

THE STOLEN BEAM SERIES:
A STUDY OF REPARATIONS FOR DESCENDANTS
OF ENSLAVED AFRICANS IN THE U.S.

A MANUAL FOR FACILITATORS

WRITTEN AND COMPILED BY
THE REPARATIONS COMMITTEE
OF
THE RACIAL JUSTICE INITIATIVE
OF
THE JEWISH COMMUNITY OF AMHERST,
MASSACHUSETTS

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TABLE OF CONTENTS:

Preface	2
A Brief History.....	3
Facilitation.....	7
Syllabus and Discussion Questions.....	14
Participant Evaluation Form.....	24
Appendix: <i>Learning from the Germans</i> , Chapter 8, by Susan Neiman.....	25
Additional Resources for Further Learning.....	62

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IN THE U.S.

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Preface

Welcome to the “Stolen Beam Series: A Study of Reparations for Descendants of Enslaved Africans in the U.S.,” a 5-session study series. For the sake of brevity, the title will be referred to as the “Stolen Beam Series” for the rest of this document.

The name “Stolen Beam” is a reference to a rabbinic deliberation in an ancient Jewish text (the Mishna) about the right thing to do when we discover that the house in which we live was built on a stolen beam. One rabbi argues that the entire house must be torn down and the beam returned; another rabbi argues that it makes no sense to destroy the home, yet some form of acknowledgment and compensation is owed to the owners of the stolen beam – thus the metaphor for the realization that our country was built on stolen land, with stolen lives and stolen labor.

Although we believe the question of reparations for Indigenous people in the U.S. is an equally important one, this course focuses specifically on issues related to reparations for African Americans. It views reparations within the context of recent writings about U.S. history, post-Holocaust history, Jewish moral philosophy, and systemic racism.

This Stolen Beam Series Manual is a guide to using this interactive series to explore the topic of reparations and the growing awareness of the need to acknowledge and address a more truthful narrative of our country’s history. Since the term *reparations* may encompass many different ideas and concepts, we also include some writings and videos by those who have opposed the idea of reparations. Indeed, this manual is meant to be a work in progress, and you may find after beginning to use it that you may want to add, revise, or omit certain written materials that are part of our curriculum. We encourage you to do just that, based on your

particular needs, while adhering to the learning spirit that the Stolen Beam Series advocates. In fact, if you do make changes, we would love to hear about them and your reasoning for making them.

Finally, we would like to explicitly state our own goal in sharing this manual with you. Our own process of study and discourse for well over a year has been transformative. It has educated us about areas of U.S. history in which we believed we were knowledgeable, only to actually discover how piecemeal our understanding of that history was. Engaging in deep learning has led us to understand that in response to acknowledging all that was stolen from enslaved people and their African American descendants, and the large degree to which our nation's economy has prospered from what was stolen, *something is owed* to African Americans. There is much debate about what that something might be, but our sense of moral responsibility at this point is that the process of this learning for those of us identified as Caucasian is an important starting point for whatever eventual reckoning may hopefully one day emerge. As such, the Stolen Beam Series offers everyone the opportunity to think deeply about moral values and racism within various historical contexts and urges everyone to consider forms of further activism.

A Brief History: How the Stolen Beam Series Came to Be

After the murder of George Floyd in the spring of 2020, members of the Jewish Community of Amherst, Massachusetts (JCA) formed the Tzedek Racial Justice Initiative (*tzedek* is the Hebrew word for justice). One of the subcommittees formed under this Tzedek umbrella was the reparations subcommittee. This group of about 16 individuals embarked on a course of study and discourse in which we read and discussed works by the major African American thought leaders in the field of reparations, as well as some opponents of reparations. We additionally read articles written by scholars, rabbis, and moral philosophers that focused on post-Holocaust history. Some of us also read articles about the international context of reparations. There was much debate in our group as to whether our study should lead to activism inside the JCA or be outer-directed, and we did not always agree. But it became increasingly clear to us that we also wanted to act, and we also believed it was imperative to bring what we had learned to the greater JCA community. In the end, a decision was made to focus first on our own community with education and then move to action and advocacy. During the month of January 2021, we submitted to our community an essay written by committee co-chair Jeff Gold and a religious reading written by committee co-chair Rabbi Devorah Jacobson, followed by holding an open forum on reparations attended by some eighty JCA members and facilitated by JCA Rabbi Benjamin Weiner.

At the same time, we began work on the Stolen Beam Series. The name was inspired by a Rosh Hashanah sermon delivered in 2017 by Rabbi Sharon Brous titled “Our Country was Built on a Stolen Beam.” The sermon was a powerful and eloquent teaching about the horrific institution of slavery, how the unpaid labor of the enslaved provided the economic foundations in our country for its national wealth, and our own moral decision-making. The sermon is included in the curriculum that follows below.

A smaller group of the Reparations Committee discussed putting together for our community an educational series on reparations, and in a flashpoint moment, the Stolen Beam Series was conceived, then followed by the hard work of creating the curriculum and study questions. We initially believed the first Stolen Beam Series class would total about 18 people, with two facilitators. When the call went out in the JCA newsletter and the newsletter of a sister congregation in Northampton, Massachusetts, for people to enroll, we were flooded with so many registrants that we closed registration after over sixty people enrolled. Our one class expanded to three, and we added four additional facilitators. In February and March 2021, the Stolen Beam Series was sponsored by the JCA’s adult education program and made its debut, and for five weeks the classes met for an hour and a half each week, engaging in thoughtful discussion. Based on the feedback we received from participants, the series was an enormous success. Our emphasis on creating a supportive and respectful learning environment was a priority. Almost immediately, a group of mostly Northampton residents began planning their own Stolen Beam series.

After all this internal work at the JCA, we submitted a letter to the JCA Board of Directors, asking them to support HR 40, the bill originally submitted to Congress by Representative John Conyers over thirty years ago and now sponsored by Representative Sheila Jackson Lee and 190 co-sponsors. HR 40 seeks to establish a commission to study chattel slavery and its aftermath in the U.S. and to make recommendations to the country regarding reparations. In March 2021 the Reconstructionist Rabbinical Association (RRA), the national body of rabbis with which the JCA is affiliated, published a resolution titled “Reparations for Slavery, Indigenous Genocide and Systemic Racism in North America/Turtle Island” in which support for HR 40 was strongly endorsed. After an open forum in May 2021, the JCA Board of Directors unanimously endorsed the RRA resolution and strongly endorsed HR 40 in June 2021 at its annual meeting.

What follows is our best thinking on how to facilitate a Stolen Beam series of your own. This includes a description of the facilitation process; the work of the facilitators; a curriculum for each session with study questions to structure discussions; suggestions for facilitators to meet and discuss how the class is progressing; a participant evaluation form; and an extensive

bibliography. Chapter 8 from Susan Neiman’s book is printed in the Appendix with permission from the author. Chapters 12 and 13 from the Darity/Mullen book, *From Here to Equality*, will need to be made available to participants through either purchased or borrowed copies of the book.

Since the original writing of this preface and history in June 2021, the Stolen Beam Manual and course have traveled to different communities and organizations across the United States. The course has been presented in both faith-based and civic settings. The syllabus has been revised a number of times as new studies, thinking and research have emerged, and as new entities (e.g., the State of California; Harvard University) present their findings to the world.

One significant change in the syllabus centers on secular and faith-based approaches to Reparations. Originally, the Stolen Beam was conceived as a Jewish response to the issue of Reparations for descendants of the enslaved Africans in the U.S. Over a year later, we have incorporated secular and Christian responses into the curriculum. This reflects our belief in universal values. We believe that including this material is particularly significant because it reflects the fact that a good deal of reparations advocacy is going on in faith communities around the country at this time. And because the faith perspective is also particularly resonant with many in the Black community, now and historically, we want to make sure to represent this perspective with integrity. Even if one does not value a religious tradition personally, we believe that including these materials will provide a broad base from which participants with varied perspectives can draw inspiration toward healing the wounds of the past.

We do not consider this a final product, but rather a manual of best practices for what we have learned thus far. We encourage anyone who uses this manual to make changes based upon their particular needs and contexts. And if you do make changes, let us know how it worked! You can reach us at: jeffreywgold51@gmail.com or devorahjacobson18@gmail.com

Acknowledgments

Our heartfelt thanks and appreciation go to Rabbi Devorah Jacobson, whose co-leadership of the reparations committee throughout this period of time was exceptional. We also wish to thank all the members of the reparations committee, who met regularly over the past COVID year to discuss reparations in particular, and antiracism work more generally: Eric Bachrach, Michael Burkart, Eve Eisman, Joan Epstein, Sam Gladstone, Jeffrey Gold (co-chair), Josette Henschel, Karen Levine, Dan Muscat, Renee Moss, Myra Ross, Linda Sinapi, Tom Wolff, and Chip Wood. Thanks as well to author Susan Neiman, who graciously provided a galley copy of her chapter “Rights and Reparations” from *Learning from the Germans* and gave us permission to

use it. We also wish to thank Rabbi Benjamin Weiner for his ability to effectively facilitate open forums with the entire JCA community. The other programs of the Tzedek Racial Justice Initiative were, in their own way, motivators for our own work, as were the weekly Lunch and Learn meetings hosted by Amy Mittelman in which the historic relationship between Jews and African Americans was deeply discussed. And finally, we wish to thank editor Jane Myers for picking up all the details we had overlooked and asking all the fine-detailed questions no one else had considered.

The Stolen Beam Series Manual group:

Michael Burkart
Jeffrey Gold
Devorah Jacobson
Karen Levine
Stephen Marcus
Myra Ross
Tom Wolff
Peter Wood

Facilitation

This section is intended to be distributed to Stolen Beam Series facilitators to support them with their planning and practice.

OVERVIEW FOR FACILITATORS

The Stolen Beam Series is intended to promote interactive discussion among participants in which the leaders are not viewed as experts but rather as facilitators in the true sense of the word. Our goal is to promote a respectful, wide-ranging discussion of ideas and personal views and to create an atmosphere where each member's contributions are valued.

Adhering to the following process guidelines offers the greatest possibility of having group discussions with mutual respect:

- We are aware that with most new groups, it can take a few sessions for participants to become comfortable sharing with each other.
- We engage in active and deep listening.
- We strive to be as democratic as possible, not allowing anyone (including ourselves) to dominate any discussion.
- We know that facilitators must be willing to intervene if a discussion is getting too personal or argumentative, if an individual's authoritative speaking style inhibits the conversation, or if there is a lull in the discussion.

CHOOSING FACILITATORS

Facilitating adult learners requires specific skills. Occasionally, someone may want to facilitate the course who does not have some of the necessary skills. For the course to be successful, it is important to make sure that a facilitator has the following appropriate skills or can learn them:

- Understanding the difference between facilitating and teaching
- Respecting that people will differ in their responses to the material
- Understanding group dynamics
- Understanding gender-role dynamics, both in terms of the facilitation process and group dynamics

- Knowing how to respond to challenging class members

STRUCTURE OF CLASSES

- We recommend that an ideal group size be between 13–15 participants plus two facilitators. If enrollment exceeds the availability of facilitators to achieve this ratio, larger groups can work but may limit interaction.
- Recommended length is 90 minutes for an in-person meeting and 80 minutes for sessions on Zoom (to avoid “Zoom fatigue”). The last class is a half-hour longer (90 min.)
- We recommend that the group be co-facilitated by two facilitators.
- If Zoom is used, a third Zoom host can be added to assist with the technology and with recognizing participants who wish to speak.
- On Zoom, we suggest avoiding the use of breakout rooms for class discussions. Dividing the group deprives participants of the opportunity to hear the breadth, depth, diversity, and richness of everyone’s contributions, the sum of which is the learning and sharing we are after.

RESPONSIBILITIES PRIOR TO THE FIRST CLASS

Once participants have registered for the course, an initial e mail should be sent out (using bcc so an individual’s e mail remains confidential) which should include the following: a warm welcome for registering for the Stolen Beam; a confirmation of dates and time of the class; the zoom link (this should be sent a day before each class as well); clear expectations of participation, namely, attending each class and completing the necessary readings/videos, etc.; and finally, a request to confirm via a return e mail the individual’s intent to participate. This allows the facilitators to get an accurate count of the class, and manage any waiting list appropriately.

Additionally, the facilitators will need to send out the complete Introduction and Syllabus, all necessary attachments which are not available through links, and the section of the Manual entitled “Recommended Introductory Requests to the Class about Process and Tone” (located on pp. 8-9 of the Manual).

FACILITATOR PREPARATION AND PLANNING

- To engage participants meaningfully in discussions, facilitators must be thoroughly conversant and comfortable with the goals of the course, the readings, and the audio and video assignments. It is important to remember that the job of facilitator is to engage the class participants to share their responses to the materials, rather than to share your own

responses and opinions. With that goal in mind, it is best if facilitators introduce and pose the discussion questions and limit their own talking beyond that to facilitating the discussion.

- If the Stolen Beam course includes a racially diverse population, care and attention will be needed to understand how this may impact both the content and process of the group. If the class is racially diverse, it is important **not** to expect BIPOC class participants to speak as “representatives for their people”, nor to be expected to participate in any way other than how they choose, and without extra commentary from the facilitators.
- A “thank you” after each class member speaks insures equal respect for all.
- Participants may wish to identify themselves in terms of preferred pronouns, either verbally or as part of their name on the Zoom screen.
- Facilitators should prepare for each session by carefully reviewing the materials.
- Facilitators should hold a planning meeting before each class. These meetings provide the important support and structure for facilitators, where they should decide who will lead the conversation for each discussion question. They can also tweak the plan for the next session based on unfinished discussions from the previous class. Care should be taken to estimate the time allotted for the group in responding to each question.
- We recommend that facilitators take turns being in the leadership role or taking responsibility for calling on participants who wish to speak.
- Each facilitator should plan brief introductory remarks for the questions for which they will be the lead facilitator.
- Facilitators should meet briefly after each class for a short debriefing meeting to reflect on their facilitation and the quality of the discussion and, if necessary, to strategize for any needed improvements.
- We assume that facilitators will have a deep investment in the success of the course and may have some uncertainty as to how the group is working and how they are facilitating. Both the planning and debriefing meetings offer valuable opportunities to discuss personal experiences, exchange constructive feedback, and adjust plans and roles as needed.

