

10 Things We Get Wrong About Reparations

The federal government alone is capable of paying the bill. And, as the entity that created and maintains the black-white wealth gap, it should pay the debt.

June 20, 2021 Kirsten Mullen, William Darity, Jr. Ph.D. /

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Protesters hold signs for reparations on the perimeter of a dedication ceremony for Greenwood Rising Black Wall Street History Center Wednesday, June 2, 2021 in Tulsa, Okla., Mike Simons/Tulsa World/AP

When University of Chicago scholars Michael Dawson and Rovana Popoff took a survey (https://www.researchgate.net/publication/231880343_Reparations_Justice_and_Greed_in_Black_and_White) of American attitudes in 2000, they found that only four percent of white Americans endorsed black reparations (<https://www.rollingstone.com/t/reparations/>). By 2016, a Marist Poll (<http://maristpoll.marist.edu/510-reparations-for-slavery-in-the-united-states/#sthash.rkUSExtA.dpbs>) indicated that the proportion had increased to 15 percent. A 2018 survey taken by Data for Progress (<https://www.dataforprogress.org/polling-the-left-agenda>) discovered that a slight majority of all voters under 45 supported black reparations. An April 2021 *Washington Post*-ABC News poll (<https://www.washingtonpost.com/politics/2021/04/15/support-reparations-has-grown-its-still-going-be-hard-sell-congress/>) reported that close to 30 percent of white Americans now support black reparations.

During the 2019 phase of the Democratic presidential primaries, for the first time, candidates uttered the term “reparations,” previously verboten. Three of them, Marianne Williamson, Julian Castro, and Tom Steyer, endorsed the idea of compensatory payments for black American descendants of persons enslaved in the United States.

On June 1st, 2021, President Joe Biden took the unprecedented step of visiting Tulsa, Oklahoma (<https://www.rollingstone.com/culture/culture-features/tulsa-massacre-black-americans-1178540/>) to commemorate the horrific 1921 massacre executed by white terrorists. The savage attack left at least 300 black people dead and the once prosperous Greenwood business district, known as a Black Wall Street, in smoldering ruin. No previous American President ever had acknowledged the Tulsa tragedy.

Today, black reparations is in the public square. For the first time since the Reconstruction Era, it is a topic commanding serious discussion and debate. This is a propitious time to push forward toward black reparations.

Black American descendants of U.S. slavery (<https://www.rollingstone.com/t/slavery/>) represent about 12 percent of the nation’s population but possess less than 2 percent (<https://www.federalreserve.gov/econres/notes/feds-notes/disparities-in-wealth-by-race-and-ethnicity-in-the-2019-survey-of-consumer-finances-20200928.htm>) of the nation’s wealth.

Federal policies produced and sustain the racial wealth gap. Starting with the legalization of slavery, itself, tantamount to a *de facto* “affirmative action” program for white Americans with massive potential for profiteering, and continuing with the Homestead Act of 1862, which enabled whites to build wealth through the acquisition of 160-acre land grants in the western territories — land that had been occupied by indigenous people, completing the nation’s colonial settler project. At almost the same time, recently emancipated blacks were promised and then denied 40-acre land grants, starting with the 30-mile-wide band stretching from the Sea Islands of South Carolina, through Georgia, to the St. Johns River in Florida, property that could have been made available for exclusive use of black families for homesteads. That land was returned to the Confederates. In the 20th century, the federal government advantaged whites with the G.I. Bill — subsidies for home mortgages and business enterprises while actively disadvantaging blacks. Political scientist Ira Katznelson observed, “Of the 3,229 GI Bill guaranteed loans for homes, businesses and farms made in 1947 Mississippi, for example, only two were offered to black veterans (<http://glencarlyn.org/wp-content/uploads/2020/11/New-deal-raw>

deal_Article_Ira-Katznelson.pdf).” And in a partnership with municipalities and banking institutions, the federal government introduced redlining and restrictive covenants, and authorized funds for interstate highways that decimated black residential and business districts while connecting white suburbs to new parks and commercial centers.

