enslaved not in North Carolina or Georgia, but in Jamaica or Haiti? Why should the American government compensate them for what the British or the Spanish or the French might have done? And what about Black Africans in this country? Do they file claims on the basis of some putative connection to a Kunta Kinte in their family tree?

It is well past time for Blacks to concede that they are indeed American and that this country, in numerous ways, has admitted its past injustices to us. From the abolitionist movements of the eighteenth and nineteenth centuries to President Johnson's Great Society of the 1960's, this country has taken heed of its debt to Blacks--as well as its debt to others who have been mistreated, tossed aside, left behind. In planning a policy that became affirmative action during the Nixon years, LBJ, a Texan, acknowledged in 1965 "the devastating heritage of long years of slavery and a century of oppression, hatred and injustice." Years later, President Clinton apologized for slavery during his precedent-setting visit to the African continent. No credible history curriculum would dare ignore the Black part of the U.S. story.

Blacks as a whole are not in the same category as Jews who received compensation from the German government, or Japanese-Americans who received compensation from the U.S. government. Those groups received reparations for specific acts of injustice that they, not their ancestors, suffered. Where Blacks have such clearly defined grievances--as in losses suffered during twentieth-century atrocities in Rosewood, Florida, and in Tulsa, Oklahoma--they have the legitimate right to demand compensation. The rest of us should just get over it and move on, realizing that we are much better off for being part of the "they"--Americans--than we would be had our ancestors never left Africa.

The truth is that Blacks suffer little that other Americans don't also suffer. The "debt," which this nation began paying with such acts as the establishment of Howard University in 1867, is being paid in every act of government or the civic sector that tries to eliminate poverty, improve failing school systems, make affordable housing available, provide job training, or pave the way for health-care insurance. Rather than wasting time on this ridiculous reparations movement, we'd be better off joining forces with other Americans to resolve the issues that affect us all.

E.R. Shipp, a columnist for the New York Daily News, won the 1996 Pulitzer Prize for commentary.

Charles J. Ogletree, Jr., makes his case for reparations in "Does America Owe Us?" (page 126). He says that "serious" debate, research and examination will ensure that the movement won't crumble, and "the Black church will play a central role in discussing and disseminating accurate, timely information to the community." Ogletree has been a law professor at Harvard since 1985.