

## Loomis Chaffee Debate Tournament – Resolution & Information packet Jan. 2020

### **Resolved, that the United States should adopt a program of reparations to redress the harms caused by historic, systemic racist policies, including slavery.**

**Redress = to remedy or compensate for a wrong or grievance**

#### **From the International Center for Transitional Justice Website “Overview of Reparations”**

Reparations serve to acknowledge the legal obligation of a state, or individual(s) or group, to repair the consequences of violations — either because it directly committed them or it failed to prevent them. They also express to victims and society more generally that the state is committed to addressing the root causes of past violations and ensuring they do not happen again.

With their material and symbolic benefits, reparations are important to victims because they are often seen as the most direct and meaningful way of receiving justice. Yet, they are often the last-implemented and least-funded measure of transitional justice.

It is important to remember that financial compensation — or the payment money — is only one of many different types of material reparations that can be provided to victims. Other types include restoring civil and political rights, erasing unfair criminal convictions, physical rehabilitation, and granting access to land, health care, or education. Sometimes, these measures are provided to victims’ family members, often children, in recognition that providing them with a better future is an important way to overcome the enduring consequences of the violations.

Reparations can be implemented through administrative programs or enforced as the outcome of litigation. Oftentimes, they overlap and compete for state resources with programs against poverty, unemployment, and lack of access to resources, like land. In these situations, reparations should be designed and implemented in ways that can transform previously unequal and unjust relations.

Reparations can also take the form of revealing the truth about the violations themselves and providing guarantees that they will not be repeated.

**From Wikipedia: Jim Crow laws** were state and local laws that enforced racial segregation in the Southern United States.<sup>[1]</sup> All were enacted in the late 19th and early 20th centuries by white Democratic-dominated state legislatures after the Reconstruction period.<sup>[2]</sup> The laws were enforced until 1965.<sup>[3]</sup>

#### **Will Kenton (M.A. New School for Social Research, Ph.D. NYU) Sept. 6 2019 “What Is Redlining?” from Investopedia**

Redlining is an unethical practice that puts services (financial and otherwise) out of reach for residents of certain areas based on race or ethnicity. It can be seen in the systematic denial of mortgages, insurance, loans, and other financial services based on location (and that area’s default history) rather than an individual’s qualifications and creditworthiness. Notably, the policy of redlining is felt the most by residents of minority neighborhoods.

The term “redlining” was coined by sociologist James McKnight in the 1960s and derives from how lenders would literally draw a red line on a map around the neighborhoods they would not invest in based on demographics alone. Black inner-city neighborhoods were most likely to be redlined. Investigations found that lenders would make loans to lower-income whites but not to middle- or upper-income African Americans.

Indeed, in the 1930s the federal government began redlining real estate, marking “risky” neighborhoods for federal mortgage loans on the basis of race. The result of this redlining in real estate could still be felt decades later. In 1997 homes in the redlined neighborhoods were worth less than half that of the homes in what the government had deemed as “best” for mortgage lending, and that disparity has only grown greater in the last two decades.

Examples of redlining can be found in a variety of financial services, including not only mortgages but also student loans, credit cards, and insurance. Although the Community Reinvestment Act was passed in 1977 to put an end to all redlining practices, critics say the discrimination still occurs.

**Excerpt from Ta-Nehisi Coates “The Case for Reparations” in Atlantic June 2014:** In 1934, Congress created the Federal Housing Administration. The FHA insured private mortgages, causing a drop in interest rates and a decline in the size of the down payment required to buy a house. But an insured mortgage was not a possibility for Clyde Ross. The FHA had adopted a system of maps that rated neighborhoods according to their perceived stability. On the maps, green areas, rated “A,” indicated “in demand” neighborhoods that, as one appraiser put it, lacked “a single foreigner or Negro.” These neighborhoods were considered excellent prospects for insurance. Neighborhoods where black people lived were rated “D” and were usually considered ineligible for FHA backing. They were colored in red. Neither the percentage of black people living there nor their social class mattered. Black people were viewed as a contagion. Redlining went beyond FHA-backed loans and spread to the entire mortgage industry, which was already rife with racism, excluding black people from most legitimate means of obtaining a mortgage.

## **Constitutional Rights Foundation article on reparations, “Reparations, Con and Pro”**

Many people and groups have voiced their opposition to the whole idea of slavery reparations. Major arguments against reparations include:

- There are no black slaves living today. Slavery ended more than 160 years ago at the cost of several hundred thousand lives lost in the Civil War. It is unfair to ask American taxpayers, many of them from families that came to the United States after slavery ended, to pay for the wrongs of slavery.
- The problems faced by African Americans today are not the "legacy of slavery" or even racism. Many blacks have succeeded very well in American society. The problems of poor African Americans are caused by social ills within the inner city, such as the breakdown of families, high crime rates, and dependence on welfare.
- Federal and state governments have already spent billions of dollars on social programs such as welfare, subsidized housing, health care, employment development, affirmative action, and education. These programs have benefitted African Americans.
- African Americans, particularly the young, need to overcome their problems through their own efforts and not depend on more government handouts and benefits.
- Reparations would be too expensive, depriving the country of the opportunity to fix the Social Security and Medicare systems and meet other budget needs that benefit all Americans.
- Any reparation plan would lead to unfairness and huge administrative costs. Who would receive reparations? Descendants of slaves? All blacks? Would well-off African Americans receive payments? If a fund were set up, who would administer it? Would those unhappy with the plan call for even more reparations or file lawsuits?

Advocates for reparations reject these arguments. They contend:

- The claim for reparations is not against white Americans or even individual Americans. It is a claim against American government and society, which has continued from the time of slavery. As all members of society share in society's benefits, they also must share the burdens in the form of taxation. Through slavery, African Americans were terribly wronged and modern blacks were robbed of their inheritance. Further, blacks face racism every day. They deserve to be compensated.
- The problems faced by many blacks today come from slavery and society's ongoing racism. Blacks were uprooted from their homes in Africa and brutalized in America by a system that destroyed the family structure and degraded the individual. When slavery ended, African Americans owned nothing. Isolated and discriminated against, they were denied education, contacts with society, and economic opportunity. Compared to whites, blacks remain in a disadvantaged position and will remain so until they receive compensation and society's racism ends.
- Welfare, subsidized housing, affirmative action, and other previous efforts to address socio-economic problems of the black underclass have been too little and too late. They failed because society has failed to come to grips with the central problem--its own racism and discrimination. In some cases, social programs, though well-intentioned, actually increased black isolation and further degraded the black community. In addition, these programs benefitted other groups, not just blacks. By doing so, they failed to address the unique claims based on slavery that African-Americans have.
- Reparations will not promote dependency. Instead, they will give individual African Americans and the community as a whole a chance to create their own economic base and become self-reliant.
- The cost of reparations may be great, but a debt is owed and must be paid. The moral claim for reparations at least equals that of any other government program. America is a rich country, and if the will exists, the money can be found.
- Just as it is too early to decide how much is due in reparations, it is too early to agree on how to distribute the reparations. Fair methods can be worked out once society acknowledges its obligation to provide reparations in the first place.

## **Time Magazine May 28 2014 “A Legal and Moral basis for Reparations”**

As recently as 2009, the U.S. Senate passed a resolution belatedly apologizing for this country's oppression of African Americans: “The Congress (A) acknowledges the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow laws; (B) apologizes to African-Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow laws.”

Sadly, these mostly white senators added a disclaimer explicitly barring African Americans from seeking reparations for the role of the government in this officially recognized oppression. Reparations is an issue that arises sporadically because of the three-plus centuries of slavery and Jim Crow on which this country is founded, and one that Ta-Nehisi Coates revives in this month's *Atlantic Monthly*.