RECOMMENDED INTRODUCTORY REQUESTS TO THE CLASS ABOUT PROCESS AND TONE

The following introductory requests can be sent in an email with the syllabus before the class and can be reiterated at the first class:

- Before each session do the readings and/or watch the videos and listen to the audio pieces that are in your syllabus.
- Arrive on time.
- On Zoom, please keep yourself on mute unless you are speaking.

- On Zoom, please don't use the chat—it is distracting for all. However, if you are having time-sensitive technical difficulties during the class, you can send a chat message to the Zoom host to get help.
- We ask everyone to promote a respectful listening environment. Please wait until people have finished speaking before raising a hand, and try to take in what people are offering, as it might influence your thoughts or change your need to say something at that moment.
- Know that you will hear views different from your own. Please offer your respect. Take this opportunity to listen and reflect as much as to speak.
- Raise your hand to be recognized to speak.
- So that everyone who wishes to speak can have an opportunity, keep your comments brief.
- Do not speak twice on a discussion question before all who wish to have had the chance to speak once.
- If possible, refer specifically to the reading or other assigned material as you offer your views and responses.
- If you have any concerns between classes, please email the facilitators.
- If you have related articles or resources you'd like to share with the group, please email these to the facilitators and they will email them to the whole group.
- Finally, and perhaps most importantly: Along the lines of our values related to respectful listening which we believe is essential to every Stolen Beam course, we want to emphasize the respect for confidentiality of those in the group who may share personal stories or experiences during our discussions. If you are moved by ideas or experiences you hear during discussions, it is fine to share this content in other discussions you may want to have outside the group, without mentioning the name of the person who originally shared them. Additionally, if a class member contacts you privately about needing to miss a class, it is fine to let the class know that this individual had to miss class. However, without explicit permission from that individual, please do not share the details of that individual's reasons for not attending.

SAMPLE OPENING FOR FIRST CLASS

- Introduce yourselves as co-facilitators and Zoom host.
- If groups are small enough, particularly if they are in person, facilitators may want to spend a little time at the beginning to create group cohesiveness through brief personal introductions, including what influenced them to take the course.
- Begin with something like “We want to welcome you all to our first class in the Stolen Beam Series: A Study of Reparations for Descendants of Enslaved African Americans in the U.S. We are looking forward to getting to know each other through the class discussions and

through engaging with this material together. This is meant to be a participatory class; we will all learn from each other.”

TIPS FOR ENGAGING THE GROUP

- It’s normal for a group to take a couple of sessions to warm up and feel comfortable together.
- Let the class know that the discussion questions are meant to stimulate discussion, and it is often helpful to repeat the question in the course of the discussion.
- You might say, “If the questions provided do not speak to you or do not address the most cogent aspect of your response to the material, feel free to share what was most meaningful to you.”
- It’s important to validate and welcome many types of sharing: intellectual, personal, abstract, emotional, etc. All are valuable and enriching. It’s good to invite a balance of responses.
- If there is a lull in the conversation, ask whether people need some time to formulate their thoughts or are ready to move on.
- To stimulate discussion, involve more people. If one person’s comments have shut down conversation, you can redirect the discussion by asking, “What do other people think?” or “What are some others’ thoughts about this question?”
- It is a good idea to thank each participant after they speak. This small gesture helps participants feel heard and appreciated for their contribution to the discussion.

STRATEGIES FOR DEALING WITH CHALLENGING CLASS MEMBERS

Sometimes participants may dominate the group because they have a lot to say or they interrupt, talk at length, change the topic, etc. It’s important that facilitators address such behaviors in a supportive but assertive manner. We suggest the following:

- Stop the person and remind them about the guidelines regarding keeping comments brief, not interrupting others, etc.
- Stop the person and tell them that we need to move on in order to hear from other people.
- If the person is off topic, redirect them to the topic being discussed. You can also tell them their comment or question will be addressed at the end of class if there is time.

EDUCATION FOLLOWED BY ACTION

We believe the desired outcomes of the Stolen Beam Series are education and clarification of each person’s values regarding the complex topic of reparations. We would also invite

participants to explore avenues for *taking action* to help repair the effects of racial injustice based on what they have learned.

Perhaps at the end of the course, it might be helpful to spend time talking about opportunities for action, particularly within the organization(s) they represent.

We have found that each group that participates in the Stolen Beam Series has its own “personality.” Some groups are more contemplative and others brim with vocal enthusiasm. In some of the groups, the desire to hold another meeting to discuss a particular concept or action steps has emerged organically. It should not be your expectation that this will happen, but we hope you will agree to facilitate an additional session if the group would like to have one.

DISCUSSION QUESTIONS

The most valuable questions for stimulating meaningful discussion are open ended rather than fact based. Effective questions are meant to elicit participants’ views, feelings, and ideas, rather than to test their memory of the assigned material. Suggested discussion questions will be provided in the next section along with the syllabus for each class. The suggested discussion questions can be amended as needed to work best for your group.

CURRICULUM

Below we provide the suggested Stolen Beam Series curriculum, with a syllabus and accompanying discussion questions for each of the five class sessions. The class was originally taught on Zoom. Since the course may also be offered in person, modifications may need to be made to enhance an in-person course.

This curriculum makes available to participants a U.S. historical narrative that is different from what most of us learned in our schooling. The focus is on the legacy of African enslavement: what was stolen, what may be owed, and historical examples of reparations. The class examines the case for reparations as a remedy for past and continued harms to descendants of enslaved African people in the context of the ongoing iterations of white supremacy that endure to the present.

Though we attempt to present a survey of the leading African American thinkers on the topic of reparations, the curriculum was also designed originally for a Jewish community. We believe

that some of the Jewish sources included in the curriculum have universal applicability. Since that original conceptualization, we have added resources from other faith perspectives on the topic of reparations.

We recognize that different groups and organizations may wish to change the curriculum and learning materials to better fit their organization's faith, orientation, or goals. We offer guidance regarding what we believe is the recommended *core curriculum* (the parts we feel are most important to keep). All core curricula are listed under "Assigned materials" and optional items are listed under "Recommended." We support making any additions that your organization feels would add value and meaning to the core curriculum.

We also recognize that over time, and as events unfold in our country, the curriculum will need to include new ideas and perspectives. If a group wishes to add significant material to the syllabus, the series could be extended over more classes.

As stated in the preface, we would welcome hearing about any changes you make and your experience of the class as you facilitated it: what you learned, what you think worked, what you would change in the future.

(Send correspondence to: stolenbeam@gmail.com)

The following sections are meant to be distributed separately to participants prior to the start of the class.

Stolen Beam Syllabus Revised Spring 2023

Syllabus and Discussion Questions

INTRODUCTION

The goal of the Stolen Beam Series is educational engagement with and personal reflection on the topic of reparations for African Americans, with a focus on the legacy of African enslavement and 400 years of anti-Black racism. We consider what was stolen, what may be owed, historical examples of reparations, current challenges and controversies, and faith-based reparations statements and examples. The class materials offer participants a fuller perspective on US history, one that many of us never learned, that centers on the historical and lived experience of African-Americans. The class asks the participants to consider the case for reparations as a remedy for past injustice and continued harms to descendants of enslaved African people, and as a concrete response to the ongoing, ever-widening racial wealth gap in this country. Finally, the Stolen Beam series offers participants an opportunity to engage heads and hearts, in a spirit of deep listening and reflection, honest and respectful sharing, that for some becomes a journey of discovery and transformation.

The class offers an opportunity to study and reflect on some of the writings of prominent thought leaders on the topic of reparations for African Americans as a path to restorative justice. It reviews the case for reparations, arguments against reparations, various definitions of reparations, U.S. House Resolution 40, faith-related cases for reparations, historical perspectives, and various models of reparations programs, past, present and future.

Our experience facilitating the Stolen Beam series has led us to believe that for some participants who engage deeply with the readings, it can be a potentially overwhelming and disturbing experience. It is not uncommon for individuals - or the entire group - to experience a sense of hopelessness and even despair. Indeed, we strongly believe that such feelings are, in fact, a “normal” response, and we encourage everyone to share such feelings as part of our discussions as they choose. It is important to us as facilitators that we acknowledge such participant experiences. While we recognize that everyone experiences these readings differently, we do want to note that it is very important to take care of oneself while learning this material. So we encourage all Stolen Beam participants to do just that – in whatever ways make the best sense for you.

The class meets for five consecutive weeks (or as scheduled):

Please note: The last class will meet for an additional half hour to include closing reflections.

Each class offers both readings as well as videos or audio recordings of the authors being discussed that week.

Suggested study questions are included for each class.

Please have the article(s) available in print form or on your computer for each class.

SYLLABUS

Class #1: The Case for Reparations

Assigned Materials:

- 1) Article: Ta-Nehisi Coates' "The Case for Reparations," *Atlantic* (2014)
(This article sent as an attachment).
- 2) Video: "Segregated by Design," based on Richard Rothstein's book *The Color of Law*, about U.S. federal, state, and local housing segregation policy (17 minutes)
<https://www.segregatedbydesign.com>
- 3) Text of Bill HR 40. <https://www.congress.gov/bill/116th-congress/house-bill/40/text>
- 4) YouTube: Ta-Nehisi Coates: "Arguments over Reparations before a Congressional Committee about HR 40." <https://www.youtube.com/watch?v=kcCnQ3iRkys> (5 minutes)

Recommended:

- 5.) Longer video with Richard Rothstein and Ta-Nehisi Coates on housing segregation.
<https://www.youtube.com/watch?v=9Pb6y9rNKmo> (80 minutes)

Guiding Questions:

Ta-Nehisi Coates, "The Case for Reparations"

- 1.) Was there anything in the essay that you learned that was new to you?
- 2.) Coates makes an impassioned argument for the need for reparations for African Americans. What is your response to Coates' rationale?
- 3.) Why, in his view, is reparations frightening to some people?
- 4.) Coates responds to the argument of Whites that "We never owned slaves or we are generations from the slave-owning era." What are your thoughts about his response?

HR 40

- 1.) Was there anything in HR 40 that surprised you or added to your knowledge?
- 2.) To what extent do the authors of HR 40 convince you that the idea is workable or not workable?

Rothstein

- 1.) What did you learn about the origins of housing discrimination in the U.S. from the Richard Rothstein video?
- 2.) Rothstein distinguishes between de jure and de facto segregation in the history of housing in the U.S. Why do you think this distinction is so important?

Class #2: The Case for Reparations, Cont'd (and some opposing views)

Assigned Materials:

- 1) Article: Nikole Hannah-Jones, "What is Owed." *New York Times Magazine* (June 2020)
<https://www.nytimes.com/interactive/2020/06/24/magazine/reparations-slavery.html>
(If you don't have a NYT subscription, this is an attachment.)

and/or

- 2) Audio podcast: Terry Gross interviews Nicole Hannah-Jones of the *New York Times* 1619 Project on the topic of reparations. Fresh Air, June 2020 (42 minutes)
<https://www.npr.org/2020/06/24/882773218/a-call-for-reparations-how-america-might-narrow-the-racial-wealth-gap>

and

- 3.) Video: "The Black Tax," with Shawn Rochester, <https://www.youtube.com/watch?v=0w3o8uHVkKQ>

4.) Video of Coleman Hughes testifying to Congress opposing HR 40 (June 19, 2019)
<https://www.c-span.org/video/?c4803834/coleman-hughes-testifies-reparations> (5 minutes)

Recommended:

5.) Randall Kennedy et. al., "A Conversation on Reparations," Harvard IOP,
<https://iop.harvard.edu/forum/conversation-reparations>

6.) Browley, Jasmine, "Navy Federal Credit Union Has reportedly Been Denying Black Home Loan-Seekers Significantly More Than Whites," *Essence*, Dec. 17, 2023
<https://www.essence.com/news/money-career/navy-federal-credit-union-black-loan-seekers/>

Guiding Questions:

1.) What is your response to Nikole Hannah-Jones' assertion that "this" is a unique moment of protest? Are we still in that moment?

2.) In the Hannah-Jones' article, what does she see as the defining feature of Black life in America since the end of slavery? What is your response?

3.) What was your response to the Black Tax video?

4.) What was your response to the Coleman Hughes testimony before Congress?

Class #3: Historical Examples of Reparations

Assigned Materials:

1.) Book chapter: "Rights and Reparations," (chapter 8) from *Learning from the Germans: Race and the Memory of Evil*, by Susan Neiman (This is an attachment.)

and/or

2.) Video (54 minutes): Talk by Susan Neiman about her book, *Learning from the Germans: Race and the Memory of Evil*. <https://www.youtube.com/watch?v=emyY97ToZZc>

and

3.) Smith, Clint, "How Germany Remembers the Holocaust," The Atlantic, December 2022.
(This is an attachment)

or

4.) Interview with Clint Smith by Dave Davies, "Fresh Air,"
<https://www.npr.org/2022/12/01/1140069226/monuments-to-the-unthinkable-explores-how-nations-can-memorialize-their-atrociti>

5.) Article: Allen Davis, "A Historical Timeline of Reparations Payments Made from 1783 through 2021 by the United States Governments, States, Cities, Religious Institutions, Universities, Corporations, and Communities" <https://guides.library.umass.edu/reparations>

Recommended:

5.) Movement for Black Lives: Reparations Tool Kit. See "Why Reparations?" pp.10-18, "Defining Reparations," (including the UN Definition) pp. 25-32.
<https://m4bl.org/wp-content/uploads/2020/05/Reparations-Now-Toolkit-FINAL.pdf>

Guiding Questions:

- 1.) How does Susan Neiman's discussion of Germany help us understand the Confederate mentality ("lost cause")?
- 2.) How would you describe the evolution of Germany's moral reckoning?
- 3.) How does the evolution of Germany's moral reckoning shed light (or not) on our attempt to reckon with the legacy of slavery and racism?
- 4.) How did you feel accompanying Clint Smith on his journey in Germany? In what way did his piece add or expand on Nieman's?
- 5.) As Allen Davis' chronology aptly demonstrates, the idea of paying reparations for various injustices committed by state or federal government is, in fact, a longstanding precedent. What is your response to this timeline?

