

**BLACK REPARATIONS: IT IS TIME FOR AMERICA  
TO FULFILL THE PROMISE**

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“While the moral horrors of slavery and the human indignities visited upon our people by racial discrimination can never really be compensated for – and certainly never with money alone – we must not rest until American society has recognized our valid, historic right to reparations . . .”

(Bittker 79)

The Founding Fathers stated in the Declaration of Independence that “all men are created equal.” However, due to the treatment meted out to blacks during the lifetime of the Founding Fathers, it appears obvious that the authors of the Declaration of Independence could not have believed that this statement was true for *black* men – or women and children either. Notwithstanding the intention of the Founding Fathers or their successors, blacks began to insist on establishing their right as equals. And, in addition to asserting equal status with whites, they began to demand compensation for the crimes committed against them during slavery as well as at present. This call for black reparations has resulted in many discussions and debates and is still unresolved. Surely it is time for the American Government to begin taking steps to compensate blacks for the crimes committed against them – not only during slavery, but in recent history as well.

The discussion on black reparations first emerged around 1865, following the Emancipation Proclamation by President Abraham Lincoln. The United States Congress voted to create a

“Freedman’s Bureau” which was charged with the task of compensating freed slaves in the form of forty acres of land, and Major General William T. Sherman subsequently gave the order to issue the land. Very few ex-slaves ever took possession of the Promised Land, however, as the order was overturned by Andrew Johnson, who took office in the wake of Lincoln’s assassination (Winbush 15). It is believed that Johnson felt that the slave owners – not the slaves – were the ones who should be compensated for the loss of the labour previously provided by the slaves. This action by the American Government has caused blacks much insecurity throughout the ensuing years--perpetuated by the Jim Crow laws that followed the slaves’ so-called emancipation, and blacks are still continuing to experience the impact of the broken promise.

A number of precedents have been established for reparations in recent history. In Should America Pay? Congressman John Conyers lists various groups, which have been compensated for injustices committed against them. For example, Austria and Germany provided financial compensation to victims of the Holocaust; Canada compensated its Japanese citizens for unfair internment during World War II. The United States Government also provided compensation to a number of groups: to the indigenous tribes for the unjust seizure of their land, as well as to its Japanese citizens for unjustified relocation and detention during World War II. The latter compensation included a presidential apology (18). Yet, the American government has so far not offered any compensation for the crimes it has allowed to be perpetrated against its black citizens. (Randall Robinson argues that black enslavement was actually a “holocaust” which was “far and away the most heinous human rights crime visited upon any group of people in the world over the last 500 years” (216).) This lack of recognition is symbolic of the discrimination and hypocrisy of the American administration as it relates to blacks.

It is true that the issue of compensating blacks is much more complex than that of compensation for other groups. “The History Place” chronicles the timeline of Hitler’s reign of terror over the Jews as beginning in the 1930s to the mid-1940s – less than a decade, and the Japanese Americans were unjustly treated

over a three-year period – relatively brief periods compared to the time during which blacks were (and continue to be) unjustly treated. Fortunately for the Jews, the Soviets and allies rescued them from Hitler’s tyranny, and within a short time the United States initiated trials of some of Hitler’s henchmen. On the other hand, black enslavement in America lasted for centuries (from 1619 to 1865), and institutional racism still exists. American society still bears the wounds of racism, which has continued to blight the lives of millions of African Americans to substandard living due to underpaid jobs and generally poor educational opportunities.

Bittker highlights the impact of America’s racism on blacks today. A key-contributing factor lies in the lack of equal educational opportunities, and inferior educational opportunities perpetuate a cycle of poverty. In the period leading up to the landmark *Brown v. Board of Education* case, the NAACP had tried to demand that Southern school boards supply black children with “equal” facilities to those of whites, as a condition for maintaining separate schools. The demands were never met, and black children were forced to attend schools in “inferior buildings” with “smaller per student budgets” (43). The impact of this inferior education has had far-reaching consequences for blacks and persists to the present day. Jon M. Van Dyke, a proponent (like Bittker) of black reparations, asserts in *Should America Pay?* that “the educational divide between whites and blacks today is certainly linked to that deprivation.” He further contends that this educational deprivation is “in many ways directly related to their economic status” (Winbush 61).

Proponents of reparations for blacks are convinced that America is legally and morally obligated to compensate blacks for the injustices meted out by whites during the centuries of slavery, as well as for the racist practices carried out after slavery. Van Dyke cites the 1948 Universal Declaration of Human Rights which asserts, *inter alia*, that “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race . . .” and that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punish-

ment” (Winbush 60). Parties to this declaration included the United States – a member state of the United Nations.