One rationale for reparations lies in the reality of the stolen labor and millions of African Americans enslaved until 1865, legally segregated from the 1870s to the 1960s, and who face much discrimination today. This theft of labor and lives was carried out for centuries by whites as individuals and by local, state and federal institutions backed by law.

A legal basis for reparations could rest in the concept of unjust enrichment, an idea traditionally associated with relationships between individuals. Unjust enrichment involves circumstances that “give rise to the obligation of restitution, that is, the receiving and retention of property, money, or benefits which in justice and equity belong to another,” according to *Ballentine’s Law Dictionary*. One can extend the idea of restitution for unjust enrichment to the conditions of large-scale group oppression.

Implicit in the idea of unjust enrichment is the counterpart idea of unjust impoverishment, the condition of those suffering at the hands of those unfairly enriched. From the 1700s to the mid-1800s, white families and communities were enriched directly, or by means of economic multiplier effects, by slave plantations and related economic enterprises. Economist James Marketti once estimated that the labor stolen from enslaved African Americans from 1790 to 1860 was worth in the range of \$2.1 to \$4.7 trillion (in 1983 dollars), after taking into account lost interest.

Those who have attacked the idea of owing back wages to African Americans, arguing those are too-distant debts, ignore the huge damages done to African Americans during the century of near-slavery during Jim Crow segregation. Millions alive today suffered severe losses under Jim Crow and can actually name who did much of that discrimination and unjust impoverishing. The current worth of all black labor stolen by whites through the means of slavery, Jim Crow, and discrimination (plus interest) is estimated by some economists in the range of \$6 to \$24 trillion. And this figure doesn’t include compensation for great physical and mental suffering and millions of untimely deaths.

Most whites whose families have lived in the U.S. for generations benefit from significant racial advantages their ancestors gained under slavery, Jim Crow or post-1968 discrimination. An examination of generational histories of white families and families of color by sociologist Jennifer Mueller found huge differences in the acquisition and transfer of economic assets: compared to families of color, white families had “more than six times as many transfers of monetary assets across generations.”

Large-scale homestead acts operating from the 1860s and federal housing and veterans programs after World War II also mean that many white families have benefited and secured significant assets from “white affirmative action.” The Homestead Act of 1862 provided 246 million acres of productive land, and wealth, for 1.5 million families over seven decades. Depending on calculations for things like marriage and childbearing, social scientist Trina Williams estimates that 20 to 93 million Americans, overwhelmingly white, are current beneficiaries of this one asset-generating program. In Mueller’s family histories, whites reported five times as many instances of garnering such government-derived assets over multiple generations than did families of color. Not surprisingly, the 2010 Survey of Consumer Finances found huge racial differentials in family wealth. White families’ median wealth is about eight times that of black families, and this gap has grown in recent decades.

Most whites consider reparations for damages suffered by African Americans to be too radical, but white politicians, judges and ordinary citizens have accepted the principle of reparations for certain past damages. U.S. courts have required corporations to compensate deformed children of mothers who took drugs during pregnancies without knowing of harmful side effects. That those decisionmakers were long gone didn’t let the corporations off the hook. Significantly, the U.S. government has actively pressured the German government since World War II to make large-scale reparations to victims of the Holocaust, although those making the reparations were not part of Nazi governments.

The moral principle here is similar to that asserted in arguments for reparations for contemporary African Americans, whose socioeconomic conditions reflect damage done by past and present generations of whites. Additionally, federal appellate Justice John Minor Wisdom has argued that the anti-slavery amendments to the U.S. Constitution set a constitutional principle for government remedial action: “When a present discriminatory effect upon blacks as a class can be linked with a discriminatory practice against blacks as a race under the slavery system, the present effect may be eradicated under the auspices of the thirteenth amendment.”

Contemporary reparations might take several forms. One would be the gradual transfer of compensating wealth from unjustly enriched white communities to unjustly impoverished black communities, a government transfer linked to explicit restorative goals. The National Coalition of Blacks for Reparations in America has sought \$400 million for both individual compensation and asset-generating programs enabling impoverished black communities to prosper. Substantial reparations would include providing well-funded government programs, over generations, at local and state levels for upgrading education, job training, housing and incomes for African Americans – as individuals, families and communities.

Many argue there is no money for such moral and constitutional action. Yet, the U.S. government found more than a trillion dollars to bail out private institutions in the Great Recession—and trillions for recent irresponsible military actions. A U.S. government that was heavily involved in sustaining slavery and Jim Crow, and is implicated in contemporary discrimination, can find the substantial amounts needed to meet this country’s moral and restorative obligations to long-oppressed African Americans.

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## **“Transforming Public Perceptions of Reparations” Vernellia R. Randall, Harvard Law Review Vol.1689**

Although innovative and creative legal maneuvers can perhaps overcome the daunting legal obstacles to reparations, the public is less amenable to such tactics. Advocates of African-American reparations face the same basic challenge as any group seeking reparations: seeking redress from a majority group that is reluctant to relinquish any of its institutional, social, or economic power. But those who claim African-American reparations must overcome the additional hurdle of the commonly held public belief that society is already paying a debt, through welfare and race-preference programs, that it should not be obliged to pay in the first place. This sentiment likely leads to the initial hostility toward reparations. Situated on the other side of the color line, blacks would likely reject this individual rights based assertion on two grounds. First, while the status of blacks today is in part the result of individual choices, they face structural constraints due to the lingering effects of slavery and Jim Crow. Second, blacks as a group continue to suffer, even if they are not the original victims of slavery or Jim Crow. Reparations advocates must build a logical and convincing bridge across the color line, one that overcomes certain notions of reparations as retribution; otherwise, even an unsuccessful legal claim could severely aggravate racial tensions.

Bridging the gap is only possible through the reshaping of public opinion. The components of such a bridge should identify the following: the injustice, the victims and the perpetrators, and the causal connection between the harm experienced by current members of the victimized group and the past injustice. There is little public debate over the first component; repair will begin when blacks and nonblacks are convinced of the remaining two, which this Note addresses separately below.

### **A. Identifying Victims and Perpetrators**

**1. Victims.**--During their respective periods, slavery and Jim Crow directly affected anyone with known African ancestry, but immigration has made it difficult to identify their descendants. This forces reparations advocates to confront the controversial problem of defining the parameters of who is "black."

What kind of proof would be required? DNA evidence demonstrating African heritage? Genealogical evidence indicating slave ancestry? A resurgence of the "one drop rule" ? Such methods, especially the "one drop rule," are demeaning and ultimately unnecessary-- current educational affirmative action programs have been successful without requiring recipients to "prove" their race. Although the identification problem would be of great concern if monetary reparations were awarded directly to individuals, reparations as proposed in this Note would augment programs that already have a feasible distribution system, such as race-preference programs and subsidies to black-owned businesses, and would invest in institution-building in black communities and in grassroots organizations that would ultimately help both black and nonblack members of the community.