Class #4: Models of /Proposals for U.S. Reparations for Descendants of Enslaved Africans in the US: Federal, Municipal and Local Efforts:

Please note: We will focus the discussion primarily on the federal reparation ideas. In the interest of time, the state/municipal models will be covered only briefly but are provided for your interest.

Assigned Materials:

Federal

1.) *From Here to Equality*, by William (aka Sandy) Darity Jr. and Kirsten Mullen (Introduction and chapters 12 and 13 are attachments.)

and/or

2.) TED Talk: Sandy Darity, "A Blueprint for Reparations in the U.S." (36 minutes)

https://www.ted.com/talks/william_sandy_darity_a_blueprint_for_reparations_in_the_us#t-3089

and

3.) Article, "10 Things We Get Wrong About Reparations," by Darity and Mullen. Portside (June 20, 2021)

<https://portside.org/2021-06-20/10-things-we-get-wrong-about-reparations>

4.) "The Cost of Inheritance," (film 55 min.)

You can see the film [here](#) (55 minutes).

Recommended: Federal/State/Municipal/University Models

Federal

5.) Darity, William (Sandy), "What HR 40 Gets Wrong and Why,"

<https://docs.house.gov/meetings/JU/JU10/20210217/111198/HHRG-117-JU10-20210217-SD031.pdf>

State

6.) California Reparations Report (see Executive Summary), <https://oag.ca.gov/ab3121/reports>

Municipal

8.) Erika Alexander and Whitney Dow, “The Big Payback,” (documentary film chronicling Reparations in Evanston, IL.) (not available for free)

9.) First repair website: Exploring local reparations- Nationally

[FirstRepair – Informing Local Reparations, Nationally](#)

10.) Amherst, Ma. Miller, Michele, “The Case for local Reparations,” <https://theamherstcurrent.org/2022/01/17/the-case- for-local-reparations/>

11.) Shabazz, Amilcar, “Reparations in Amherst,” <https://www.youtube.com/watch?v=6Du2YEQT5KA>
(32 minutes; Begin at 9:41 minutes to 30:25).

12.) N’COBRA: National Coalition of Blacks for Reparations in America, with resources for local efforts, reparation resources to share, and a vision for growing reparation efforts from the bottom up <https://www.ncobra.org>

13.) University

Harvard sets up \$100 million endowment fund for slavery, [https://www.reuters.com world > harvard-sets-up-100-m...](https://www.reuters.com/world/harvard-sets-up-100-m...)

Guiding Questions:

1.) What is your response to Darity and Mullen’s list of the key components of a reparations program as described in their Introduction?

2.) What are your thoughts about Darity and Mullen’s thinking in terms of the form, the source of funding, and the price tag of reparations?

3.) After reading Darity and Mullen, how does the argument for local reparations as presented in “The Cost of Inheritance” strike you?

Class #5: The Faith-Based Case for Reparations

(Please note: This class will last a half hour longer.)

Please note: In Class #5, we present various faith-based perspectives, largely from American Jewish and Christian leaders and communities. We believe that including this material is particularly significant because it reflects the fact that a good deal of reparations advocacy is going on in faith communities around the country at this time. And because the faith perspective is also particularly resonant with many in the Black community, now and historically, we want to make sure to represent this perspective with integrity.

Assigned Materials:

1) YouTube: Rabbi Sharon Brous' Rosh Hashanah sermon about reparations, "Our Country was Built on a Stolen Beam" (32 minutes) (September 22, 2017)

<https://ikar.org/sermons/our-country-was-built-on-a-stolen-beam-the-call-for-a-national-reckoning/>

and/or

2) Article: Rabbi Sharon Brous, Rosh Hashanah sermon: "Our Country was Built on a Stolen Beam" (June 22, 2017) (*This is the text of the video sermon listed above.*) <https://ikar.org/wp-content/uploads/RH2-RBrous-Sermon-OUR-COUNTRY-WAS-BUILT-ON-A-STOLEN-BEAM.pdf>

and

3.) Interview with Jennifer Harvey, author of *Dear White Christians*, (17 minutes)

https://www.youtube.com/watch?v=cBf_pXJYvFo

4.) Rabbi Devorah Jacobson, Shabbat Sermon/D'var Torah: Parashat Bo. On Reparations.

<https://jcamherst.org/2021/01/23/dvar-torah-1-23-21-bo-rabbi-devorah-jacobson/>

5.) Virginia Theological Seminary: Reparations <https://www.youtube.com/watch?v=TypF6EBC3bs>

(Note: This is one of several YouTube presentations by the Seminary regarding its work on Reparations – 52 minutes).

6.) The Road We Walked: A Philadelphia Quaker Meeting's Journey to Reparations, by Gabbreell James, Friends Journal, January 2023.

<https://www.friendsjournal.org/the-road-we-walked/>

Recommended:

7.) Churches and Reparations: <https://www.pbs.org/newshour/nation/more-us-churches-are-committing-to-racism-linked-reparations>

8.) “In support of Reparations,” Beth Emet Social Action Committee, Evanston, IL. 2021.
<https://bethemet.org/act/social-action/social-justice-resources/> (Scroll to Reparations and then to “In Support of Reparations” – Learn More)

9.) Georgetown University and Reparations:
<https://www.georgetown.edu/slavery/>

10.) Episcopal Diocese of NY Makes Apology for the Endurance of Slavery, March 25, 2023
<https://www.youtube.com/watch?v=dFif29flrV8>

10.) A Bahai' discussion on reparations and racism: <https://www.bahaistudies.ca/watch/the-beautiful-struggle> (Professor Ruha Benjamin 54 minutes)

Guiding Questions:

- 1.) Which article/video was most compelling for you and why?
- 2.) To what extent do the readings from various faith traditions move you toward supporting reparations? Why or Why not? How does this compare to your own spirituality or religious beliefs as you define them?
- 3.) What role do you think white people should have in a Reparations movement for descendants of enslaved African Americans?

Closing: Thoughts and Reflections on the Entire Stolen Beam Series

(last half hour of class #5) What will you take with you from this course? To what extent did the class motivate you to take actions to support reparations? To what extent did the class motivate you to join other anti-racism efforts?

STOLEN BEAM SERIES

Participant Evaluation Form

Your feedback will help us strengthen our syllabus and the overall experience if offered again in the future.

1. Please comment on the readings/videos that were assigned. Which ones did you feel were the strongest pieces and why?

2. What can you tell us about the quality of the class discussions? What did and did not work for you?

3. Is there anything else you would like to share about the class experience?

Signature (optional)

PLEASE RETURN TO: _____ BY _____.

Appendix

Susan Neiman, *Learning from the Germans*, Chapter 8: “Rights and Reparations”

No material payment can compensate for the suffering slavery inflicted. No one who has read a thorough description of slavery, in Auschwitz or Alabama, would prefer it—no matter the compensation—to never having been enslaved at all. This is part of what led Jean Améry to refuse to apply for reparations, though his financial situation after the liberation of Bergen-Belsen was hardly secure. With no formal schooling beyond the age of twelve, Améry found work as a freelance journalist in Belgium, writing on anything from NATO to Marilyn Monroe. His breakthrough came in 1966, when he released a series of essays, published in English under the title *At the Mind's Limits*, reflecting on his experience as an Auschwitz survivor living in Europe during the twenty years that followed the war.

What could possibly heal the damage? To answer that question, Améry rehabilitated the idea of resentment, which Nietzsche decried as the attitude of sick, small-minded, slavish natures. Their “souls squint,” Nietzsche sneered. Unable to cast off the wounds of the past, they are fixated on a wish that is as inconsistent as it is unnatural. Absurdly, resentment demands that the irreversible be reversed, the event undone. Améry turns Nietzsche on his head, proudly including himself among those whose morals Nietzsche despised as slave morality, since “every genuine morality was always a morality for losers.”¹ It may be natural to think of time as flowing only forward, but that thinking is not only extra-moral but anti-moral.

Man has the right and the privilege to declare himself to be in disagreement with every natural occurrence, including the biological healing that time brings about . . . The moral power to resist contains the protest, the revolt against reality, which is rational only as long as it is moral. The moral person demands annulment of time—in the particular case under question, by nailing the criminal to his deed. Thereby, and through a moral turning-back of the clock, the latter can join his victim as a fellow human being.²

The only thing that could truly make up for those crimes would be turning back time and undoing them. Améry knew this is impossible, but he insisted that we recognize the depth and the morality of the longing for it. He also insisted on its sanity, arguing against the psychologists who were beginning the field of trauma studies; his resentment, he said, was a form of the human condition that is “morally and historically of a higher order than healthy straightness.” He rejected the “morally impossible thought” that the survivor’s wounds could be healed by the death of six million Germans. The only way to solve the problem, he concluded, was “by permitting resentment to remain alive in the one camp and, aroused by it, self-mistrust in the other.”³ If this took place, Germans would have integrated Auschwitz into their natural history rather than allowing it to be neutralized by time.

When he wrote in 1966, Améry was sure this would not happen. “Germany will not make it good, and our rancor will have been for nothing.” He believed the Nazi era would be understood as an accident of

history, and no German would hesitate to hang a portrait of her great-grandfather in SS uniform in the parlor. At the time, Améry's pessimism was justified. Reparations had been paid, but they were not accompanied by any process of *Vergangenheitsaufarbeitung*. Former Nazis held powerful positions in government, the justice system, the diplomatic service, the schools. The Auschwitz trials recently completed in Frankfurt were considered a failure by the prosecutor, Fritz Bauer, for the media portrayed the guards on trial as freakish sadists with no connection to the German people as a whole. Hannah Arendt wrote that the majority opinion

was manifest in the behavior of the defendants—in their laughing, smiling, smirking impertinence toward prosecution and witnesses, their lack of respect for the court . . . It was manifest in the behavior of the lawyers who kept reminding the judges that they must pay no attention to “what one will think of us in the outside world,” implying over and over again that not a German desire for justice but the world opinion influenced by the victims' desire for “retribution” and “vengeance” was the true cause of their clients' present trouble.⁴

It was a time when Améry could be assured by a German businessman that bygones were bygones, since Germans no longer bore a grudge against the Jewish people—just look how magnanimous they'd been with reparations! Although Améry acknowledged that intellectuals like Hans Magnus Enzensberger declared that Auschwitz would remain Germany's past, present, and future, he believed theirs were minority voices, without influence.

Half a century after his book was published, what Améry regarded as an “extravagant moral daydream” has largely come to pass. It would be hard to find a German today who does not wish to turn time around and undo Nazi crimes—if only to avoid the decades of national shame that followed. The German government has so thoroughly integrated Auschwitz into its school programming that even many responsible citizens believe the Nazi era has been given too much historical weight. In 1966 Améry wrote that it would be dishonorable for German youths to cite Goethe and ignore Himmler. In the intervening decades there were times when many young Germans wondered whether it was honorable to cite Goethe at all. For years, it was argued that the whole of German culture was irreparably tainted. On the seventieth anniversary of the founding of Israel, even the AfD felt compelled to make a public commitment to Germany's historic responsibility to support the state. “Some of my constituents resented that,” one party leader told me. “They asked if it meant that their children would still be paying for it.” He felt the party was bound to make the commitment nonetheless. This is not to suggest that the AfD has overcome its racism—reducing both immigration and *Vergangenheitsaufarbeitung* are central to its platform—but that Germany has reached the point where open expressions of racism are politically ruinous. This may be the best outcome we can hope for, and it may also be enough. The seventeenth-century author La Rochefoucauld wrote that hypocrisy is the compliment vice pays to virtue. Who knew we would long for hypocrisy? Now many national leaders no longer feel the need to pay such compliments at all. Contra Kant and common wisdom, honesty is not always the best policy. Very often, social change begins with lip service. As the slow progress of German *Vergangenheitsaufarbeitung* showed, public postwar expressions of Nazi sentiment were legally unacceptable; by the 1980s they were socially unacceptable; now most people find them morally

unacceptable. Recent backlash does not undermine the fact that this kind of progression is usually necessary. Moral revolutions do not happen all at once. As Kwame Anthony Appiah showed in *The Honor Code*, social ideas of what is shameful are crucial in creating genuine shame.

My central thesis stands opposed to much of what Améry wrote in “Resentments,” but the essay remains enormously valuable for the light it sheds on the victim’s moral psychology. It also underlines what the author Ta-Nahisi Coates called the crucial element of reparations: a revolution of national consciousness, a spiritual renewal.⁵ Imagine an America where people were ashamed to hang portraits of their Confederate ancestors in uniform or to cling to the statues that honor them. Imagine an America where the raw and brutal truth of slavery and racial terror were integrated into historical narratives of American exceptionalism. The first condition of such a transformation would be profound: sincere apology for the torment that nonwhite Americans suffer.