The call for America to compensate its black citizens has given rise to a movement similar to the modern civil rights movement. Indeed, in recent years the National Association for the Advancement of Colored People (NAACP), one of the leading civil rights organizations, has joined the call for reparations. The group maintains that many of the socio-economic problems experienced by blacks today are attributable to the effects of slavery. It plans to seek reparations from companies with ties to the African slave trade. Companies will be asked to complete a “business diversity report card,” and companies that refuse to do so will be boycotted. The organization will also try to get cities to pass laws that would make the completion of the “report card” a prerequisite for obtaining a contract with the city. The “report card” is part of the NAACP’s Economic Reciprocity Initiative (ERI) which is aimed at, among other things, analyzing the “economic impact” of African American funds on various industries and creating opportunities for African Americans in the various areas such as employment and investment. The group cites the disadvantaged economic status of blacks and indicates: “the typical African American family had . . . only 58% as much (income as a typical white family) in 2002. . . . One in nine African Americans cannot find a job. White households had an average net worth of \$468,200 in 2001 - more than 6 times the \$75,700 average net worth of Black households. At the slow rate that the Black-White poverty gap has been narrowing since 1968, it would take 150 years (i.e., until the year 2152) to close the gap” (DeBose (2005)).

Other individuals and institutions are weighing in on the discussion of reparations. In 2003, in the wake of a series of lawsuits brought against various institutions regarding reparations, the president of Brown University, Ruth Simmons, established a commission to investigate the university’s role in slavery. Ancestors of the school’s most important patron, Nicholas Brown, owned slave ships, and part of the university was built by slaves. Although no lawsuit was brought against the college, President Simmons felt that the time was right to engage the university community in this

process aimed at producing a forthright historical account of the university's ties to slavery. The information gleaned would enable the commission to recommend action, if appropriate.

In 1989, Congressman Conyers introduced a bill (HR 40 – Commission to Study Reparation Proposals for African Americans Act) into Congress. The “40” in the bill's title is a reference to the forty acres that blacks were promised but never received. HR 40 requests Congress “to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to examine the institution of slavery, subsequent *de jure* and *de facto* racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes” (HR 3745 (1989)). So far, no action has been taken by Congress to address the demands of the bill. This failure to act or decide on a course of action is representative of the nation's inability to come to terms with the question of compensation for the wrongs done to African Americans and – perhaps more importantly – a reluctance or unwillingness to do so. In spite of this, Conyers has pledged to re-introduce the bill at each session of Congress, until the proposals are passed into law.

On the other side of the reparations debate, some opponents argue that it is unrealistic and unfair to hold the current generation accountable for actions taken and crimes committed by ancestors long dead. After all, Egypt is not being required to compensate the Jews for crimes committed against the ancient Hebrews by the Pharoanic regime. Boris Bittker in The Case for Black Reparations acknowledges that this type of argument is not “easily rebutted” (Bittker 10). However, he counters that black reparations must not be viewed as compensation for atrocities committed during the centuries of slavery only. He suggests that if slavery had been replaced by an overall banning of racism and by equality for blacks, blacks might have been more forgiving, and this issue might not have been so contentious.

Unfortunately, though, slavery was replaced by the Supreme Court decision (*Plessy v. Ferguson*) that ushered in the so-called Jim Crow laws. These laws further relegated the Negro to a position of inferiority and further established white supremacy. Discrimination against blacks because of their race was “systematic, unrelenting, authorized at the highest government levels, and practiced by large segments of the population” (Bittker 21). Although it is true that some white individuals were uncomfortable with the Court-approved segregation that this decision imposed on blacks, there was no “public challenge” (Bittker 17). It is difficult to compute the exact impact of segregation in dollar terms. In presenting his “Black Manifesto” in 1969, John Forman stipulated that Christian churches and Jewish synagogues owed blacks \$500 million. It is not clear what criteria he used to arrive at this amount. Perhaps a realistic starting point, though, for computing the impact of segregation in dollars might be a comparison of educational opportunities and facilities in (poor) predominantly black neighbourhoods and predominantly white neighbourhoods. School segregation has produced a generation of academically under-qualified blacks, and this has directly influenced their “earning capacity” (Bittker 61).

Apart from the educational and economic impact of slavery and racism, any discussion of the impact of slavery and racism would be incomplete without an examination of their psychological effects on the victims. Victims of Hitler’s Holocaust have been compensated for the “psychic injury” resulting from discrimination against them. And American courts have continually awarded compensation for emotional damages resulting from slander and other psychological abuse (Bittker 61). A sociologist questions, “How does one calculate the cost of . . . the stigma of perceived racial inferiority? The severity of slavery’s injury is far more profound than any cash transfer will be able to reverse” (Winbush 61). He highlights the emotional damage the whites inflicted on blacks by forbidding them to establish family structures. Surely these damages suffered by blacks in America deserve recognition and compensation also!