The notion of compensating members of a historically victimized group, even nonvictim members of that group, is not unprecedented. Reliance on loose connections between victim and beneficiary have found both constitutional and statutory acceptance. Current Supreme Court affirmative action doctrine upholds race-based programs designed specifically to address past discriminatory acts and to provide a benefit that does not necessarily flow to the harmed individual, but rather to members of the victim's racial group. In *Adarand Constructors, Inc. v. Peña*, the Supreme Court admitted the necessity of race-conscious solutions:

Unhappy persistence of both the practice and the lingering effects of racial discrimination against minority groups in this country is an unfortunate reality, and the government is not disqualified from acting in response to it. . . . When race-based action is necessary to further a compelling interest, such action is within constitutional constraints if it satisfies the "narrow tailoring" test this Court has set out in previous cases. In employment discrimination law, through Title VII of the 1964 Civil Rights Act, courts are empowered to create "preferential, race-conscious remedies that benefit non-victims," with the intended purpose "not to make identified victims whole," but to dismantle the lingering effects of prior discrimination and to prevent discrimination in the future." If loose connections between victim and beneficiary are deemed necessary to uproot the "lingering effects of prior discrimination" in the context of race-preference programs, then they should be applicable in the reparations context. Even outside the arena of legislative racial justice, when the remedy is intended to address a pervasive injury to society, such as after an antitrust violation, the recipients of the benefit need not be directly harmed if providing benefits to them will result in a greater benefit to society. For example, the benefits of the proposed settlement in the Microsoft antitrust litigation did not flow to software purchasers but to the community through the mandatory donation of more than one billion dollars in cash, software, and computer equipment, as well as the establishment of an "eLearning Foundation" that would distribute the resources to impoverished schools. Thus, in remedies targeted toward the lingering effects of discrimination or in attempts to heal a diffused injury to the polity, the individual rights paradigm is often set aside to provide group-based benefits to achieve the broader goal of repair.

**2. Perpetrators.**--Under the individual rights paradigm, it is equally important to identify the "perpetrators." This country is largely a country of immigrants, many of whom arrived after the end of slavery and Jim Crow and were themselves persecuted upon their arrival. It is difficult to justify their contribution to African-American reparations. It is thus necessary for reparations supporters to distance themselves from the individual rights paradigm and, rather than blame individuals, to look to the country to restore itself. Under this formulation, no individual is held personally responsible for the oppression of, or discrimination against, an entire race-- an accusation that frustrates most nonblack Americans who do not see themselves in such a position of power relative to blacks. Instead, reparationists must argue that slavery and Jim Crow taint all private ordering within public institutions. The traditional individualistic focus makes African-American reparations easy to dismiss because slavery was too pervasive--it permeated an entire society and its institutions; it enslaved an entire race of people--to attribute to identifiable wrongdoers.

Ultimately, the choice to live in America is a choice to accept the history, responsibilities, and debts from which our country's prosperity and freedoms flow. Reparations are not intended to hold individual Americans living today morally responsible for the acts of their forefathers, but rather to insist that the country apologize for its wrongful acts and take the necessary steps to bridge the racial divide and to alleviate the economic and social disparities that resulted from those acts.

## B. Causation and Harm

The causal link between the status of blacks today and the offenses of slavery and Jim Crow must also be identified to garner public support for reparations. Discriminatory practices that forced blacks to miss housing, educational, and employment opportunities not only hindered their social mobility and ability to accumulate wealth, but also left residual psychological scars.

The economic subordination of blacks under Jim Crow denied them opportunities to accumulate wealth, in particular opportunities to purchase property. Government-sanctioned discriminatory practices in the housing and lending markets, such as restrictive covenants, which were not outlawed until 1948, excluded blacks from many sectors of the property market. Even after the removal of such legal barriers to property ownership, owning property did not become a viable option for most blacks until the late 1960s because of limited financial resources, a situation exacerbated by discriminatory practices in the delivery of credit, assignment of interest rates, property value assessment, and legal segregation. When housing prices tripled during the 1970s, affording many whites a 300% increase in the value of their property, blacks again found themselves either unable to enter the housing market or unable to afford property in desirable neighborhoods.

Limited capital-formation ability, which began under slavery and Jim Crow, continues to plague many African-Americans. Home ownership is considered one of the most important means of accumulating wealth, and this wealth is necessary to start new businesses, purchase stock, invest in real estate, and transfer "cultural capital," such as education, to children. Asymmetries in wealth are self-reinforcing: substantial wealth produces income, which can then be reinvested in assets or saved and eventually passed on to one's children. Thus wealth previously accumulated through racially biased institutions would create compounded effects that would remain evident and relevant today.

However, intergenerational transfer does not completely explain why the wealth gap continues to increase even as the black-white income gap decreases. Melvin Oliver and Thomas Shapiro offer three explanations of how the opportunity structure has sustained the wealth asymmetry. First, the strong incentives to home ownership that the government has created through the tax system typically bypass the poor and thus benefit a very small percentage of blacks. Second, Oliver and Shapiro propose the concept of the "economic detour" as an explanation for the low levels of black entrepreneurship and business ownership. Legal discrimination hinders the ability of blacks to participate freely in the market and to explore larger and more lucrative markets; this analysis also applies to blacks' ability to invest in valuable housing outside of their communities. They further propose the "sedimentation of racial inequality," which asserts that the legacy of poor wages, inferior schooling, and segregation continues to disadvantage blacks. Equally important is the recognition that the system that has denied advantages to blacks has systematically granted them to whites, creating a close link between white wealth accumulation and black poverty.

These observed effects are most evident in a comparison of the white middle class and the black middle class. Membership in the middle class for both groups is dependent on both income and wealth, yet while whites tend to achieve middle class status based on wealth, blacks tend to rely on income. Consequently, many describe the black middle class as "fragile." This fragility is due in part to blacks' reliance on the labor market to maintain their middle class status. Thus, unemployment and other market downturns could potentially force them out of the middle class quickly. Additionally, income, unlike wealth, cannot be passed on to one's children through will or gift, and thus children of the black middle class are less likely to remain in that class.

Evidence of the systemic barriers confronting the black middle class--the group often lauded as a success story and as evidence that it is individual choice, not institutional bias, that has locked many blacks into an inner city existence--is an indication that poverty is not simply the result of cultural flaws. A closer look at the wealth of blacks indicates that even with the narrowing of the wage gap between whites and blacks, the cumulative effects of racial subordination linger.

### **“Closing the Racial Wealth Gap” NY Times 4/23/2019 Courtney Martin**

The United States tolerates a widening chasm between the very rich few and the many with low incomes. The burden of poverty falls heaviest on African-Americans and other people of color. In her 2018 book, "Give People Money," the journalist Annie Lowrey delivered a stinging criticism of the ways in which the United States has essentially won the race to the bottom when it comes to distribution of wealth: "We tolerate levels of poverty that are grotesque and entirely unique among developed nations." She was speaking not just about cold hard cash and other forms of wealth, but also about the way race still shapes who is preposterously rich and who remains predictably poor.

It's likely that you've seen the statistics: The median white family has 41 times more wealth than the median African-American family and 22 times more wealth than the median Latino family. And things are getting worse, not better: The proportion of black families with zero or negative wealth rose by 8.5 percent to 37 percent between 1983 and 2016.

Native American median household income is similar to that of black households. Nearly 34 percent of Native American children live in poverty (in contrast to 10 percent of white children), according to the most recent publicly available data.

The economic precariousness among Americans has become notoriously widespread, but it's the worst for African-Americans without a high school diploma, over half of whom couldn't handle an unexpected expense as low as \$400 with their current income.

But the statistics only tell the surface story. There is real psychological, social and even moral side effects of this enduring gap. Milicent Johnson, the San Francisco planning commissioner who has led many efforts to address economic inequality, describes the daily toll that the racial wealth gap has had in her own life. Even as she has transcended the poverty of her childhood, the weight remains: "The feeling that the bottom could always drop out of your financial life, and the ever-present knowledge that you're likely not in the same boat as your white peers, even if you appear to have the same level of professional success, takes a daily toll." She continued, "It also means that every negotiated dollar in salary, every job title and career move, every financial decision comes with the weight of trying to make up for a historic gap that feels impossible to bridge."

*Feels* impossible to bridge. But is it? After talking with a wide range of experts, here's what I learned about the building of that elusive bridge:

### **There is no buying your way out of racism**

Understanding the racial wealth gap requires stepping back and asking some fundamental questions. First: What is wealth and what is it for?