It’s revealing that the U.S. Congress did not even issue an apology for slavery until 2008: until you grasp the reach of your sins, you cannot really apologize for them. The congressional aides who wrote the 2008 resolution had clearly learned their history, for the apology didn’t stop with emancipation but included remorse for most of the racist crimes that followed it. The House of Representatives concluded by expressing its “commitment to rectify the lingering consequences of the misdeeds committed against African Americans under slavery and Jim Crow and to stop the occurrence of human rights violations in the future.” That rectification is yet to come. As Israel recognized when it demanded an apology from Germany before even entering into negotiations over reparations, reparations without apologies are blind. But apologies without reparation may be empty.

Outside of Germany, only scholars of contemporary German history know much about the country’s efforts to work off its past, but the fact that it paid reparations is sufficiently well known to be the precedent for every argument that America owes compensation to descendants of enslaved people.⁶ At first glance, the case for American reparations for slavery has little in common with the case for German reparations for the Holocaust. The Allies and the not-yet State of Israel began to discuss the latter even before the war was over, and the treaties signed at Potsdam affirmed the principle that Germany owed compensation for the destruction it had wreaked on the world. The destruction was so massive that the Allies acknowledged that Germany could not truly compensate for it without being ruined. Those initial discussions were less about compensation for individual victims of the Nazis than about compensation for the destruction of the Allies’ respective territories. There was no need for argument or a complex verification process. Wehrmacht soldiers had been ordered to lay waste to a gigantic swath of territory, and lay waste they had. Immediately following the war, the Soviet Union began to dismantle factories and rolling stock from the eastern sector as payback for the devastation Germany had inflicted on Soviet territory. “Nobody was enthusiastic about the fact that the Russians deconstructed the train tracks,” said the writer Daniela Dahn, “but most people expected worse. There had been plans to turn the whole country into potato fields. And we knew who started the war.” She never heard another East German say the punishment was exaggerated. “The resentment was less directed toward the Russians than to West Germany, because they were originally supposed to pay reparations to Russia as well.”

They did not. But only a few years later, West Germany signed an agreement with the State of Israel and the Jewish Claims Conference—organized to represent those Jews not living in Israel—to pay compensation to Holocaust victims. At the time, it was crucial to avoid the word *reparations*. The reparations demanded by the Versailles Treaty after World War I helped to undermine the German economy between the wars. Even more important, Germans felt they were unfairly blamed for what was, in the end, a mad scramble for power and colonial territory in which none of the actors was blameless. As the economy worsened, those feelings turned into deep resentments that fed the rise of the Nazi Party.⁷ The demand for reparations for the First World War played a part in fueling the second, and nobody wanted to make the same mistake twice. Instead, West Germany got the Marshall Plan, and the question of further reparations was tabled until a final peace treaty could be negotiated. By the time a treaty was signed, in 1990, the question was considered obsolete.

West Germany had already paid some 80 billion marks to victims of the Holocaust, including payments made to individual survivors and hundreds of millions to the fledgling State of Israel. The toxic word *reparations* was replaced by one that had little history but was all the more problematic: *Wiedergutmachung*, which literally means “to make things good again.” It was a word Arendt used to describe the resolution of ordinary injustice and enmity. But in describing her shock at the revelation that the stories of mass murder were true, she said, “It was really as if an abyss had opened. Because we’d always believed that everything else could be *made good again*, as everything must be able to be *made good again* in politics. Not this. This should never have happened.”⁸

No wonder so many Israelis found the prospect of accepting reparations noxious. The new state considered forbidding all contacts with Germany, and Germans, by law. Israeli passports were stamped, in English, with the words NOT VALID IN GERMANY, and *Ha’aretz* instructed its readers to avoid even the sort of casual contact with German nationals that might occur at a hotel in Switzerland.⁹ Few Israelis needed instruction. Rage at the nation that had murdered their parents and children ran so high that some survivors declared that only the murder of six million Germans would be adequate redress. The idea that Germans could make things good again by offering money in return for lives ended—or, at best, wrecked—by Nazi crimes led many Israelis to protest the very idea of negotiations. Those protests turned violent in 1952, when the future prime minister Menachem Begin led a demonstration that ended with broken windows in the Knesset, where the matter was being debated.

Israel’s legendary prime minister David Ben-Gurion was more pragmatic. Israel and West Germany needed each other: “The United States and other countries were endeavoring to bring Germany back into the family of nations just as Israel was battling for its international position against the efforts of the Arab countries to isolate the Jewish state.”¹⁰ As the Cold War intensified, U.S. scruples about allying with former Nazis waned. Despite a strong domestic movement in support of postwar demilitarization, plans for the Federal Republic to join NATO were already in motion. There was a small window of opportunity in which an Israeli demand for and a German offer of reparations would serve both countries’ geopolitical interests. Ben-Gurion opened it.

In secret meetings he initiated, representatives of Germany and Israel discussed every aspect of a possible agreement, each constrained by the knowledge that his own nation was uneasy with the idea of reparations at all. The actual amounts were debated, of course, and the bargaining followed a process familiar to anyone who ever set foot in a souk. Each side demanded more, and accepted less, than the sum that was finally agreed upon in closing. (The Israelis began with a demand for \$1.5 billion, Adenauer with an offer of \$2 million. In the end the agreement was signed for a sum of \$820 million in 1952 currency, 70 percent of which would be paid in German goods.) More interesting than the expectable haggling over sums was the wrangling over words. Was the Holocaust an injustice or a crime? In his first speech to parliament in 1949, Adenauer had lamented the wartime suffering of a long list of Germans—those who lost their homes to annexation or bombing, those interned in POW camps, those who were widowed or crippled. His failure to mention any non-German whose suffering was caused by German war crimes provoked criticism at home and abroad. Before entering into talks about concrete sums, therefore, Israel insisted that Adenauer make a formal statement to parliament admitting German culpability for crimes against the Jewish people. The statement was virtually drafted by the Israeli government.¹¹ The Jews wanted more acknowledgment of guilt, the Germans wanted less, and what emerged was a compromise. Still, the president of the World Jewish Congress, Nahum Goldmann, who was chiefly responsible for the success of the final negotiations, described Adenauer's speech as follows:

What happened on that day in the German federal parliament was a novel departure in political history. In contrast with customary political practice, which always seeks to justify its own point of view and to make moral demands only on its opponent, the German people . . . freely and of their own accord acknowledged their guilt for past events and assumed responsibility for them. This suddenly opened an entirely new dimension in politics.¹²

Despite their opposition to compensation, a majority of West Germans acknowledged the justice of returning property that had been stolen from German Jews. But that was a matter of restitution, not reparations. It was much harder to claim that money was owed to a state that hadn't existed when crimes were committed against its citizens. Israeli negotiators argued that the money was needed to absorb the half-million refugees the German state had made homeless, whose health had been so decimated by German crimes that they could not contribute to the development of a poor and precarious state. It was a claim on which all sides could agree because its truths were undeniable. When Germany offered to make part of its payments in shipments of butter, Goldmann replied that Israelis could only afford margarine.¹³ At a time when anti-reparations demonstrators in Jerusalem carried signs reading what are my murdered parents worth? the cost of integration was also the only thing that could decently be quantified.

Adenauer's decision to offer reparations was unpopular among most West Germans, which is part of what leads many historians to believe his motives were sincere. In addition to wanting membership in NATO and fearing harm from "Jewish banking circles" and "Jewish economic power," Adenauer seems to have believed that some compensation for the Holocaust was due.¹⁴ Nonetheless, both then and thereafter, the process that survivors had to endure to receive reparations was mean-spirited and arduous. There were legitimate concerns about fraudulent claims, but they hardly justified the ways that

Auschwitz survivors had to document the circumstances under which they arrived at the camp, find two sworn statements from witnesses confirming their presence there, submit their tattooed numbers for cross-referencing, prove that medical injuries were sustained there and remained debilitating—and finally demonstrate that their incomes were unacceptably low.¹⁵ At the end of the process, the survivor who successfully documented her claims could receive \$450 for each year she spent at Auschwitz. Although \$450 was worth somewhat more in 1953 than it is today, it was still significantly less than the pensions paid to former SS guards and their widows.

However stingy the payments and stone-hearted the process for attaining them, Nahum Goldmann was right: the reparations marked a historical shift. Traditional reparations were something that victors imposed on the vanquished, whose treasure and territory were taken as spoils of war without any appeal to right or wrong. Germany was indeed vanquished, but the reparations agreements were made voluntarily, albeit in the conviction that they would improve postwar Germany's miserable standing in the world's court of public opinion.

Those who oppose American reparations for slavery are quick to dismiss the precedent by pointing out the differences between the two cases. Their arguments turn on the justice as well as the difficulty of assessing claims made on the basis of a crime that occurred generations ago. Is slavery responsible for the enormous wealth gap between average white and black Americans 150 years after the Emancipation Proclamation or the fact that young black men are more likely to land in jail than in college? And even if it is, how on earth should we determine who's entitled to relief? Slaveholders' records were rarely as systematic as those of the Nazis. Most Americans today believe that slavery was a crime. But after so much time and so little clarity, most also believe that any attempt to compensate the victims is hopeless. Besides, as the African American linguist John McWhorter and others have argued, hasn't affirmative action been an appropriate form of compensation?¹⁶

"The belief that blacks have been given too much is made possible by the refusal to countenance how much was actually taken away in the first place," wrote the author Jelani Cobb.¹⁷ Affirmative action has been under attack since it was introduced, and whatever its limited successes, it could not serve the purpose that reparations are meant to serve. If affirmative action programs speak of the need to level the playing field, reparations claims seek justice for a crime. The need for affirmative action was grudgingly accepted and meagerly implemented, but it's easier to swallow a sports metaphor than to acknowledge an atrocity. Ta-Nehisi Coates is right to argue that "the idea of reparations is frightening not simply because we might lack the ability to pay. The idea of reparations threatens something much deeper—America's heritage, history, and standing in the world."¹⁸

Many—perhaps most—countries have rapacious and violent histories that they cover, in time, with a fuzzy blanket of benevolence. *We brought the natives religion, or railroads. The natives were no angels either, and besides, our neighbors were worse.* In the end, the attempts at justification come to little more than *everybody does it, and we weren't as bad as some.* American sins are not worse than those of other nations. They are simply more jarring because, unlike the foundation of other nations, America's

took place amid a fanfare of ideals. Other nations commenced by believing in nothing but themselves; only America began its morning by pledging allegiance to a set of principles.

That Native Americans had a right to life, and African Americans to liberty, was a truth whose self-evidence eluded the Founding Fathers. From its inception, the United States of America insisted on ideals it refused to realize. Yet those ideals refused to fade. Sometimes they merely served the cause of self-delusion, but sometimes they retained enough weight to guide every progressive movement from abolition to the present day. Given that fact, recognizing the justice of reparations is a recognition of the need to rethink American history.

Over decades, such rethinking has taken place in departments of history and postcolonial studies; only occasionally has it penetrated popular consciousness. Very simple truths, like the fact that the Civil War was fought over slavery, need to be reestablished again and again. Descendants of Confederate soldiers have self-serving reasons for denying that their ancestors fought and fell in service to a criminal enterprise. It's natural to defend the honor of your forebears, if only with arguments so facile that a well-educated child could see through them. *He fought for states' rights. States' rights to do what?*

Sadly enough, the view that the Civil War was not fought over slavery has also been supported by intellectual trends on the left; in recent decades, we've become cynical about any claims suggesting that people take risks on behalf of moral principles.¹⁹ Not conservatives, but people who call themselves progressive are often most intent on deconstructing the heroic Union narrative of the Civil War upheld by William James. It's easy to show that, unlike James's youngest brothers, the majority of those who fought for the Union were not in favor of emancipation. It's easy to point to Lincoln's statements denying racial equality. John Brown he was not, though Lincoln came to echo Brown in his somber Second Inaugural Address. Before the war began, preserving the Union was paramount. Only as it came to its bloody end was emancipation a central goal—partly due to the courage of two hundred thousand African American soldiers who fought for it.

The cause of the Civil War lies in the logic of slavery itself. When the war began in 1861, the slave system provided much of America's wealth. During the political battles of the 1850s, only slavery's expansion into the new territories was explicitly contested, whether in the halls of Congress or on the plains of Kansas. Just a minority demanded abolition, but because cotton production exhausted soil quickly, the slave system could not continue to enjoy massive profits without extending west of the Mississippi. The need for more land meant that the system had to expand or end, a fact recognized early by those who fought so hard, in the 1850s, to establish slavery in Kansas and California.

§

Any serious discussion of American reparations for slavery must acknowledge two facts:

1. America's wealth is intrinsically bound up with profits from slavery, from the plantations of the South to the factories of the North.

2. Chattel slavery was abolished in 1865, but it was replaced by other forms of subjugation that were not just a function of custom and prejudice but a matter of law.²⁰

Earlier histories of slavery portrayed it as a premodern, agrarian institution, “fundamentally in contradiction with the political and economic systems of the liberal republic . . . inevitably the contradiction would be resolved in favor of the free-labor North. Sooner or later, slavery would have ended by the operation of historical forces.”²¹ Recent historical work has shown, however, that slavery was a major engine of economic growth, becoming ever more efficient until the outbreak of the Civil War. That growth was not confined to the Southern states where cotton was picked, though they were seven of the eight wealthiest states in 1860. As the nineteenth century’s most traded product, cotton produced by enslaved people was directly or indirectly responsible for the growth of American and British economies.