Many Americans are under the mistaken impression that racial equity initiatives and reparations are equivalent. Plans like the housing voucher program Evanston, Illinois, (<https://www.washingtonpost.com/opinions/2021/03/28/evanston-ill-approved-reparations-housing-program-except-it-isnt-reparations/>) recently approved with a total budget of \$10 million to provide \$25,000 grants to black residents for home maintenance expenses or for the down payment on a house in the city, and Asheville, North Carolina’s program aimed at increasing “minority” participation in the business of the city, are mislabeled “reparations” and will not have much effect on the enormous racial wealth gap.

Nor are affirmative action programs reparations. They were designed to address discrimination in the workplace, not to increase individual wealth. Any governmental act that reverses harmful policies without also providing adequate compensation for their effects is not reparations. Reparations — recompense for the cumulative effects of white supremacy — are direct payments from the federal government to American descendants of U. S. slavery calibrated to eliminate the gulf in black-white wealth, now estimated at \$11 trillion. This is not necessarily a cash payment. It could be a trust account, an annuity, endowment or some other form of investment — all designed to improve black well-being.

State and local governments do not have sufficient resources to pay the bill.

The federal government alone is capable of paying the bill. And, as the culpable party, the entity that created and maintains the black-white wealth gap, it should pay the debt.

Full restitution for black American descendants of slavery in the United States will require serious sustained effort and we are eager to see which elected officials will champion the cause.

Opposition to redress is linked to the maintenance of white supremacy in at least two critical ways: the failure of education regarding our nation’s history and the willful misperceptions of the existence of the wealth gap, its size and the federal government’s role in its preservation. In what follows, we, unabashedly, strike down the most common misconceptions about reparations.

1. *There’s no one living today who owned slaves nor anyone living today who was enslaved.*

Unfortunately, the ramifications of slavery persist because the nation never undertook a process of restitution. If anything, the U.S. has pursued policies that only have hardened the black-white wealth divide. In addition, there are indirect living victims and beneficiaries of slavery and direct living victims and beneficiaries of the Jim Crow period. Of course, if the nation waits long enough — if it pursues the “delay until death” tactic — the generation that directly experienced American apartheid no longer will be here.

As we observe in our recent book, *From Here to Equality* (<https://amzn.to/35EMiem>), “...the failure to pay a debt in a timely fashion does not extinguish the obligation, particularly since the consequences of past injustices continue to be visited upon the descendants of the direct victims. A national act of procrastination does not eliminate the debt.”

White Americans continue to reap the benefits of slavery even though the institution, itself, no longer exists.

2. *Only a small number of Americans owned slaves, so why burden the nation with a bill for reparations?*

Opponents of reparations frequently make the claim (<https://twitter.com/heysnapperhead/status/1405157723235176457>) that “less than one percent of the population were slave owners [and] some were black.” The 1860 Census provided statistics on slave ownership that reveals that 13 percent of white Americans, including those in the Union states where slavery was prohibited by then, were members of families that owned at least one human being.

In every state of the Confederacy the lowest proportion of whites living in slave-holding families was 25 percent. That proportion reached more than 40 percent in Florida, Georgia, Alabama, and Louisiana, and reached a stunning 55 and 57 percent in Mississippi and South Carolina, respectively. The one percent figure applied to families that owned *200 or more persons*. However, ownership of at least one or two human beings cut across Southern class lines. Moreover, non-slave owning Southern whites often had strong economic ties to the system of slavery, either by renting enslaved labor from slaveholders, serving as employees of the slaveholders, trading with slaveholders, or policing the enslaved population.

In fact, there were blacks who owned human property, but they were a minuscule share of all slaveholders. Genealogists William Thorndale and William Dollarhide estimate that there were 3,000 slaveholding blacks in the U.S. by 1860, themselves less than one percent of 477,000 free blacks. They owned approximately 20,000 people, only 0.5 percent of 4,000,000 persons enslaved.