According to Solana Rice, a co-founder of the nonprofit organization Liberation in a Generation, wealth is deeply misunderstood in the popular conversation. "No one thinks they have wealth and no one really knows how it's generated," she said.

Wealth is technically the value of your assets, minus your debts. You accumulate it by inheriting and earning money, and then doing things with that money that compounds its value — investing in a home, for starters: According to the National Association of Home Builders, primary residences accounted for about one-quarter of Americans' overall wealth in 2016, more than any other financial asset.

But that's just the tip of the iceberg. The value of wealth is accurately measured only in how much it improves our quality of life. Can we protect those we love? Can we support them to be healthy? Can we pursue work where we feel respected and find meaning?

The default, when policy wonks and journalists usually discuss these issues, is to assume that wealth accumulation is automatically good. If black people have more money, they will have more options. Problem solved. Yes and no, say some of today's most thoughtful experts. If more people of color, particularly black and Native American (who have been the most systematically disenfranchised), get more money but are operating within our current state of affairs, they are still vulnerable.

Can they protect those they love? Money can't buy an unbiased police force or criminal justice system. Neither can status. The Harvard professor Henry Louis Gates was arrested while entering his own home.

Can they support their loved ones to be healthy? They can probably afford better health care, but as just one example, studies show that even college-educated black women are more likely to suffer severe complications of pregnancy or childbirth than white women who never graduated from high school.

Can they pursue work where they feel respected and find meaning? Theoretically, but with the dramatic weakening of unions over the past few decades and the professional world being so dominated by white norms and networks, they'll still have an uphill battle. As just one example: résumés with names associated with low-income African-Americans are 30 percent less likely to produce callbacks than those with names that could be assumed to belong to whites, according to researchers. In other words, racism eats wealth for breakfast.

And what's more, Ms. Rice reminds us, operating as if having more African-American or Native American "winners" in our current system of capitalism isn't the point: "Part of the work ahead is actually to develop a new version of capitalism that is functional and fair. That would benefit absolutely everybody, not just people of color."

### **Improving individual behavior misses the point**

Individually oriented solutions — like financial coaching and increasingly popular children's savings accounts — are well intentioned but incomplete when it comes to closing the racial wealth gap. They are often based on a false and widely held assumption: that people of color don't save money as whites do. A preponderance of peer-reviewed articles proves otherwise.

A study conducted by the Institute on Assets and Social Policy, using the 2013 Survey of Consumer Finances, found that at comparable levels of income, whites spend 1.3 times more than blacks. Another study found that black families actually have a slightly higher savings rate than their white counterparts, controlling for income levels.

"Too many interventions conflate aspirational behavior with solving something that is deeply structural," said Anne Price, president of the Insight Center for Economic Community Development. "It perpetuates the lie that there's no role for the public sector to play, that the solution is individual."

Nonpredatory financial institutions, and the wealth-building mechanisms they provide, are critical. Self-Help Credit Union, for example, specifically aims to serve those "underserved by conventional lenders." In its 38 years, it has financed over \$8.5 billion to borrowers, 82 percent of whom are from low-income backgrounds and 61 percent of whom are people of color.

According to the F.D.I.C., 16.9 percent of black Americans are entirely unbanked. (For comparison, only 3 percent of white Americans are unbanked.) Thirty percent of the unbanked said they don't trust banks, and another quarter said they want to avoid fees that they see as too high, too unpredictable or both. Unsurprisingly, 52 percent cited "not having enough money to keep in an account" as the top reason.

### **Reparations aren't just an economic prospect but also a moral one**

Why don't people of color, particularly black and Native American, have more money? All roads lead back to what Americans might think of as their country's original economic sins: colonization and slavery.

The call for reparations has widened in recent years — first and most convincingly by Ta-Nehisi Coates in his 2014 Atlantic magazine cover story, and more recently by the self-described "slow convert" David Brooks, a few 2020 presidential hopefuls and even Trevor Noah, host of "The Daily Show," in a viral video in which he explains to a member of his audience why they're necessary.

Closing the racial wealth gap is not just about addressing these historic injustices monetarily, but also morally. "While we're devising new economic formulas to equitably redistribute wealth, we must also address the required shift in hearts and minds," said Edgar Villanueva, author of "Decolonizing Wealth." "We have to be willing to examine the dark realities of what led us to this imbalance in the first place."

But if reparations feels far-fetched — only about a quarter of the American public is in favor — a moral healing of some sort feels outlandish. The only models that experts point to are truth-and-reconciliation commissions, most famously operating in South Africa from 1995 to 2002. The commission there recommended that victims of apartheid receive 2,000 rands per month, equivalent to \$142, for a period of six years, but many of the applicants still haven't received a dime.

Closer to home, the opening of the National Memorial for Peace and Justice a year ago in Montgomery, Ala., has struck many as a first step in the United States' nascent attempt to reckon with our collective past, but it involved no economic component. The Institute for Policy Studies recently published a report calling for a congressional committee on reparations, among other policy solutions.

**Excerpt from Ta-Nehisi Coates “The Case for Reparations” in Atlantic June 2014: ....** West Germany ultimately agreed to pay Israel 3.45 billion deutsche marks, or more than \$7 billion in today's dollars. Individual reparations claims followed—for psychological trauma, for offense to Jewish honor, for halting law careers, for life insurance, for time spent in concentration camps. Seventeen percent of funds went toward purchasing ships. “By the end of 1961, these reparations vessels constituted two-thirds of the Israeli merchant fleet,” writes the Israeli historian Tom Segev in his book *The Seventh Million*. “From 1953 to 1963, the reparations money funded about a third of the total investment in Israel's electrical system, which tripled its capacity, and nearly half the total investment in the railways.”

Israel's GNP tripled during the 12 years of the agreement. The Bank of Israel attributed 15 percent of this growth, along with 45,000 jobs, to investments made with reparations money. But Segev argues that the impact went far beyond that. Reparations “had indisputable psychological and political importance,” he writes.

Reparations could not make up for the murder perpetrated by the Nazis. But they did launch Germany's reckoning with itself, and perhaps provided a road map for how a great civilization might make itself worthy of the name.

Assessing the reparations agreement, David Ben-Gurion said: “For the first time in the history of relations between people, a precedent has been created by which a great State, as a result of moral pressure alone, takes it upon itself to pay compensation to the victims of the government that preceded it. For the first time in the history of a people that has been persecuted, oppressed, plundered and despoiled for hundreds of years in the countries of Europe, a persecutor and despoiler has been obliged to return part of his spoils and has even undertaken to make collective reparation as partial compensation for material losses” .....

..Something more than moral pressure calls America to reparations. We cannot escape our history. All of our solutions to the great problems of health care, education, housing, and economic inequality are troubled by what must go unspoken. “The reason black people are so far behind now is not because of now,” Clyde Ross told me. “It's because of then.”

These results are dispiriting, but the crime with which reparations activists charge the country implicates more than just a few towns or corporations. The crime indicts the American people themselves, at every level, and in nearly every configuration. A crime that implicates the entire American people deserves its hearing in the legislative body that represents them.

John Conyers's HR 40 is the vehicle for that hearing. No one can know what would come out of such a debate. Perhaps no number can fully capture the multi-century plunder of black people in America. Perhaps the number is so large that it can't be imagined, let alone calculated and dispensed. But I believe that wrestling publicly with these questions matters as much as—if not more than—the specific answers that might be produced. An America that asks what it owes its most vulnerable citizens is improved and humane. An America that looks away is ignoring not just the sins of the past but the sins of the present and the certain sins of the future. More important than any single check cut to any African American, the payment of reparations would represent America's maturation out of the childhood myth of its innocence into a wisdom worthy of its founders.