Cotton was as central to the nineteenth-century economy as oil is to the economy today. “Cotton is King,” said South Carolina senator James Hammond shortly before the Southern states seceded from the Union, “and no power on earth dare make war on cotton.”²² At the time, cotton made up 60 percent of U.S. export revenues, and the United States produced 60 percent of the world’s cotton. It wasn’t just the raw material for the nineteenth century’s most successful industry, the textile mills that were as profitable in Manchester, New Hampshire, as in Manchester, England. Cotton also drove increasing demand for iron goods, rope, furniture, and shoes.²³ Apart from the products produced by their labor, enslaved people themselves made up 20 percent of America’s wealth. Given the ease with which they could be sold on the market, enslaved men and women were also the most liquid form of wealth. The historian Edward Baptist showed that the owners of the nearly one million slaves who were sold from the Upper South to work the cotton and cane fields of Alabama, Mississippi, and Louisiana were less likely to be paternalistic planters fallen on hard times than remorseless entrepreneurs. As cotton production boomed, the separation of enslaved families became central to the slave system. Slaves were torn from their families because they fetched twice as much in New Orleans as they did in Virginia. Less obvious but more insidious was the way that bonds using those slaves as collateral enriched investors all over the world.

Sometime in elementary school I learned that a white farmer from Massachusetts named Eli Whitney invented the cotton gin. I learned that his invention made it easier to harvest cotton and was thus important for the Industrial Revolution, though without any understanding of cotton economics, I could hardly understand why this little piece of American history deserved attention in a textbook. I learned nothing about torture. Whitney may have invented the machine, but the men and women who served it were regularly and brutally whipped in order to increase production. In the absence of torture, a free laborer could pick some hundred pounds a day, the average rate to which production fell after slavery was abolished. At the height of the cotton industry in the 1850s, many enslaved cotton pickers averaged more than two hundred pounds every day.²⁴ The overseers’ ledgers recorded the amount of cotton picked and the number of whippings administered next to each slave’s name. Whoever failed to meet the constantly rising quota of cotton was subject to lashing with a ten-foot whip. Baptist showed that this form of torture was not the product of accidental sadism nor even a matter of punishment for

alleged infractions. It was a central factor of production, forcing enslaved men and women to labor at inhuman speeds. "The whip," he concludes, "was as important to making cotton grow as sunshine and rain."²⁵

As the Civil War drew to its bloody close, there was considerable discussion about what would become of four million emancipated African Americans. There was initial support for the idea that they were owed some compensation for generations of forced labor. General Sherman and Secretary of War Edward Stanton met in Savannah with twenty black freedmen, most of them ministers, to ask what they wanted for their people. The answer was clear: they wanted to own the lands they had formerly worked for others, divided into plots large enough to support their families. Asked whether they would prefer those plots to be scattered among white people or to live in colonies by themselves, Reverend Garrison Frazier, the group's chosen leader, replied that Southern prejudice against blacks would take years to disappear; blacks would prefer, for the time being, to live by themselves. Four days later, Sherman issued Special Field Order 15. It set aside the islands south of Charleston, the abandoned rice fields along the rivers, and the county bordering the St. Johns River, Florida—a total of four hundred thousand acres—"for the settlement of the negroes now made free by the acts of war and the proclamation of the President of the United States."²⁶ Each family was allotted "not more than forty acres of tillable ground" and no white people, with the exception of military on duty, would be permitted to settle there.

The mules were promised later, but not by any binding order. The proposal to grant forty acres and the means to farm them seemed a matter of good sense and justice, not only to freedmen and -women but to officials of the Freedmen's Bureau and many other white Republicans. Had it been realized, it would have been an act of reparation for the thousands of acres those African Americans had worked, under the lash, without pay. Moreover, the vision of small, independent farmers exactly fit Jefferson's conception of the ideal conditions for a democratic republic. A few months later, the Freedmen's Bureau controlled nearly a million acres set aside for this purpose—0.2 percent of land in the South.

But Jefferson's vision had been replaced by reveries of profit in the world cotton market. Both North and South preferred large plantations producing for export to self-sufficient small farmers.²⁷ Moreover, President Andrew Johnson was keen on restoring the rights and properties of the Southern planters who'd always had his sympathy. Not half a year after Lincoln's murder, Johnson overturned every order that had granted land to freed people and returned it to the planters who had started the war. As Martin Luther King Jr. said in 1968:

At the very same time that America refused to give the Negro any land, through an act of Congress our government was giving away millions of acres of land in the West and the Midwest, which meant it was willing to undergird its white peasants from Europe with an economic floor. But not only did they give them land, they built land grant colleges with government money to teach them how to farm. Not only that, they provided county agents to further their expertise in farming.²⁸

African Americans working the land could no longer be returned to pre-war slavery, so sharecropping, a form of serfdom, was put in its place. Under the sharecropping system, the sharecropper worked the owner's field in exchange for a percentage of the crop. Sharecropping families were forced to buy

everything they needed, from seed to salt, at the plantation store. They usually had to buy necessities on credit, at exorbitant interest rates, at the beginning of each season. The possibilities for cheating and outright theft were rampant, and generally exploited, for the owners were still seething at the loss of the people they regarded as property. The amount of cotton the sharecroppers picked was regularly underestimated, the price of goods was regularly inflated, and most sharecroppers never got out of debt. Though no longer in shackles, they could not leave the land.

Through enormous effort and self-discipline, some newly freed men nevertheless managed to become businessmen, teachers, lawyers, and even congressmen during the brief period of Reconstruction. Then Reconstruction was followed by the period commonly known as Jim Crow, named after a blackface minstrel caricature. Several writers now insist that the term is too innocuous to capture the horror of life in the South after Reconstruction. The journalist Douglas Blackmon proposed the term “Age of Neoslavery,” arguing “Imagine if the first years of the Holocaust were known by the name of Germany’s most famous anti-Semitic comedian of the 1930s.”²⁹ Bryan Stevenson calls it the Age of Racial Terror, bell hooks calls it the age of apartheid. Both neoslavery and terror were instruments white Southerners used to wipe out the gains of Reconstruction. In the absence of federal troops and Northern engagement, Southern states fiercely enforced the laws known as the Black Codes, which were largely successful attempts to evade the Thirteenth Amendment:

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

The most systematically pernicious of those attempts turned on a clause in the first section of the amendment itself. It outlawed slavery and involuntary servitude “except as punishment for a crime whereof the party shall have been duly convicted.” In the warped justice system of the postwar South, nothing was easier than inventing crimes and duly convicting African Americans of them.

Blackmon argued that the system of neoslavery, which persisted into the early years of World War II, explains more about contemporary American life, white and black, than antebellum slavery. Neoslavery was even more brutal. Under the old system, a chattel slave was the owner’s property. Having made a considerable investment in a black human being, the enslaver had an economic interest in preserving that investment by upholding minimal standards of nutrition and health. Under the new system, convicts were not owned but merely leased by state prisons to private corporations that mined coal, forged steel, or built bricks. In some Alabama prison camps the mortality rate was 40 percent. If a convict died from malnutrition, lashing, overwork, or disease, the corporation could always get another. The price was trivial for the business owner, though the revenue was crucial for government coffers in states notoriously unwilling to levy taxes. Besides, the workers in question were criminals, weren’t they?

Blackmon’s devastating research shows they were not. Most were arrested under deliberately obscure vagrancy laws, according to which black persons unable to immediately prove they were currently employed by a white person could be charged, convicted, and sentenced to hard labor. Offenses such as

spitting, selling produce after dark, walking next to a railroad, and talking loudly near a white woman could also result in prison terms. Under the new laws, it was no accident that 90 percent of prisoners in Southern jails were African American. Rather than reflecting on the legitimacy of the laws, however, most whites used the rise in African American crime rates to argue that blacks were inherently criminal. The resulting image of African Americans was even worse than it had been under antebellum slavery: people who'd been formerly viewed as loyal, albeit inferior, were now seen as dangerous. The increasing number of blacks in jail was used to support the old argument that they were not yet ready for freedom. In fact, Blackmon showed that the timing and scale of arrests were repeatedly correlated with the demand for cheap labor. Just before harvest time, for example, the number of arrests increased dramatically.

State officials responsible for arrests and convictions cooperated closely with the businesses to which convicts were leased. In some cases, business and law were controlled by the same person. Rounding up black men, and occasionally women, and putting them in the chains from which their parents were so recently freed served two purposes well. Along with the fear of lynching, fear of arrest kept Southern black people in a permanent state of intimidation. Many who were seized and sentenced never saw their families again, despite those families' appeals to federal authorities for help in finding the prisoners. Convict leasing was as effective a means of enforcing white supremacy as any ever devised.

The other purpose of the convict lease system was even more far-reaching. The growth of convict leasing coincided directly with the growth of the international labor movement. Access to a limitless supply of dirt-cheap labor allowed business to depress wages for free workers, break early strikes, and suppress the drive for unionization in the South.³⁰ Southern business literally had a captive workforce. In a 1911 letter to the state board of inspectors of convicts, the president of Tennessee Coal and Iron, a subsidiary of U.S. Steel, wrote "The chief inducement for the hiring of convicts was the certainty of a supply of coal for our manufacturing operations in the contingency of labor troubles."³¹ In the conflicts between business and labor that often became battles during the early twentieth century, convict leasing was a potent weapon. Business had no reason to accept workers' demands for decent labor conditions as long as it could force many thousands to work under indecent ones. The system thus damaged working white people as well as black ones, though only the latter were actually subject to whips and chains. Not until America's entry into World War II did Attorney General Francis Biddle order the FBI director J. Edgar Hoover to investigate a case of involuntary servitude. The reasoning behind the government decision was breathtaking. As Biddle's assistant wrote, the case was but one of many instances "in which members of the Negro race have been the victims. Enemy propagandists have used similar episodes in international broadcasts to the colored race, saying that the democracies are insincere and that the enemy is their friend."³²

Blackmon is no radical, but a white man from the Mississippi Delta who was Atlanta bureau chief at *The Wall Street Journal*, which makes his Pulitzer Prize-winning book all the more damning. His research shows that "the prolonged economic inferiority and social subjugation of African Americans that was to be ubiquitous . . . was not a conclusion preordained by the traditions of antebellum slavery."³³ The freedmen were poor, and often illiterate, but so were millions of white Southerners after the war. By the

mid-twentieth century, most of the latter had joined the middle class. Black people suffered a series of reversals.

Shortly after Blackmon's book was published, Michelle Alexander, in *The New Jim Crow*, and Bryan Stevenson, in *Just Mercy*, argued that the mass incarceration of young black men, usually for trivial nonviolent offenses, is a continuation of the convict lease system.³⁴ For possession of marijuana, an eighteen-year-old can be locked into a brutal prison where he is likelier to acquire expertise in lawbreaking than anything else. Even worse, should he seek an honest job after completing his sentence, a felony conviction will deter most employers from hiring him. In most states it will also result in the loss of such basic civil rights as the rights to vote, serve on a jury, receive government financial aid for education, or own a firearm. Study after study has shown that black and white youths are treated differently for breaking the law.³⁵ Despite the 2010 Fair Sentencing Act, the crack that is smoked on a Bronx stairwell is still punished more harshly than the cocaine that fuels long hours in the kitchen of a high-end chef or the office of a Wall Street broker. The injustice is not limited to those who are actually sent to prison. As Stevenson argues, the knowledge that one in three black boys born today is likely to enter the penal system diminishes the hopes and expectations of all of them.

As a result of the war on drugs begun in the late 1960s, the prison population grew from 300,000 in 1971 to more than 2.2 million today. The United States has the largest prison population in the world, far exceeding that of China or Russia. Eighty percent of those prisoners are black or brown. Systemic racism contributes to the perception of those people as likely to be criminals, and that is no accident. The criminalization of African Americans was deliberate and intentional. Here's a quote from the diary of H.R. Haldeman, Nixon's chief of staff:

[The president] emphasized that you have to face the fact that the whole problem is really the blacks. *The key is to devise a system that recognizes this while not appearing to . . .* [He] pointed out that there has never in history been an adequate black nation, and they are the only race of which this is true. Says Africa is hopeless. The worst there is Liberia, which we built.³⁶

The war on drugs was a war on black men initiated by Republicans as part of their Southern strategy to appeal to formerly Democratic white voters alarmed by the gains of the civil rights movement. The Democrat Bill Clinton further institutionalized that strategy through mandatory sentencing policies that appealed to white working-class voters across the country.

As Blackmon argued, commercial sectors of U.S. society were never asked to account for their role in supporting white supremacy, though "it was business that policed adherence to America's racial customs more than any other actor."³⁷ While he marshaled compelling arguments for the idea that industry should pay for its long use of slave labor, Blackmon did not demand that it do so. But the case for reparations received another boost in 2014, when the young writer Ta-Nehisi Coates published an article in *The Atlantic*.

Coates focused on a form of injustice called redlining, which excluded black neighborhoods from the mortgage support that was part of the New Deal. This support, which insured private mortgages, leading

to lower interest rates and down payments, helped millions of white Americans enter the middle class after the Great Depression. A government “could have required compliance with a nondiscrimination policy,” wrote the urban studies expert Charles Abrams. “Instead, FHA adopted a racial policy that could well have been culled from the Nuremberg Laws.”³⁸ As a consequence, black families were subject to predatory landlords and loans, and locked out from acquiring what is, for most people, the primary source of wealth. Small wonder that the Pew Research Center estimates that white households are worth roughly twenty times as much as black ones. Since African Americans earn, on average, 77 percent of white Americans’ salaries, the gap in wealth is much greater than the gap in income.³⁹

Worse still, even those who managed to buy their own homes were damaged by the neighborhood segregation that mortgage policies underlined. It isn’t necessary that public schools be supported by local property taxes. In Germany, for example, school funding is supported by state and national appropriations without regard to neighborhood. In the American system, a child born in a wealthy neighborhood will automatically have smaller classes, more equipment, and better-paid teachers than one born in a ghetto. Since well-educated parents tend to raise well-educated children, these are damages that persist across generations. As the philosopher Elizabeth Anderson showed in *The Imperative of Integration*, segregation is not only the root cause of inequality, but a significant force in undermining democracy.⁴⁰

The development of segregated neighborhoods was not a matter of local prejudice; it was underwritten by federal law. Clauses in FHA mortgages granted to white people explicitly prevented resale to blacks. Redlining was not outlawed until 1968, and some of its victims are still alive. Focusing on them removes the first objection raised concerning reparations for African Americans: How can anyone determine to whom reparations are owed? Here there’s no need to trace lines back to slavery. There are clear enough ways to establish who was left out of the New Deal that made white America a largely middle-class nation, just as they were left out of Social Security, the other lasting New Deal success. In order to sell the New Deal to Southern voters, Social Security was not made available to farm and domestic workers, which excluded 65 percent of African Americans working at the time.