The complexity of the impact of slavery and racism on American blacks has stymied the discussion on black reparations. Proponents of reparations have been unable to decide on an appropriate compensation mechanism. This is not surprising, considering that there is surely no one mechanism that can adequately and totally address the issue. An Indian spokesman suggests that the Indian Commission established in 1946 “to rule on claims by Indians” might serve as a model to address black reparations. Bittker rejects this proposal, however, recognizing that the group loyalties felt by the indigenous tribes is not evident among black Americans. He cites the diverse “ethnic and tribal groups” from which blacks are descended. Unlike American Indians, who managed to “preserve the structure and emotional attachment that characterized their separate tribal organisations,” blacks were separated from other members of their families and tribes (Bittker 74-75). Any attempt at identifying tribal affiliation would be too complex and costly.

Apart from the diversity in ethnicity, African Americans are also divided by differences in economic status, outlook and organisational ties. In fact, some black opponents of reparations are “insulted” at what they view as a suggestion that all blacks are victims, citing the economic progress that some blacks have already made (Winbush 167). This might have stemmed partly from the images of black welfare recipients and the reluctance of some blacks to be identified with this group. Even some needy blacks are offended by the idea of receiving handouts from the government. One thing is certain, though: many blacks do not enjoy economic stability.

Oftentimes in the discussion surrounding black reparations it is assumed that reparations can only take the form of monetary compensation. But this provides a very narrow view of reparations. It is the opinion of this writer that reparations can and should take various forms. Surely, in addition to monetary compensation, reparation can take the form of an honest investigation, an apology, or even a memorial.

Any type of compensation will have its limitations. In this day of advanced media coverage even an apology might not be heard by

all. A memorial (e.g. a museum) might not be accessible to all, even if such a memorial were erected in every state. Attempts at group compensation will also have drawbacks, as some needy individuals and families will invariably “fall through the cracks.”

However, all forms of compensation should be pursued. And since education is the key to economic advantage, one method of compensation can definitely take the form of better educational facilities with highly qualified teachers, day care centers, and after-school and recreational facilities. Criteria would need to be established to qualify individuals for such aid.

Naturally, most forms of compensation require money to implement. So, any discussion on reparations must also include a consideration of who should be responsible for payment of compensation. “The collective responsibility of our government cannot be denied” (Winbush 72). Affirmative action and the welfare system might have been effective when they were initiated, but they now carry a stigma that has weakened their effectiveness. Besides, the approval and qualification process for recipient of welfare assistance is intimidating and humiliating. In addition to the government, though, other institutions that profited from slavery should be held responsible.

Two private companies – J.P. Morgan Chase and Wachovia Corp – upon discovering that their companies have ties to slavery have already taken steps to compensate blacks. Wachovia Corporation has established programs with various organizations such as the National Urban League to “preserve and promote” black culture. Both companies have also established scholarship funds for black students. Aetna insurance company has also traced its history to slavery and has offered an apology to blacks. Not only should large companies who benefited from slavery and racist practices feel obligated to contributing to the righting of the wrong. With a Gross National Income (GNI) per capita of \$36,100, according to OECD/DAC figures for 2001 (281), America as a whole has the financial resources that would allow it to afford compensation. However, the CIA World Factbook reported that 12 percent of the American population lives below the poverty line. It would be interesting to learn how many of this 12 per-

cent are blacks, especially since blacks comprise 12.9 percent of the population.

It would be simplistic and naïve to expect that legislation and financial support alone would be sufficient to address and resolve the issue of reparations for blacks. There must be a change in attitudes. And the key to this change lies in education. Not only should blacks be given fair opportunities for quality education, but whites should be taught all aspects of American history. This might entail the rewriting of textbooks. But this is a justified expense since education is important to bring about this change of attitude and awareness.

President Simmons' bold step in commissioning the committee to engage the community at Brown University in events that would inform about the University's role in slavery highlights the importance of education in addressing the issue. It is symbolic that this debate could have been conducted at such a prestigious educational institution with known ties to slavery. But Brown could serve as a model on how to move the process forward. For now, perhaps all that is needed is to keep the discussion at the forefront of the nation's awareness, and like the Brown commission, "help the (national) community (to) think deeply and seriously" about reparations. But everyone knows that talk is cheap, and Americans will eventually be called upon to seriously address reparations – that is reparations in the true and broader sense of the word.

Addressing the issue will necessitate recognition that America's treatment of its black citizens is immoral. America has been hailed as a model by many. But sadly, some of the examples that the country has set have not always been laudable. One such bad example is its refusal to come to terms with the racism resident within its own shores. Compensation of its black citizens should be viewed as a fulfillment of its moral obligation and would allow America to make good on the promise made many years ago. Such action will also reaffirm America's role as a world leader, not only in the areas of economic prowess and democracy, but in human rights as well. In addition, in light of the internal and external war being waged currently against a number

of challenges such as terrorism, it is important that the country garners the support of all its citizens in these efforts. As such, it has become more urgent that America addresses the issue of reparations for this important segment of its society.

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