**“Cory Booker secures 12 co-sponsors for reparations bill” – The Root June 13, 2019** Presidential candidate and U.S. Sen. Cory Booker (D-N.J.) has secured 12 co-sponsors for his reparations bill, according to an announcement the senator's office released exclusively to The Root. The bill, officially titled, “[HR 40 Commission to Study and Develop Reparation Proposals for African-Americans Act](#) (pdf),” would establish a commission to study the impact of slavery on African Americans and suggest proposals that would help repay descendants of slaves for the costs of centuries of racial discrimination.

“We cannot address the institutional racism and white supremacy that has economically oppressed African-Americans for generations without first fully documenting the extent of the harms of slavery and its painful legacy,” Booker said in the statement. “It's important that we right the wrongs of our nation's most discriminatory policies, which halted the upward mobility of African-American communities. I'm encouraged to see this legislation to study the issue gain support in Congress and the shared commitment my colleagues have in doing our part to repair the harm done to African-Americans.”

The bill's 12 co-sponsors are U.S. Sens. Edward Markey (D-Mass.), Kirsten Gillibrand (D-N.Y.), Kamala Harris (D-Calif.), Elizabeth Warren (D-Mass.), Bernie Sanders (I-Vt.), Richard Durbin (D-Ill.), Mazie Hirono (D-Hawaii), Amy Klobuchar (D-Minn.), Christopher Coons (D-Del.), Bob Casey (D-Pa.), Chris Van Hollen (D-Md.), and Tammy Duckworth (D-Ill.).

Dozens of civil rights groups have thrown their support behind the bill, including the NAACP Legal Defense and Education Fund; Rev. Al Sharpton and the National Action Network (NAN); TransAfrica Forum; United Church of Christ; United Methodist Church General Board of Church; and Society and the Detroit Board of Education.

Much of the legwork for Booker's bill began in the House of Representatives with former Congressman [John Conyers](#) (D-Mich.) and then was picked up by Rep. Sheila Jackson Lee (D-Texas). The conversation around reparations has generated much media attention over the months, as presidential candidates are vying for coveted black votes in South Carolina and other Super Tuesday states that are mostly in the South, where a majority of African-Americans live.

Former Housing and Urban Development Secretary Julian Castro first told *The Root* back in February that he supports reparations for black people, making him one of the first presidential candidates to do so. Of the 12 senators supporting Booker's bill, five are competing with Booker for the Democratic nomination for president.

"For centuries, America's economic rise relied on treating millions of Black people as literal property," Sen. Sanders said in the statement. "We have still not come to terms with the horrors of legalized slavery and its continuing impacts on our society. I am proud to co-sponsor the H.R. 40 Commission to Study and Develop Reparation Proposals for African-Americans Act to finally bring the truth about slavery into the open."

It is unlikely that the bill will pass in the GOP-lead Senate, but it is a step forward in advancing a serious look into what reparations can look like for African Americans once Democrats control both chambers of Congress. In the interim, the House is holding a hearing [next week](#) on reparations in which the featured speakers to appear will be Ta-Nehisi Coates, author of the landmark "[The Case For Reparations](#)" essay, and Danny Glover, who has been one of the most outspoken advocates for reparations.

Rep. Lee welcomed Booker's bill, saying that it will help push the conversation forward over how to best repay African Americans for this country's original sin of slavery.

"Since the initial introduction of this legislation in 1989, the importance of examining the institution of slavery in the United States has been recognized across a broad range of our society," Lee said in the statement. "I am pleased that Senator Booker has introduced a Senate Companion to H.R. 40. I salute his dedication to elevating the discussion of reparations and reparatory justice, and look forward to the dialogue that this issue engenders on and off Capitol Hill."

### **Time magazine June 20 2019: "Author Ta-Nehisi Coates Criticized Mitch McConnell for saying slavery's effects were in the past"**

Just one day after Senate Majority Leader Mitch McConnell [spoke out against reparations](#) for slavery, author Ta-Nehisi Coates passionately [argued in favor of them](#) at a Wednesday House [hearing on the topic](#) — rebutting McConnell's argument that they are not a "good idea."

The Kentucky Senator spoke to reporters Tuesday on the eve of the House Judiciary hearing, saying he didn't think "reparations for something that happened 150 years ago, for whom none of us currently living are responsible, is a good idea." He added that the U.S. has tried to deal with its "original sin" of slavery by fighting the Civil War, passing civil rights legislation and electing its first African American President, Barack Obama. "We're always a work in progress in this country, but no one currently alive was responsible for that," McConnell said.

### **Coates responds to McConnell's argument in his address to the house judiciary hearing – full transcript of his opening remarks given below:**

*Yesterday, when asked about reparations, Senate Majority Leader Mitch McConnell offered a familiar reply: America should not be held liable for something that happened 150 years ago, since none of us currently alive are responsible. This rebuttal proffers a strange theory of governance, that American accounts are somehow bound by the lifetime of its generations. But well into this century, the United States was still paying out pensions to the heirs of Civil War soldiers. We honor treaties that date back some 200 years, despite no one being alive who signed those treaties. Many of us would love to be taxed for the things we are solely and individually responsible for. But we are American citizens, and thus bound to a collective enterprise that extends beyond our individual and personal reach. It would seem ridiculous to dispute invocations of the founders, or the greatest generation, on the basis of a lack of membership in either group. We recognize our lineage as a generational trust, as inheritance, and the real dilemma posed by reparations is just that: a dilemma of inheritance. It is impossible to imagine America without the inheritance of slavery.*

*As historian Ed Baptist has written, enslavement "shaped every crucial aspect of the economy and politics" of America, so that by 1836 more than \$600 million, almost half of the economic activity in the United States, derived directly or indirectly from the cotton produced by the million-odd slaves. By the time the enslaved were emancipated, they comprised the largest single asset in America. Three billion in 1860 dollars, more than all the other assets in the country combined.*

*The method of cultivating this asset was neither gentle cajoling nor persuasion, but torture, rape, and child trafficking. Enslavement reigned for 250 years on these shores. When it ended, this country could have extended its hallowed principles—life, liberty, and the pursuit of happiness—to all, regardless of color. But America had other principles in mind. And so for a century after the Civil War, black people were subjected to a relentless campaign of terror, a campaign that extended well into the lifetime of Majority Leader McConnell.*

*It is tempting to divorce this modern campaign of terror, of plunder, from enslavement, but the logic of enslavement, of white supremacy, respects no such borders and the guard of bondage was lustful and begat many heirs. Coup d'états and convict leasing. Vagrancy laws and debt peonage. Redlining and racist G.I. bills. Poll taxes and state-sponsored terrorism. We grant that Mr. McConnell was not alive for Appomattox. But he was alive for the electrocution of George Stinney. He was alive for the blinding of Isaac Woodard. He was alive to witness kleptocracy*



*in his native Alabama and a regime premised on electoral theft. Majority Leader McConnell cited civil-rights legislation yesterday, as well he should, because he was alive to witness the harassment, jailing, and betrayal of those responsible for that legislation by a government sworn to protect them. He was alive for the redlining of Chicago and the looting of black homeowners of some \$4 billion. Victims of that plunder are very much alive today. I am sure they'd love a word with the majority leader.*

*What they know, what this committee must know, is that while emancipation deadbolted the door against the bandits of America, Jim Crow wedged the windows wide open. And that is the thing about Senator McConnell's "something": It was 150 years ago. And it was right now.*