In “The Case for Reparations,” Coates showed that legally sanctioned economic injustice persisted until 1968, and he also showed that some early Americans found the idea of reparations natural. Long before forty acres were promised to liberated families, some Quaker communities made membership contingent on compensating one’s former slaves.⁴¹ In 1810, Yale president Timothy Dwight wrote, “It is in vain to allege that our ancestors brought them hither, and not we . . . We inherit our ample patrimony with all its incumbrances, and are bound to pay the debts of our ancestors . . . To give [slaves] liberty, and stop here, is to entail upon them a curse.”⁴²

You cannot choose your inheritance any more than you can choose your parents. You can only choose your relationship to them. Bernhard Schlink, the author of the best-selling book *The Reader*, has argued that breaking with them entirely is the only way for a German to escape her Nazi parents’ guilt.⁴³ I disagree, and admire those descendants who attempt both to maintain clear antifascist positions and to honor those fathers and mothers whose actions were thoroughly dishonorable. But if you maintain a

relationship, and especially if you assume any part of a legacy, you should be bound to acknowledge its context. Most states require that debts be paid before deceased people's assets are distributed to their heirs. It's an aspect of law that is based on intuitions about fairness: you have no right to enjoy the benefits of an inheritance without assuming its liabilities as well. There is no corresponding moral rule; unlike personal property, historical debt can rarely be quantified. Yet the intuition embodied in the law is one we preserve.

Coates's argument is as simple as it is eloquent. Slavery was, among other things, the theft of black labor that produced enormous wealth. For some early white observers, honor and justice demanded that at least part of the wealth be given to those whose labor produced it. If it can be proved that legal measures created to subjugate African Americans persisted a century after slavery was abolished, the debt that was owed to enslaved people should be paid to their heirs. The evidence for those claims was overlooked only because, for too many Americans, the period between the Emancipation Proclamation and the Montgomery bus boycott is simply blank. Recent research allows us to fill in that blank. Yet even earlier, Martin Luther King wrote, "The South deluded itself with the illusion that the Negro was happy in his place; the North deluded itself with the illusion that it had freed the Negro. The Emancipation Proclamation freed the slave, a legal entity, but it failed to free the Negro, a person."⁴⁴

Reparations, Coates argued, would be the full acceptance of our collective biography and its consequences. It's dishonest to appeal to national pride without acknowledging national shame. If you'd be appalled by a German nationalist who boasted of Beethoven and bratwurst while ignoring Buchenwald, you cannot confine your vision of America to the words of the Founding Fathers or the deeds of the Greatest Generation. You must own American evils as well. Doing so, Coates wrote, would initiate a national reckoning that could lead to spiritual renewal. "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."⁴⁵

From myth to wisdom: it's a matter of growing up. In his argument for reparations, Coates reveals a remnant of faith in American ideals that is at odds with the pessimism for which he's been criticized. Some African American writers, like Cornel West and Thomas Chatterton Williams, have charged that Coates's later writings essentialize race and fetishize white supremacy; they argue for a more universalist vision that attends to the dynamics of class and power. Without such a vision, Coates's singular focus on white supremacy leaves both black and white people without agency, or hope of transcending tribalist conflict. For Williams, white supremacy and Coates mirror each other: "Both [white supremacy and Coates] mystify racial identity, interpreting it as something fixed, determinative and almost supernatural . . . So long as we fetishize race, we ensure that we will never be rid of the hierarchies it imposes."⁴⁶ To hold that ideals are ethnically and genetically determined is to cede the floor to a materialism that leaves human beings without power and ideals without force.

In "The Case for Reparations," however, Coates's appeal to American ideals struck transcendent notes that resonate with some of Obama's most stirring speeches, including the one he gave in Selma, Alabama, on the fiftieth anniversary of Bloody Sunday:

What enormous faith these men and women had. Faith in God—but also faith in America . . . What greater expression of faith in the American experiment than this; what greater form of patriotism is there than the belief that America is not yet finished, that we are strong enough to be self-critical, that each successive generation can look upon our imperfections and decide that it is in our power to remake this nation to more closely align with our highest ideals? . . . To deny this progress, this hard-won progress—our progress—would be to rob us of our own agency, our own capacity, our responsibility to do what we can to make America better.

§

The small town of Selma (population: 18,000) devotes the first weekend in March to celebrating the event that put it on the map in 1965: the march across the Edmund Pettus Bridge that was so brutally suppressed it led Lyndon Johnson to propose, and Congress to enforce, the Voting Rights Act that protected all Americans' right to the ballot. Although that right had been established in 1868 by the Fourteenth Amendment, Southern states were resourceful in finding ways to get around it. The milder ways involved poll taxes, and tests full of unanswerable questions: How many bubbles in a bar of soap? How many feathers on a chicken? How high is up? When those tests failed to discourage resolute black voters, state authorities turned to terror.

The voter registration drive that claimed the lives of Chaney, Schwerner, and Goodman was no less violent in neighboring Alabama. Half a year after the murders in Mississippi, an Alabama state trooper shot Jimmie Lee Jackson, a black veteran and Baptist deacon who had joined others in a peaceful demonstration after five futile attempts to register to vote. It was a time when civil rights workers were told to stay out of Selma—the whites were too mean and the blacks too scared—but Jackson's death was galvanizing. Organizers led by Martin Luther King Jr.'s Southern Christian Leadership Conference decided to march to the state capital with his casket. The first march, on what came to be known as Bloody Sunday, ended when state troopers spilled the blood and smashed the bones of marchers, including twenty-four-year-old John R. Lewis, now a long-serving Georgia congressman, as well as a number of young girls and grandmothers.

Reporters captured the violence on camera, and the nation was appalled. Two days later, Martin Luther King Jr. came from Atlanta to lead the marchers across the bridge, but he stopped to kneel and pray at the foot of a line of armed state troopers. Unknown to most of those who followed him, King had promised not to march without the permit that civil rights attorneys were working to secure. That night, a white Unitarian minister named James Reeb, who had followed King's call to come to Selma, was bludgeoned to death outside a local café. Reeb's death accelerated the pressure to allow the final march to proceed, and on March 21, 1965, thousands of people trekked fifty miles through the mud to Montgomery. This time, nineteen hundred state troopers were under orders to protect them. Arriving in the Alabama capital, the marchers were treated to a campsite rally that featured Harry Belafonte, Pete Seeger, Odetta, James Baldwin, Nina Simone, and Joan Baez.

Since 1992, the march across the bridge—still named for the Confederate general and Klan leader who became a U.S. senator—has been repeated every year. When I arrived at the church where the original

march began, the civil rights leaders Jesse Jackson and Benjamin Barber were speaking to the crowd from the steps. I bought a T-shirt that read I MISSED IT IN 1965 BUT I WAS THERE IN 2017 from a young vendor wearing long dreadlocks. Both Jackson and Barber denounced the Supreme Court decision that had gutted the Voting Rights Act that people had died in Selma to achieve.⁴⁷ In the churchyard, someone passed out printed signs READING STOP VOTER SUPPRESSION! in red, white, and blue. We were there to honor a struggle that took place half a century earlier because it is one that still needs to be fought.

Ain't gonna let Donald Trump, no
Turn me round
Turn me round
Turn me round

As the march began, I positioned myself behind the woman with the best voice, singing along with others as she improvised and led. Pushing a stroller where her daughter sat smiling, wearing a lavender bow that covered most of her head, she sang with ringing determination and perfect pitch. The man singing "I ain't gonna study war no more" the loudest was wearing a U.S. Marine uniform. Maybe it wasn't as incongruous as it seemed: for many black Americans, military service is not only a source of pride but an emblem of full citizenship—one reason why waves of lynchings were directed at black veterans returning from both world wars.

Looking up at the ironwork balconies like the ones I'd seen often in New Orleans, I could tell that some of the boarded-up storefronts were grand in their day. Though cotton made it wealthy in the years before the war, today Selma is as poor as the Delta—without the uncanny beauty of a Delta landscape. The church where the march began is now a national landmark, but the house next to it was abandoned, all of its windows broken, with paint peeling off most of the siding. Across the street a smaller house had simply imploded, spilling planks across what once was a yard. Selma is also racked by gang violence. "Proportionally speaking, we're the eighth most violent city in the country," one resident told me with a hint of pride. It isn't even really a city; as another told me, "We don't even have a chain restaurant like McDonald's."

Selma does have a small museum devoted to African American history, enslavement, and resistance. Housed in one of the storefronts on Water Street, its entry shows a rough mural of men and women bowed over cotton bolls. Above them is the lash-scarred back of a black man and the words *Never Again*, painted, as if written by the blazing sun. At the end of the block is the Old Depot Museum, a large brick building that once was a train station. Now designed to show the history of the region, its main exhibits take up two rooms. The larger one is devoted to civil rights history, showcasing the four martyrs who died in Selma's voting rights struggle. The other room is devoted to the Confederacy, complete with canon, cannonballs of varying sizes, a clean Confederate flag, and a pair of worn crutches. The day I visited, a woman was setting up chairs in the civil rights room in preparation for the monthly evening meeting of the Sons of Confederate Veterans.

“It’s the best room,” she told me. “Of course, I could just move that cannon and they’d all fit into the Confederate room.”

“So why do it this way?” I asked.

“I’m just a bitch”—she laughed—“and I think it’s funny to make ’em sit there.”

She was not at the march, but thousands of others were. There were old men and women aided by wheelchairs and walkers; there were children on shoulders and on foot. Three young white women wore Black Lives Matter T-shirts; one young black woman carried a handmade sign reading THIS COUNTRY WAS FOUNDED BY IMMIGRANTS. A grand lodge of African American Masons were dressed in stiff suits and black bow ties. There were two Buddhist monks in long saffron robes who come every year from Japan. A young white girl held a sign that said I WILL VOTE IN 2028. Three Jews wore T-shirts reading MONTGOMERY COMMUNITY in English and Hebrew. As we neared the bridge, the black woman with the wonderful voice struck up “We Shall Overcome.” When she reached the verse that begins “Black and white together,” I turned around. Everyone behind me was singing. It was all still possible: solidarity, hope, and even “America,” which she sung out next, with even more gusto. *God shed his grace on thee.* Do you hear it as a statement about the past or a prayer for the future?

On the other side of the bridge stand memorials to civil rights leaders and martyrs, named or unknown. That day they were flanked on either side by smiling black families posing for pictures. Behind them the live oak trees were as gray as the Spanish moss that draped them under the cloudy March sky. Rows of outdoor stalls selling everything from cheap dashikis to neon-colored toy dogs flanked the highway. The Bridge Crossing Jubilee that commemorates the march is the town’s largest annual event. Yet the city council is unable or unwilling to devote funds for the extra fire and police teams needed to remain on duty for the weekend that draws thousands to this forsaken place.

I’d signed up for a workshop connected to the jubilee. In four days, if I wanted, I could be certified as a Kingian Nonviolence trainer by Dr. Bernard Lafayette, one of King’s assistants who was injured on Bloody Sunday, and his multiracial team. The participants were housed at a local black college. When I arrived there after the long drive down unlit back roads from Oxford, I felt chastened. One bathroom in the shared apartment had no mirror; in the other, the toilet was perpetually flushing, and a little force could knock down most of its walls. The building called the president’s house was reserved for special guests; it only hinted at the desperate underfunding of the other college facilities. But the Healing Waters retreat center, site of the workshop, lay on a lovely spot of land overlooking the river. From the deck you can see the bridge where the battles took place.

Like the Winter Institute, the Selma Center for Nonviolence believes in the power of storytelling, the necessity of building relationships in order to get community work done, but in the Selma training there was little mention of race. Although Selma is 80 percent African American, Ainka Jackson said that few people, white or black, were interested in talking about it. “This isn’t New York,” she told me. “If I said we were holding a panel on race, I would hear ‘There they go again.’” She finds it more effective to focus

on community problems—education, homelessness—even though they affect far more black than white people. Even in Selma, she told me, nobody talked about Bloody Sunday until Ava DuVernay’s movie *Selma* appeared.

Ainka is the director of the Selma Center, and her biography is impressive. She comes from an extraordinary family, who are largely responsible for organizing the jubilee, the center, the African American Museum, and most of the progressive community building that takes place in Selma. Her father, Hank Sanders, was the second of twelve children born in a three-room shack in the Alabama Black Belt. A scholarship took him to Harvard Law School, where he met his wife, Rose, who later changed her name to Faya Rose Touré to erase the names of her ancestors’ enslavers. They moved to Selma and opened a law office. In addition to practicing law, Hank became a state senator while Faya Rose became an artist, a songwriter, and a community activist whose impatience has annoyed or inspired most everyone in Selma. She wears exquisite African clothing that looks more suited to Cambridge or Cape Town than to Selma. Together they raised three children, four foster children, and an uncountable number of homeless people, including one from Japan who showed up at their door.