3. *African nations who engaged in the slave trade are the real debtors in the reparations conversation.*

Certainly, a separate case can be made that *additional* compensation is due from the countries whose traders sold their fellow Africans into slavery, but it is the specificity of the experience of black people in the United States that supports the case for African American reparations.

When the nation was established in 1776 there was an opportunity to end both the slave trade and slavery. That opportunity was foregone. In 1808, the United States declared the overseas slave trade illegal, which, at least officially, ended the purchase of humans on the African coast. Instead, slave owners accelerated the breeding and selling of human beings. Sales skyrocketed after the Louisiana Purchase opened more land for slave-grown produce.

In 1865, when the nation finally closed the door on slavery, it also could have admitted the formerly enslaved to full citizenship. In a deliberate political decision, it chose not to do so. Instead of affirming blacks' rights to vote, own property, sit on juries, and have access to public education, measures that would, as Andrew Johnson once complained, "bring them...up to our present level," (<https://amzn.to/3zFA2HZ>) the administration followed his directives to "raise our own intellectual status *so that the relative position of the two races would be the same.*"

The federal government then extended the Homestead Act to the former Confederates, enabling them to benefit from the major wealth building program and to accumulate the very asset it had promised and denied blacks: land.

4. *Other communities have suffered. Why should African Americans alone receive reparations?*

Unequivocally, we encourage any victimized community with a claim for redress against the U.S. government to come forward. However, other claims should not be merged with nor used as a device for diluting the claim lodged by black American descendants of U.S. slavery. When Japanese Americans registered their claim for restitution for their unjust incarceration during World War II, there were few voices saying that other group's claims should be considered beforehand or simultaneously. Nor should there have been.

5. *Reparations will be even more divisive in an already polarized society.*

We do not know if reparations are more divisive than maintaining an oppressive racial order. It is possible that redress for black American descendants of U.S. slavery will result in a broad sense of unity and purpose that strengthens the republic and our democracy.

Furthermore, we cannot identify any event more divisive in the nation's history than the Civil War, *a war that did not have to be fought to end slavery*. On several occasions, prior to the war and during the war, compensated emancipation was proposed to the slaveholding states. The federal government offered to pay slave owners close to market rates for each of their human chattel, thereby bring slavery to an end without a resort to armed conflict. The terrible toll of lives lost and infrastructure destruction could have been avoided had the southern secessionists accepted a payment to conduct manumission *en masse*. Instead, they chose, literally, to divide the nation.

6. *We can't put a price tag on oppression anyway.*

Because the racial wealth gap provides a direct economic indicator of the combined effects of white supremacy in the United States, it serves as an appropriate metric for determining the amount due to black American descendants of U.S. slavery. Of course, it is impossible to assign a monetary value to the full range of atrocities heaped upon African Americans, but that does not mean no effort should be made to achieve redress.

During the last year of his life, Frederick Douglass made the following comment:

The enslaved and battered millions have come, suffered, died and gone with all their moral and physical wounds into eternity. To them no recompense can be made. If the American people could put a school house in every valley; a church on every hill top in the South and supply them with a teacher and preacher respectively and welcome the descendants of the former slaves to all the moral and intellectual benefits of the one and other... such a sacrifice would not compensate their children for the terrible wrong done to their fathers and mothers.

Still, the inability of white America ever to fully repay “the Negro” was not a reason for inaction. Douglass argued, on the contrary, as much as possible should be done for recompense, including finally fulfilling the neglected promise of land grants.

Although the price paid by the culpable party may never meet the cost inflicted on the victims, the culpable party has a debt that must be paid.

7. ***We can't determine who will be eligible.***

Actually, it is straightforward for claimants for black reparations to establish eligibility under the following criteria: Eligible recipients should be black Americans who are descendants of persons enslaved in the US who were denied the promised 40 acres. They also must have self-identified as black, African American, Afro-American or Negro for twelve years prior to the enactment of a reparations program or commission, whichever comes first.