*The typical black family in this country has one tenth the wealth of the typical white family. Black women die in childbirth at four times the rate of white women. And there is, of course, the shame of this land of the free boasting the largest prison population on the planet, of which the descendants of the enslaved make up the largest share. The matter of reparations is one of making amends and direct redress, but it is also a question of citizenship. In H.R. 40, this body has a chance to both make good on its 2009 apology for enslavement, and reject fair-weather patriotism, to say that this nation is both its credits and debits. That if Thomas Jefferson matters, so does Sally Hemings. That if D-Day matters, so does Black Wall Street. That if Valley Forge matters, so does Fort Pillow. Because the question really is not whether we'll be tied to the somethings of our past, but whether we are courageous enough to be tied to the whole of them. Thank you.*

**“The Case Against Reparations for Slavery” by Richard A. Epstein in The Libertarian (publication of the Hoover Institution) Tuesday, May 27, 2014**

In the most recent issue of *The Atlantic*, [Ta-Nehisi Coates](#) has created a minor sensation with his impassioned article “[The Case for Reparations](#).” Coates pulls no punches. Notwithstanding his earlier doubts on the topic, his current position is crystal clear: “Two hundred fifty years of slavery. Ninety years of Jim Crow. Sixty years of separate but equal. Thirty-five years of racist housing policy. Until we reckon with our compounding moral debts, America will never be whole.” From the point of view of a libertarian who has [written against black reparations](#) in the past, I shall assess the strengths and weaknesses of his position before turning to his proposed system of reparations.

**The Sins of the Past**

Coates writes with an urgency that carries his reader. He is at his best when he describes the various outrages of the American past in ways that are immediately accessible to all readers, regardless of race, sex, age, class, or national origin. Ironically, much of his narrative assumes a libertarian premise, even though Coates's politics are anything but. The central libertarian principle is that every individual has rights against the rest of the world, to whom he or she owes correlative duties. Most vividly, the fundamental obligations are these: refrain from the use or threat of force; refrain from the use of false words to achieve private advantage; and keep your promises to others, just as you expect them to keep their promises to you.

The first and most powerful corollary to these bedrock assumptions is that no individual should ever be made into the slave of another. That position was well understood in ancient Rome, which developed extensive rules governing the institution of slavery. These rules were all creatures of the positive law, i.e. rules handed down by the sovereign. But at the same time, the Romans well understood that this body of positive law was in hopeless conflict with the natural law by which all men and women were free persons with the full capacity to make the decisions to govern their own lives. Thus Justinian's Institutes states categorically: “Slavery is an institution of the law of nations, by which one man is made the property of another, contrary to natural right.” No one should ever sugarcoat slavery in America by arguing that it was justified by the moral code of its time. The truth is that slavery always rested on an assertion of naked sovereign power against those persons who, upon capture, were not capable of resisting its demands.

Coates spends an enormous amount of time detailing the brutality of slavery. He then covers the inhumane conditions under Jim Crow that followed the end of Reconstruction in 1877. Sometimes he goes too far. It was not “Mississippi” that killed Emmett Till in 1955; it was a small band of unidentified hooligans whose despicable actions show why the control of violence is always the first task of any decent state. Nor was it just the illicit use of force that defined Jim Crow; it was the systematic disregard of elementary contractual rights that reinforced this vicious form of racial subjugation.

Coates recounts the plight of one Ruth Wells, who had worked to pay off her contract to purchase a home “only to suddenly see an insurance bill materialize out of thin air—a requirement the seller had added without Wells's knowledge.” That deliberate breach of contract is in flat violation of libertarian norms. Coates's ability to pile instance upon instance leaves the shell-shocked reader gasping for breath, because it is a vivid reminder of just how bad things were. One does not have to believe in reparations to recall with horror the sins of the past.

**The Folly of Reparations**

Considering the evidence Coates presents, a simple question arises: What should be done in response to the many wrongs of the distant and not so distant past? It is here that Coates falters. He is right that slave owners before the Civil War and the champions of Jim Crow afterwards exploited the black persons who lived under these regimes. Coates observes: “In 1860, slaves as an asset were worth more than all of America's manufacturing, all of the railroads, all the productive capacity of the United States put together.” The tempting conclusion is that African Americans today should recoup the wealth that has, Coates argues, worked its way down to the current generation of Americans.

Sadly, however, Coates fails to note that those resources were largely consumed by the miscreants who extracted them from the backs of slaves. At most a small sliver of wealth was passed down by inheritance for a generation or two. But none of it was shared gratuitously with the rest of the nation. Both slavery and Jim Crow *hurt* the rest of the population by preventing them from doing business with black workers who held productive jobs. As a general matter, virtually all the wealth that exists in the United States today has been created by the ingenuity of a dizzying array of inventors, entrepreneurs, immigrants, and countless others. No fund of wealth survives the demise of slavery and Jim Crow.

Coates also suffers from acute tunnel vision. He ignores the contributions of people of all races who fought fiercely against the evils of slavery and Jim Crow. The civil rights movement of the middle of the last century could not have prevailed if white citizens had not supported it. Indeed, many people of all races gave civil rights their passionate all, much like the abolitionists of the century before. Nor does he pay much attention to the extensive affirmative action programs, both public and private, that have gained traction in the post-Civil Rights period.

### **What Is the Remedy?**

Coates is most evasive when discussing a proposed system of reparations. He notes quite properly that “broach the topic of reparations today and a barrage of questions inevitably follows: Who will be paid? How much will they be paid? Who will pay?” These are indeed fair questions, and yet at no point does he attempt to answer them. He endorses John Conyers proposal to form a Congressional committee to seek out “appropriate remedies” for the lingering effects of slavery and segregation, but offers few clues about its mission.

Nor are there easy analogies at hand. One possibility is to try to design some system based on the model of reparations for the internment program of 110,000 Japanese-Americans during the Second World War. But there, the payments were made to specific persons who were direct victims of wrong by the government. No program that seeks to remedy the wrongs of the past 350 years could hope to duplicate that level of precision.

Nor is the analysis of black reparations informed, as Coates suggests, by comparison to the decision of the German government to pay reparations to Israel in 1952 for the unspeakable sins of the Holocaust. Those payments of course could do nothing for the millions of individuals who lost their lives, but they did help the newly-founded Israel to gain strength in the first decade of its life. But the differences between these two cases overwhelm the similarities. Death by lynching in the South deserves emphatic condemnation. But let’s keep the numbers in perspective. We know that “nearly 3,500 African Americans and 1,300 whites were lynched in the United States between 1882 and 1968, mostly from 1882 to 1920.” The Holocaust took nearly *1,700 times* as many lives in a four-year period. For that wrong, the payment to a new state was a sensible if incomplete remedy. But to whom should the payments be made here?

Rather than speaking of reparations, we should consider the many constructive steps that could, and should, be taken right now as part of our ongoing social commitments to black Americans. It is striking that Coates makes no mention of the charter school movement, which is working overtime to give less fortunate children of all races opportunities that would be otherwise denied to them. Nor does he ask how to remove the barriers to entry that progressive legislation has placed in the path of minority workers, including such statutes as the antidiscrimination laws and minimum wage laws that Coates presumably supports. These laws make it more difficult for African Americans to get jobs in today’s labor market. Deregulation, by contrast, knocks down barriers to entry instead of erecting them in the name of greater racial or economic justice. Coates should embrace the libertarian principles that explain the injustices of racism to forge a new set of forward-looking policies.

Instead of considering these prescriptions, Coates doubles-down on policies with a track-record of failure: What we need, he says, is “a program of job training and public works that takes racial justice as its mission but includes the poor of all races.” This misguided solution, which resonates with the Obama administration, ignores the economic decline of African Americans and other disadvantaged persons since the president took office. That situation can only be reversed if writers like Coates grasp the intimate connection between the wrongs that they skillfully expose and the remedies that they inartfully promote.