All three of their children became activists and lawyers—“because people listen to lawyers,” said Ainka, who had earlier been a teacher and a social worker. All three of them were onstage for the mock trial that takes place every year in the Dallas County, Alabama, courthouse, where so many African Americans had tried and failed to register to vote half a century earlier. In 2017, the subject of the trial was reparations for slavery. Sanders and Touré had been lawyers for the class action suit made by black farmers against the U.S. Department of Agriculture, which systematically denied black farmers the loans easily granted to white ones in the years between 1981 and 1995. Each of the plaintiffs received compensation, capped at \$50,000 apiece, in 2013. Although that was often less than the actual damage they’d suffered, the \$1.2 billion settlement was the largest ever paid as reparations for racist discrimination.

Now Touré was arguing a harder case. The fifteen thousand black farmers were still alive, the damages they suffered possible to trace. In the mock trial, she represented all those whose ancestors were enslaved in the United States of America. She called for compensatory damages for the work that was never remunerated, punitive damages for the harm done to succeeding generations. A woman called Sister Youni played the part of a slave, describing the Middle Passage, the labor, the hunger, the master who came most nights to have his way with her.

“So we add unpaid child support, Your Honor,” said Touré to the mock judge. “How old are you?” she asked the witness. “Are you living in the nineteenth or the twenty-first century?”

“How can I know if I was never allowed to read or write?”

The next witness was Roy Winbush, a psychologist who wrote two books about reparations. He spoke of the damage done to descendants of enslaved people, arguing that the wounds of black women had always been underestimated. “Look at our skin color, look at our hair. All of us have an ancestor who

was raped.” Arguing for the straight line between that history and the fears of African Americans today, Winbush said, “Look at how we lower our voices when we say the words ‘white people’ even when there are no white people in the room.” The audience laughed.

The lawyer for the defense was Touré’s oldest daughter, Malika, heavily pregnant with her seventh child. As lawyers do, she argued about precedent: courts give compensation only for direct personal injury. There was no precedent for this kind of compensation. In 2013 the United Kingdom paid 20 million pounds to five thousand elderly Kenyans who endured torture during the Mau Mau rebellion, but that case was settled rather than tried, and those who’d been damaged were still living. Any court would say that the plaintiffs demanding reparations for slavery had no legal standing.

Any court would also deny the right of a witness to connect with his ancestors before answering a question. “You hear voices?” asked a cross-examiner.

But this was a mock trial, and Touré replied that connecting with ancestors is an African tradition, so moments of silence were allowed. With contempt, she dismissed the argument that African Americans wouldn’t know how to spend reparations responsibly. “If you hit someone’s car, would anyone argue he didn’t deserve reparation because he’s too stupid to spend it?” The defense argued that the case could be decided only by Congress, as courts only have jurisdiction over immediate personal injury, while it undermined any hope of congressional action by pointing to the budget deficit. Still, the verdict was unsurprising: the mock judge awarded \$10 trillion in compensatory and \$30 trillion in punitive damages. The courtroom cheered.

The mock trial was part of an all-day Southern Reparations Summit, where I was usually the only white person in the room. A couple of visits to black churches aside, it was an entirely new experience for me, and I ached for black friends who experience the reverse situation all the time. You can- not fully trust, and you do not really belong, leaving everyone floating in an air of uncertainty we politely pretend is normal. I took my seat, sat up straight, and listened. In addition to the Sanders-Touré family, the discussions were led by the leaders of N’COBRA, the National Coalition of Blacks for Reparations in America, founded in 1987. Senator Sanders began the summit by saying that the black farmers’ lawsuit, though limited, had established a principle: the U.S. government has a duty to act when people were wronged by its actions. Although legislation as well as litigation would be needed for further justice, he hoped the success of the farmers’ suit would encourage those who continue to work for comprehensive reparations. A loose set of arguments followed, punctuated alternately by humor and anger.

“Sherman didn’t mention mules when he promised forty acres, but land came with mules those days. Otherwise it’d be like offering you a Lexus without an engine.”

“The Jews got reparations for what happened between 1939 and 1945. What we suffered was worse and longer. Only what happened to Native Americans is comparable.”

“White folks ask: Should Oprah get reparations? Nobody asks the Jews if Steven Spielberg should get reparations.”

“When a white man tells me his grandfather wasn’t a slave owner, just a smart engineer, I say that’s just like a gambler who makes a bet on a pile of stolen money. Even if he didn’t steal it, it’s still stolen.”

“Not all white folks were slave owners, but they didn’t say a mumbling word.”

“There were white people who died in the struggle right here in Selma.”

“Just three. But white folks’ fear of us is profound; they know the debt is enormous.”

“Whites are happy to tell you their grandmother was Choctaw, but not that she was black—though sixty percent of Southern whites have black blood.”

“Education is the problem. In a culture that emphasizes STEM subjects over the humanities and social sciences, we’re cutting out the disciplines that teach critical thinking. That’s deliberate.”

“Once we integrated, we adopted other people’s values—individualism, materialism—and left African values behind.”

“Africans have been cleaning up white folks’ mess for years, not just in the U.S. but in the Caribbean. We’re not asking for handouts, just trying to collect what’s owed us.”

The large and crowded room was full of children, from infants to ten-year-olds. Surrounded by large and loving families who passed them from arm to arm, they were extraordinarily well behaved. The Freedom Singers, founded by SNCC, were white-haired, one unsteady on his feet, but they could still belt it out. “Music was the glue that held the movement together,” said one before striking up “Oh, Freedom.” Two teenage boys performed a hip-hop song they’d written called “Put the Guns Down,” to standing ovations.

The jubilee ended with a workshop called Truth and Reconciliation. Seven weeks after Donald Trump’s inauguration, Bernard Lafayette played a hopeful note. “He’s a blessing in disguise,” said the preacher. “We celebrated for eight years, but we got work to do.” Lafayette argued that we are living at the end of the second Reconstruction: every step blacks take forward leads to white backlash—which doesn’t prevent us from moving forward again. Fania Davis, an activist lawyer who resembles her sister Angela, had come from Oakland to the Selma she views as hallowed ground; the ancestors whose blood soaked this earth, she said, were very powerful. As a child, she lost two close friends in the Birmingham bombing, and she described her own journey from rage to reconciliation. “I get tired of people dissing ‘Kumbaya.’ It’s the way our ancestors got through slavery and lynching. When you bad-mouth ‘Kumbaya,’ you’re dissing my ancestors. In the end it’s just saying we can’t do it alone.” Fania Davis saw progress in our current history: more truth being told.

Two women who lost family members to racist violence took the floor, one after the next. Gwen Carr, mother of Eric Garner, the black man choked to death for selling cigarettes on a New York City sidewalk, said that she must be his voice now. She described how he was demonized after he was killed: looking for traces of drugs at the autopsy, describing him as unemployed and uneducated. “Without that film they would have kept up the story that he had a heart attack. But there is a God.”

Mary Liuzzo Lilleboe was seventeen years old when her mother, Viola Liuzzo, was murdered outside Selma. A white coal miner’s daughter from Tennessee, Liuzzo was a housewife and mother of five living in Detroit when she answered the call to come to Alabama after Bloody Sunday. Driving some marchers from Montgomery back to Selma, she was shot by four Klansmen enraged by the sight of a white woman and a black man in the front seat of a car. Her passenger survived by lying in her blood, pretending to be dead. Mary spoke of the hate mail her family received after the murder, the cross burned in their Detroit yard, the stones thrown at her six-year-old sister. Still, she told us, she wouldn’t change a thing; though she still feels the pain of absence, she is proud of her mother’s sacrifice. Mary regularly comes to Selma, where she feels closer to her mother than anywhere else. The people there “would part the waters for me if they could.” When Obama was elected, her family thought that “every drop of blood was worth it, because *that* happened in our lifetime.” Still, she was worried about the violence Black Lives Matter had brought to the nation’s attention—as well as the fact that the media still paid more attention to murders of whites than blacks. In that respect, little has changed in fifty years: like Goodman and Schwerner, Viola Liuzzo was all over the national media, while Jimmie Lee Jackson’s murder went largely unknown.

As I listened to Liuzzo’s daughter and Garner’s mother, I tried to imagine how I’d feel if German cops were routinely shooting Jews today. My imagination failed. The one time I needed my local police, when an alcoholic neighbor was regularly keeping the house awake by shouting racist slogans, they were more helpful and sympathetic than I’d ever known cops to be.

Driving back to Oxford, I stopped at a fast-food joint in Tuscaloosa, knowing there would be nothing better to eat on the long two-lane road that followed. The paunchy white customers barked at the black woman who served them. “Can you hurry that order, ’cause I got to get my mother-in-law’s teeth back so she can go to choir practice. She won’t go to church without ’em, and I borrowed hers ’cause mine are broken.” No doubt he was a fierce opponent of Obamacare, like most in the region. The men at the other tables and stared at me, their eyes spitting venom. I thought I looked respectable, still wearing the church dress I’d put on for the service that morning, yet somehow the dress revealed that I was an outsider. Or was it something about the way I walk? I returned to my car, put some Dylan on the stereo, and wondered whether Alabama was worse than Mississippi. There’s a long-running contest between them.

§

Aside from the legal claims that reparations for slavery have no precedent, arguments against reparations include a mixture of moral and practical claims. I want to reply to the most important.

1. *The Africans were slave traders too, often selling captured members of other tribes. Since they were just as complicit, Europeans should not be held responsible.*

This argument is sometimes dismissed by pointing to the differences between African slavery and the chattel slavery practiced in the Americas, but the history of neoslavery sketched above shows those differences to be irrelevant. Whatever the relative merits of African slavery may be, Africans did not develop Jim Crow, convict leasing, segregation, or redlining. The strongest case for reparations is based on the fact that subtler forms of subjugation were developed when slavery was abolished, creating conditions that continue to affect lives today.

2. *Reparations would enforce a narrative of victimhood that is unhealthy for its proposed beneficiaries.*

As I've argued elsewhere, a culture of victimhood is indeed unhealthy.⁴⁸ But objections to that culture can become reasons to support reparations, as long as that support is properly grounded. Proper grounding would come with an apology and a full description of the wrong that was done. Unlike welfare or affirmative action, reparations would be seen as a straightforward payment for an overdue debt. If our forebears failed to pay it, the responsibility to do so devolves on those of us who benefit from that failure, whether the benefits come directly from wealth or other privileges gained from belonging to the white majority of a powerful nation.

Interestingly enough, white conservatives in favor of reparations, like Charles Krauthammer and Ross Douthat, have argued that reparations are preferable to affirmative action programs because the latter convey the stigma of ongoing victimhood rather than the straightforward acknowledgment of a debt that is owed. I don't accept their proposals, largely because the amount of compensation they proposed is far too low, but affirmative action has indeed proved to be notoriously problematic. First, it's not clear that it helps those most in need of support. Giving preference in education or employment to members of disempowered groups *so long as it's arguable they are equally qualified* necessarily benefits the best qualified members of those groups, not those who need basic remedial education and other forms of support. Moreover, even when they have been faithfully applied, affirmative action programs can harm even those they are designed to benefit. Don't tell me you never wondered: Did he get that prize for the quality of his work or for the accident of being born black? (This question can be asked by black as well as white folk, women as well as men. Even those who are oppressed may take the view of the oppressor: that's how ideologies work.) I cannot count how many Germans suspect I got my job for the dubious privilege of being Jewish and female; usually the suspicion is only insinuated. But that suspicion infects relationships between members of different groups, feeding resentment on one side and self-doubt on the other. Honest payment of a debt that both parties recognize avoids this. Sidestepping concepts like "trauma" and "victim," reparations are supported by simpler ideas of justice.

3. *Reparations look backward. It's more important and healthier to look to the future.*

This is an argument Jean Améry would accept—while insisting on the reasonableness and right of the victim to look back. Resentment, he wrote, nails the victim to the cross of his past. Still, Améry thought that anyone who was subject to slavery cannot help but look backward.

The sociologist John Torpey, writing on the rising demand for reparations during the 1990s, has an incisive take on this argument in his book *Making Whole What Has Been Smashed*:

The phenomenon is a kind of transitional *substitute* for the progressive politics associated with the Enlightenment, cut out for an age of diminished expectations . . . In the absence of a horizon for which to aim, the excavation of memory and its mysteries compensates for those shortcomings of the present about which their opponents can do little, politically speaking.⁴⁹

Not since the Romantics, he argues, has so much energy been spent digging through the past. Torpey believes this has everything to do with the enshrinement of the Holocaust as emblematic of our age. Though not opposed to reparations, he regrets the loss of the future-oriented politics characteristic of progressivism for the past two centuries.⁵⁰

As do I. But the problem is not only the absence of a forward-looking vision that could command consensus, though this may be changing. More important, ignoring past wounds in favor of future hopes has not worked. Obama’s politics were deliberately forward-looking. To the disappointment of some African Americans, he avoided discussions of race wherever possible. To the chagrin of others, he refused calls to examine the devastating war waged in Iraq by his predecessor. Those pragmatic decisions were understandable. As I shall argue in the following chapter, however, our refusal to face American crimes was central in fueling the emotions that led to the election of Donald Trump.

4. *My family had no slaves. They didn’t even come to America until slavery was abolished.*

Most nonblack Americans are descended from people who came to the country in the waves of immigration that began after the Civil War. Nevertheless, in taking on the benefits of citizenship, they took on its responsibilities as well. It’s usually only first-generation immigrants who consciously take on those responsibilities—if people fleeing poverty, or worse, reflect on such responsibilities at all. Most of us are citizens without active consent. We had no choice about the place where our mothers happened to give birth, and we could not possibly consent to it—any more than we could consent to being born. Some of the most important things that determine our lives are entirely contingent, in ways that can be tragic or wonderful. We may begin by understanding our debts to the past by analogy with familial inheritances, but our responsibility to our nation’s past is political. As Ashraf Rushdy has argued, to be a citizen is not merely to take responsibility for your country’s history since the moment you, or your ancestors, claimed its citizenship. “When citizens accept responsibility for their nation’s past, what they are doing is affirming that the past matters for the kind of encumbered, historically meaningful citizenship they desire.”⁵¹ Political identity cannot merely be a matter of acquiring the benefits that accrue to possessing one passport or another. Though the individuals responsible for slavery and all that followed are long gone, many of the corporate entities, public and private, that legalized and profited

from slavery still exist. So do descendants of those who still suffer discrimination because they are part of a group that was brought to America in chains.