A black forebear who was at least ten years old in 1870 and appears in the Census by name but did not appear in the 1860 records, quite likely was born enslaved. To meet the identity standard, an individual can make public their response to the self-reported race question on the Census.

In *From Here to Equality*, we recommend a reparations study commission authorize an agency staffed with professional genealogists across the country to assist individuals with establishing their claims at no charge.

8. ***“Reparations” initiatives at the state and local level carve a path to the national program.***

We fear that piecemeal “reparations,” whether at the state or municipal level, will become barriers to achieving a comprehensive national program of reparations. When an intensive push is made for a federal project, opponents of reparations readily can charge that Congressional action is unnecessary because state and municipal programs already in place satisfy the black reparations claim.

Unfortunately, that cannot be the case. The actions of state and local governments, whether taken individually or in combination, simply cannot eliminate the racial wealth gap. Their total budgets amount to about \$3 trillion while the sum needed to eliminate the racial wealth gap is at least \$11 trillion.

Piecemeal reparations are not the onramp to true reparations. Congress must act.

9. ***Reparations already have been paid by the high price of white lives lost during the Civil War.***

Scholars now estimate upward of 700,000 military personnel lost their lives during the Civil War, the war that brought an end to slavery. Of course, nearly half of the 700,000 died *fighting to preserve slavery*.

Many are not aware 180,000 black soldiers served in the U.S. military during the Civil War, 10 percent of all soldiers in the Union forces. Their 30 percent mortality rate exceeded that of whites on both sides of the conflict. Termination of slavery was not a mere “gift” bestowed upon black Americans by generous white sacrifice. In fact, by 1863 white

northerners were refusing to serve in the Union military in such large numbers that, without the black military contribution, the United States may not have prevailed.

Furthermore, ending a harm, that is, ending slavery, is not the same as compensating the victims for the consequences of the harm. Following the logic of Malcolm X, (<https://www.youtube.com/watch?v=cReCQE8B5nY>) the first is the equivalent of pulling the knife out from a stab wound, while the second is the equivalent of healing the wound. Both need to happen, but only the latter is reparations.

Implicit in this criticism of black reparations is the assumption that the case for reparative justice is based solely on the injustice of slavery. But it is not.

10. ***Passage of HR 40 will be a milestone on the path toward black reparations.***

It is now *pro forma* for black reparations' enthusiasts to signal their support for the cause by championing HR 40, legislation that will create a commission charged with bringing proposals for African American reparations to Congress. The principle of a study commission as a prelude to Congressional action is sound.

Regrettably, HR 40 has weaknesses of substance and structure. Its failure to establish any specific directives for the commission in designing its proposals for Congress is the central substantive flaw.

Ideally, HR 40 should direct a commission to produce a report with the following characteristics: 1. The bill should direct the commission to identify black American descendants of U.S. slavery as the eligible recipients. 2. The bill should direct the commission to develop plans that set elimination of the racial wealth gap as a core target. 3. The bill should direct the commission to ensure that its plans prioritize direct payments to eligible recipients. 4. The bill should direct the commission to designate the federal government as the party responsible for making the payments. HR 40 does none of this.

Structural weaknesses in HR 40 include its declaration that the Federal Advisory Committee Act is inapplicable to this Commission, eliminating all requirements for transparency in its deliberations.

In addition, the bill provides \$172,000 salaries for the members, raising the specter of impropriety. Peculiarly, six out of the now 15 members of the commission will be appointed by its administrative director. Elected officials and civil servants are banned from appointment to the Commission, and a quorum consists of only seven, less than half of the members.

HR 40 must be revised or replaced. Or, the nation's Chief Executive can appoint a Presidential Commission, bypassing HR 40 altogether.

This is another opportunity for the nation to reinvent itself. Let us seize this moment.

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