Killings, beatings, rapes, and double-dealing are all wrongs within a libertarian framework. Enforcing the rule of law, voluntary help, and the removal of barriers to entry to the marketplace are libertarian remedies for such wrongs. Once our policymakers and public intellectuals realize this fact, we will come one step closer to undoing the sins of the American past. Confessions of collective guilt and national apologies just won’t cut it.

### **Baltimore Sun Editorial Board, June 19, 2019 - “The moral argument for reparations is easy; now is the hard part”**

The moral case for reparations is a clear one. African-Americans have long suffered from a legacy of slavery and later discriminatory Jim Crow laws and institutional racism in housing, education and health that has helped to create and perpetuate an underclass of people. Enslaved Africans literally built this country, but far too many of their ancestors are still left out of its prosperity. Just take the fact that the African-American poverty rate is 21.6 percent, while the rate for the entire country is 12.3 percent. And that’s a tiny part of the picture.

The good thing is that now the country appears more ready than it has been in years to try to come to grips with the sins of the past....

A synopsis of today’s hearing describes it as a way “to examine, through open and constructive discourse, the legacy of the Trans-Atlantic Slave Trade, its continuing impact on the community and the path to restorative justice.” The latter part will surely cause the most angst. Admitting the problem is one thing. Solving it? That’s not so easy, as the presidential contenders, many of whom have not given specific plans for a remedy, have already proven.

Take for instance, the idea of monetary payments to the descendants of slaves. Mr. Sanders and others have already dismissed this idea, perhaps the most controversial of the theoretical solutions. Yet monetary payments are an option that has worked in other cases. Germany has paid billions in reparations for the atrocities suffered by Jewish victims under Adolf Hitler's rule. The program has been reworked and retooled over time to capture all those that suffered. Critics argue it would be hard to place a value on what is owed and figure out who would get paid. Also, who would pay for it? The government or families whose wealth was built from slave labor?

Other ideas that have been floated are an official apology from the United States, tax credits for low-income people and a financial program to help African American children pay for college. Congress could also create grants to help African Americans buy houses or put aside dollars for reinvestment in struggling neighborhoods where African Americans live as a means to address the large racial wealth gap.

Even with the growing support for reparations, it could be years before any ideas are adopted, if ever at all. The issue of reparations still remains a severely divisive issue with opinions often falling along racial lines. Nearly 68 percent of Americans don't think the descendants of slaves are owed any monetary compensation and resent the idea of taxpayer money paying for it, according to a 2016 poll by Marist. White Americans (81 percent) are overwhelmingly against the idea, while 58 percent of African Americans support reparations.

But a study would be a significant start to a serious, though maybe uncomfortable, discussion about the issue. All across the country institutions are confronting their racist pasts, from cities removing Confederate memorials from public grounds and stadiums, newspapers apologizing for coverage that endorsed racism, and institutions, including Georgetown University, apologizing for profiting off of slavery. It's time the country as a whole atoned for racism as well.

***Lance Morrow, "The Danger of Debating Reparations for Slavery" -It would push the country to angrier extremes on either side, stimulating fresh antagonisms. Wall St. Journal, May 2, 2019***

Democratic candidates, posturing for advantage and jostling one another leftward, are testing the idea of making reparations for slavery an active issue in the 2020 presidential campaign.

They should stop and think. The notion may be too volatile to indulge in a presidential-campaign year. By pressing the issue they may ensure the re-election of Donald Trump, and, along the way, make race relations in America a good deal worse. Compensation for slavery is an inviting idea in principle but would be a nightmare in practice. Reparations, in current conditions, would not repair anything.

Think of how the story might unfold. At first, the usual arguments would be explored. Pro-reparations people, both white and black, would quote Ta-Nehisi Coates, who writes beautifully and plumbs the ancient rages but may be a little too eloquent for his own good. Passionate principle would pour forth from the House of Indignation, and the arguments would be moving and persuasive, and many would say, yes, by all means—reparations!

Those who are against the idea would counter with practical points:

- Tens of millions of today's nonblack Americans are descended from people who arrived in the country after slavery ended and therefore cannot be held responsible for its crimes or its legacy.
- More tens of millions are descended from people, in both North and South, who did not own slaves; or they are descended from white people who fought in the Civil War on the Union side, who thus paid "reparations" at the time—in blood. In fact, only a small percentage of the total American population were slave owners. Further, some blacks, and some Native Americans, owned slaves.
- The races have become so mixed in America that it would be impossible to sort out the descendants of slaves for compensation in just proportion to the degree of their African blood. America's first black president would presumably not be entitled to reparations: Barack Obama's mother was white and his father was a 20th-century Kenyan who came to America not on a slave ship but on a scholarship.

Mr. Obama is rich. So are a lot of other African-Americans. Should reparations be paid only to poor blacks? What of the millions of blacks who have flourished economically in America? Would Oprah Winfrey (estimated worth: \$2.6 billion) be entitled to collect reparations? How does justice make these calculations?

An urgent argument against reparations is that instead of acting upon the American divisions as a positive and healing gesture, the issue would throw open a trapdoor out of which all manner of bigotries and bitterness, all the black bats of American history, would fly. It would push the country to angrier extremes on either side, stimulating fresh antagonisms. It would reconstitute America's old racial conflict along new 21st-century lines.

The reparations debate would falsely impute guilt for centuries-old wrongs and would tempt those so accused into further invidious generalizations in an age of social media and hostile identity politics—an age that is too much given already to irresponsible generalizations.

Better to keep monsters, old and new, locked in the basement, and to let the conversation upstairs in the living room be as genteel as possible—even hypocritical. In matters of race hate, candor is overrated. Hypocrisy may be the moral way to go—until, as time passes, people become more civilized.

As a practical matter, reparations cannot be done and will not be done, though politicians will champion the idea to advance their ambitions. If actually attempted, reparations would raise expectations to an unreasonable pitch and then would become hopelessly tangled up in politics and bureaucracy. The possibilities for corruption would be endless. At first, reparations would

look like the Big Rock Candy Mountain, and after that would become *Jarndyce and Jarndyce*, the interminable, devouring lawsuit in Dickens's "Bleak House." The drama would disappoint everyone and, in its wake, leave deeper disillusion.

Better that the reparations should come, as they have been coming, slowly, steadily, though with frustratingly uneven justice. Better that African-Americans should remind themselves of what Booker T. Washington—a brilliant black guerrilla leader in the totalitarian white South, grievously mistaken by his own people for an Uncle Tom—was trying to tell them more than a century ago: Living well is the best revenge.

*Mr. Morrow is a senior fellow at the Ethics and Public Policy Center.*

***"I Didn't Earn Slavery Reparations, and I Don't Want Them" – Wall Street Journal, May 24, 2019 My ancestor Silas Burgess came to America in chains. But even he was able to live the American Dream.***

My great-great-grandfather Silas Burgess came to America shackled in the belly of a slave ship. He was sold on an auction block in Charleston, S.C., to the Burgess Plantation. Orphaned by age 8, he was fortunately surrounded by elder slaves who, though physically chained, mentally envisioned themselves as free men. They escaped, taking young Silas with them, making their way to West Texas via the southern route of the Underground Railroad. Silas became a risk-taking entrepreneur and the owner of 102 acres of farmland, which he cultivated and paid off within two years. I proudly carry the name of my first American ancestor—who, like millions of others drawn or brought to our country, struggled past overwhelming obstacles to live the American Dream.

Silas founded the first black church and first black elementary school in his town. He was a proud Republican, a devout Christian, the patriarch of a large family, and a pillar of his community. He was proud and industrious and taught his children to be the same.

Now, because of him, a bunch of Democratic presidential hopefuls want to give me money. Never mind that like Silas, I am an entrepreneur who has lived the American dream—having received a world-class education, built businesses, raised a remarkable family and, unlike most white Americans, earned a Super Bowl ring. Because of work I've never done, stripes I've never had, under a whip I'll never know, Kamala Harris, Beto O'Rourke, Elizabeth Warren and others want to give me free stuff. Never mind that it will be taken from others, who also dreamed, worked and sacrificed to earn it.

I wonder what great-great-grandpa Silas would think.

At the core of the reparation movement is a divisive and demeaning view of both races. It grants to the white race a wicked superiority, treating them as an oppressive people too powerful for black Americans to overcome. It brands blacks as hapless victims devoid of the ability, which every other culture possesses, to assimilate and progress. Neither label is earned.

The reparations movement conveniently forgets the 150 years of legal, social and economic progress attained by millions of American minorities. It also minimizes the sacrifice that hundreds of thousands of white Americans and a Republican president made laying down their lives to eradicate slavery. I think grandpa Silas would believe that this historical loss of life alone is payment in full. Every proud, contributing and thankful generation of black Americans since would think the same.

The reparation movement also reinforces a spiritual view of racial relationships that is antithetical to America's Judeo-Christian foundation. It defies the ideals of forgiveness and second chances and scorns individual accountability. Proponents of reparations act as though black Americans are incapable of carrying their own burdens, while white Americans must bear the sins of those who came before.

The idea of reparations demeans America's founding ideals. A culturally Marxist idea promoted by socialists, reparations denies the promise granted by an omnipotent God that we are truly equal and that regardless of race we are capable of overcoming obstacles and past injustices. By indoctrinating others into this cynical ideology, an elitist class of progressives exploits past differences and ensures that they will divide us in the future.

It is their divisive message that marks the black race as forever broken, as a people whose healing comes only through the guilt, pity, profits and benevolence of the white race. This perception is playing out on our nation's college campuses, where young white Americans claim privilege due to their skin color and young black Americans, with no apparent shame, accept this demeaning of their own color as truth.

As they repeat this mantra, they seem unaware that this perception was also shared by the 1960s Southern white supremacists of my youth. They have accepted the theory that skin color alone is capable of making one race superior to the other—that through an irremovable white advantage, with no additional effort, values, personal initiative, honesty or education, white Americans will succeed, while black Americans will fail. At its very core this represents the condescending evil of racism.

It certainly does not represent black America's potential. Despite the Great Society programs that introduced all sorts of perverse, dependency-inducing, and antifamily incentives into the black community some 50 years ago, 40% of black households today live the middle-class American Dream according to the most recent census data, making between \$35,000 and \$99,999. Many rank among our nation's most powerful and prestigious. There are tens of thousands of black Americans among our nation's top 1% of income earners.

The journeys of these Americans to wealth and prominence vary, like those of their white counterparts, but many benefited from having ancestors who embraced the opportunities their country provided and who left behind a legacy of proud, productive, patriotic and successful families. Why should these people be given a handout? Grandpa Silas never believed anyone owed him success. Why should I believe white Americans owe me anything?

Socialist historians have for generations hidden the contributions and success of the black community in America. This has cost us our pride in our past, taken our appreciation for the present, and left us with a lack of vision for our future. The message

from our past great black generations is simple: Character cannot be bought and will never allow itself to be diminished by bribery.

Grandpa Silas's life expectancy was 36. Mine is almost 76. According to a recent report from the Centers for Disease Control and Prevention, by living past 65, my life expectancy may be longer than whites of the same age. Which I guess is good, if reparations advocates are going to make me spend grandpa's money.

*Mr. Owens was a Super Bowl champion with the Oakland Raiders. He is the author of "Liberalism or How to Turn Good Men into Whiners, Weenies and Wimps."*

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**Responsibility for Historical Injustices: Reconceiving the Case for Reparations, Journal of Law & Politics volume 183 by Amy J. Sepinwall (Associate Prof. of Legal Studies and Business Ethics at the Wharton School of UPenn, B.A., M.A. McGill University; J.D. Yale; Ph.D in Philosophy, Georgetown University.)**

The twentieth century ended with the vindication of many of its most mistreated victims' cries for reparation. Holocaust survivors retrieved over \$8 billion in assets frozen in bank accounts or looted by the Nazis; Japanese Americans interned during World War II received compensation from the U.S. government; Chile compensated descendants of Pinochet's victims; Japan redressed Korean "comfort women"; and Canada paid damages to Aborigines for forced assimilation of their children. Absent from the list was the longest suffering and most visible of groups seeking repair - African Americans.

Embarrassed by the satisfaction of these other victims' claims, opponents of Black reparations are left to find a legitimate ground upon which to distinguish the claims of contemporary African Americans. To this end, they construe the 140-year-long failure to offer repair not as the egregiously lengthy omission that it is, but instead as the feature that would render moot any entitlement to redress. Thus, the common rejoinder to pleas for Black reparations has opponents protesting that they never owned slaves, and so they should not be made to pay for those who did. Besides, they continue, the slaves are long dead and the effects of slavery now nonexistent, so there would not be anyone who could legitimately claim compensation anyway.

The opposition to Black reparations thus focuses on the temporal dislocation between slavery and the present, but the argument loses none of its force when applied to more recent injustices. After all, "righteous gentiles" in Germany did not exterminate Jews; most Japanese never availed themselves of the "comfort" of Korean prostitutes; and many Chileans ardently resisted Pinochet's rule. If opponents of Black reparations are correct to insist that an individual may be held responsible, and hence liable, only for transgressions in which he participated directly, then none of these reparations programs is justifiable.

Supporters of Black reparations, or "reparationists," have largely remained silent in the face of this challenge to their campaign. Instead, the recent reparations literature is rife with internal debates regarding whether legal claims should be framed in the language of compensation or restitution; whether they should be pursued as matters of public or private law; whether the legal claims can withstand procedural barriers like statutes of limitations and standing requirements; whether the harm to be repaired is that of slavery itself or subsequent acts of racial discrimination; whether reparations should be premised upon distributive or corrective conceptions of justice; whether a reparations campaign should seek to appeal to taxpayers' moral sense rather than their sense of self-interest; whether the goal of reparations should be retribution rather than reconciliation; whether reparationists should seek money or a more symbolic form of repair; whether a reparations program should be mandated by government or instead voluntarily adopted by private entities; whether the nation has already repaid its debt to Blacks in the form of affirmative action and welfare; whether a reparations program can be implemented feasibly; and whether a reparations campaign will indeed achieve reconciliation rather than racial division.....

**Gallup Polling Website, July 29, 2019 "As redress for Slavery, Americans Oppose Cash Reparations" WASHINGTON, DC**

In June, the U.S. House of Representatives' Subcommittee on the Constitution, Civil Rights, and Civil Liberties held a hearing on reparations to African Americans for the first time in more than a decade. While reparations could take many forms, the most straightforward would be cash payments by the government to descendants of American slaves. Most Americans (67%) say the government should not make such payments, but 29% say it should, including the solid majority of black Americans (73%).....

While the current 29% support among all Americans is low in absolute terms, more support the idea of reparations today than did so in 2002, when 14% were in favor as the subject was making news. Since then, support is up slightly among whites, from 6% to 16%, while it has increased more dramatically among blacks -- from a simple majority in 2002 to nearly three-quarters today....

While some Democratic presidential candidates have supported exploring reparations or other measures to address U.S. racial disparities, Democrats themselves are divided on the matter of cash-based reparations. Currently, 49% of Democrats say the government should make such payments; 47% say it should not. Still, Democratic support is up from 25% in 2002, so there is momentum for reparations in the party. Support has also increased among independents, from 15% in 2002 to 32% today. Meanwhile, there is minimal support among Republicans, with 5% in favor and 92% opposed. And this hasn't changed since 2002, when 4% were in favor.