The philosopher Thomas McCarthy makes this argument forcefully:

Our national inheritance was in considerable part unjustly acquired at the expense of African Americans; and as a result, it is now unfairly distributed in respect to them. The issue here is not whether individual citizens' ancestors owned slaves, or whether they have personally benefited from discrimination against blacks, but that they now share in and benefit from an unjustly acquired and unfairly distributed national inheritance. This is not a matter of collective guilt but of collective responsibility; and reparation is not a matter of collective punishment but of collective liability.⁵²

McCarthy's argument is similar to that of Karl Jaspers. Although Jaspers was no Nazi and suffered considerable hardship during the Third Reich, he used the first-person plural throughout *The Question of German Guilt*. So long as they live in a society built on injustice, even those who have not incurred guilt are responsible for correcting it.

5. Demands for reparations are divisive: the vast majority of white Americans, like the vast majority of white Britons, are against even an apology for slavery, much less reparations for it.

So were the vast majority of Germans in the 1950s. Adenauer could muster the votes in favor of reparations only by going outside his own conservative Christian Democratic Union and appealing to the Social Democrats. Outside pressure from the United States played a central role in persuading Adenauer that significant reparations were necessary to gain readmission to what was called the family of civilized nations.

The United States is often remarkably indifferent to the "decent respect for the opinions of mankind" demanded in the Declaration of Independence, but there have been exceptions. Roosevelt's fear of enemy propaganda played a role in his decision to outlaw the peonage and convict labor system. During the anticolonial struggles of the early 1960s, Soviets condemned American segregation; it was the Cold War that helped pressure John F. Kennedy to get serious about civil rights. In the age of an American administration that demonstrates disrespect for the rest of the world on a daily basis, effective outside pressure is hard to imagine. Internal pressure would have more impact. It's easy to forget how long it took America to reach the consensus that civil rights are rights for all its citizens. The sanctification of Dr. King makes it hard to remember how deeply he was reviled, especially toward the end of his life. There's no reason why a serious and persistent public discussion of reparations couldn't shift public opinion, as discussion of civil rights has shifted common views of Martin Luther King. That would be progress even if it didn't result in material compensation. For white Americans,

the massive gap between professional historiography and public memory might be narrowed somewhat . . . in which the dismal state of public awareness of the actual history of slavery and segregation in the United States, of the extent to which it has shaped our culture and institutions, and of the pervasive structural inequalities it has left behind could be improved.⁵³

For African Americans, wrote Randall Robinson, “even the *making* of a well-reasoned case for restitution will do wonders for the spirit.”⁵⁴ Both blacks and whites would benefit from acknowledging the debt that is owed. Few white Americans today do so; if they don’t go so far as to think that blacks should be grateful for emancipation (or affirmative action), most feel no obligation of gratitude for what black people built. Nor are Britons likely to reflect on what the Industrial Revolution owed to slavery. As Robinson and others have argued, too many black Americans have internalized the idea that they should be grateful for whatever they might receive. Acknowledgment that reparations are due—even before they were paid—would be good for all of us.

6. *Achieving a social democratic system for all is far more important—and far more plausible—than pursuing reparations for a specific group.*

This was Bernie Sanders’s answer to a question about reparations in 2016, and it’s been argued by black thinkers as different as Cornel West, Adolph Reed, and Glenn Loury. It’s the objection that tempts me the most, and it calls for a brief digression to explain the difference between liberalism and social democracy.

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For liberals, all human beings have fundamental rights to say what they like, worship as they please, marry whom they love, vote as they choose, live or travel where they will. Liberals call this freedom. Socialists point out that those freedoms are worth little without conditions for realizing them. You needn’t be a materialist to believe that our minds cannot work if our bodies are broken. Thus social democrats acknowledge liberal rights and add the right to fair working conditions, good education, health care, and housing. There’s a long tradition of philosophical argument about the concept of rights itself; the utilitarian philosopher Jeremy Bentham called it nonsense on stilts. I will avoid those discussions and use the word *rights* as it is enshrined in the constitutions of democratic nations in order to highlight the crucial distinction between liberal and social democratic traditions. For liberals, health care, parental leave, and paid vacations are not *rights* but *benefits*, something you may be privileged to have, but not something you deserve simply by virtue of being human. How we conceive and call things has consequences for what we are able to demand—and what governments are prepared to grant.

In arguing that it is humanly and fiscally possible to create a system that regards health care, education, and fair working conditions not as benefits but as rights, both Bernie Sanders and Paul Krugman recently pointed to Denmark. I suspect that neither referred to Germany because the idea of Germany as a model for anything is still hard for other nations to swallow.⁵⁵ This was a mistake, because it’s easy to reply that what works in tiny, homogenous Denmark would be impossible to achieve in large, diverse America. Had they referenced Germany, the world’s fourth-largest economy, they could have pointed to a functioning system that, even under conservative governments, is far to the left of anything Sanders ever proposed.

Two examples must suffice here to illustrate the difference. The cost of comprehensive health care is deducted from every German employee's paycheck; the state pays the costs for those who are unemployed. Health care covers a wide range of services, including medication, testing, psychotherapy, and hospitalization. If you are hospitalized, you are charged 10 euros per day for the cost of your hospital meals. Should your hospitalization last longer than twenty-eight days in one calendar year, the state takes over the remaining cost of your food. The intuition behind this is one Americans find bewildering: if you have the misfortune to be hospitalized for so long, you shouldn't have to suffer financially as well. It's an intuition that rests on the Rawlsian assumption that a just society does what it can to protect its citizens from the slings and arrows of outrageous fortune. Few beneficiaries of that assumption have read John Rawls. Built into the structure of the healthcare system, it has come to seem like common sense.

What happens to an employee's job if she falls ill? For the first three days, nothing at all, as long as she notifies her employer. If she's sick for longer, she must go to a doctor, who gives her a note that "writes her sick"—*krankschreiben*—for a certain period of time, which can be extended as long as necessary. Now, in addition to federal holidays, every German employee receives at least four weeks' paid vacation. Several years ago, a proposal to limit the vacation time of those whose chronic illnesses left them unable to work for long periods was indignantly rejected by Guido Westerwelle, then head of Germany's most business-friendly party. "Sick is sick, and vacation is vacation," he insisted. Westerwelle regarded the concepts as so fundamentally different that the idea of weighing one against the other seemed absurd. It was as if someone had suggested trading your freedom of travel for your freedom of expression because you'd used up your quota of blog posts. Despite all this, Germany enjoys a thriving economy with low unemployment. German businesses argue that generous vacation time improves employees' health and productivity.

When I try to explain such systematic conceptions of rights to Americans, they think I live in utopia. Germans find the American system positively dystopian. They are baffled by the concept of a fixed number of sick days: "What if someone gets sick for longer?" In America, your bad luck is your problem. In Europe, if you suffer misfortune, you can usually expect the state to come to your aid. Now, even with a (partly) social democratic conception of rights, Europe remains resoundingly capitalist; there are large inequalities of wealth both within individual nations and throughout the Union as a whole. Left-wing parties rightly protest inequalities, but European citizens enjoy a system of rights that citizens of the United States, and most other nations, would envy—if they had the opportunity to learn of them.

That they rarely do is the result of a media that, even at its best, holds a neoliberal framework to be the only viable way to structure an economy and rarely reports on the success of alternatives. You can learn more than you want to know about celebrity baby bumps, but little about parental leave in other countries. Despite this, the last years have seen change. The word *socialism* no longer frightens a majority of Americans under thirty-five, and even *The New York Times* now prints articles suggesting that health care might be viewed as a right, not a benefit.

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A thoroughgoing revision of our economic system would be required to guarantee every American the right to good education, health care, housing, and, yes, even paid vacation. This possibility may seem as distant as the possibility of paying substantial reparations for slavery. Indeed, proponents argue, a wide-ranging social democratic program is far more likely to succeed, as it could appeal to the broadest coalition of citizens. Most supporters of reparations support not cash transfers, but programs that would provide education, health care, and housing to those African Americans denied these things by centuries of subjugation.⁵⁶ Why not renounce the demand for reparations in favor of programs that insist on those rights for all? As the political scientist Adolph Reed has argued, even if the injuries caused to African Americans were explicitly racialized, the remedy for those injuries need not take the same form. Reed insists that the problem with inequality is inequality, not the fact that inequality is distributed according to race.

[Race] politics is not an alternative to class politics; it is a class politics, the politics of the left wing of neoliberalism. It is the expression and active agency of a political order and moral economy in which capitalist market forces are treated as unassailable nature.⁵⁷

The longer you live within one system of value, the more you come to regard it as self-evident. Having lived for twenty-five years in a system that regards economic and social rights as basic, I no longer see them as utopian but as normal. The shift in perspective takes place slowly but all the more surely for that. It's the difference between viewing a society that allows sick people to die for want of money as something unfortunate but ordinary, and viewing it with outrage. Today nothing seems more reasonable to me than a society that considers itself bound to provide the basic foundations for dignified living to all its citizens—though I'm well aware that few Americans, who have come to see another system as natural, will find this self-evident at all.

Martin Luther King's Bill of Economic and Social Rights, drafted shortly before his death in 1968, went further than any current proposal. His proposal included a right to a meaningful job at a living wage, as well as a secure income for those unable to work; a right to adequate education; a right to decent housing in a neighborhood of one's choice; and the full benefit of modern science in health care.⁵⁸ In one of his last speeches, he railed about the absence of reparations for slavery. Announcing the Poor People's Campaign, King concluded, "Now, when we come to Washington in this campaign, we are coming to get our check." King's struggle for civil rights was an attempt to ensure that African Americans could attain the basic liberal rights guaranteed within the existing American framework. The human rights he later championed would entail a revision of that framework itself, for it requires economic redistribution. It's therefore not surprising that despite King's iconic status, those rights have been largely ignored.

As one who has come to believe in the justice of social democracy, I strongly support King's economic and social bill of rights for all. If applied worldwide, it would require the world's richest nations to give up some of their wealth. The greater obstacle might be giving up the neoliberal ideology that economic growth is the key to human happiness—or at least that it's the real motive behind most of human action. This would entail so great a transformation in thought and practice that it seems impossible to

achieve. Paradoxically, our greatest present danger could provide our greatest hope for such transformation: climate change could be the catalyst that forces us to abandon the view that economic growth is the key to human welfare.⁵⁹

At the moment, the odds that government and industry will choose to change course and introduce international social democracy seem vanishingly small. Yet if we are reflecting on justice—not probability—we should perform a thought experiment. What if the United States instituted the kinds of social programs advocated by the thinkers previously mentioned? Whether, like Robinson, they regard them as reparations, or, like Reed, they reject the concept of reparations in favor of such programs, all agree that large-scale investment in good schooling from prekindergarten through college, full medical care, proper housing, and decent jobs would make a world of difference to African Americans in urgent need of them. Communities of color would rejoice. The thought experiment I'm proposing asks us to imagine that those services are guaranteed to all Americans as a matter of human rights. Would African Americans be owed something more?

Contrast this question with another. A Holocaust survivor who chose to remain in Germany after the war—and some did—would receive the same palette of social services as her ex-Nazi neighbors. Before Germany's Economic Miracle, those services were limited, but as the 1960s brought prosperity, their range expanded. Would we think justice served if the survivor were guaranteed the same economic and social rights as the rest of the nation, or would we think she deserved something more for the pain and terror most of the nation inflicted on her? No compensation could redeem the loss of her parents or children. Still, something more than regular social services—regarded as a right for everyone—seems owed to her. Something more than words of apology.

Now Améry's moral daydream entailed more than words. What he envisioned but dared not hope for was a broad program of public education that would bring about deep and genuine regret. This would require the kind of explicit and detailed truth-telling that is sure to cause pain. No story can put an observer in the place of a victim. But Améry's own writing, often broadcast on public radio, as well as that of other survivors, was so sharp and devastating that it helped force the guilty nation to wish time undone.⁶⁰ Indeed, Germans' wish to identify with the victims rather than their perpetrator parents produced a rash of people falsely claiming to be descendants of Jewish victims, or even victims themselves.⁶¹ Those false testimonies were the perverse expression of a real desire to undo their nation's crimes. What has happened cannot be reversed, but it can be fully acknowledged, as it can be acknowledged that the irreversibility of the past is no excuse for looking to the future as if nothing had happened at all.

As the philosopher Thomas Brudholm has argued, the tensions so crucial to Améry's thought make the expression of resentment compatible with a striving for reconciliation and a mutual recognition of humanity.⁶² Reconciliation would restore that basic trust in the world that the first blow of torture destroyed for Améry. Yet he also wrote that he had no resentment when he was freed from Bergen-Belsen, the last of the camps where he was prisoner. Being a surviving resistance fighter, a Jew, and a victim of a universally hated regime made him a hero in the first years after the war— "There was

mutual understanding between me and the rest of the world.”⁶³ Only after the political winds changed and German crimes were ignored as the price of integration into the Western camp of the Cold War, did Améry come to feel that the world had turned upside down.

I can imagine that an African American who fought for the Union might have gone through a similar process: celebrated—at least in some quarters— as a hero who suffered and struggled for a righteous cause, he would later be abused and disdained as the nation rejected Reconstruction and any form of regret. I can also imagine that a thoroughgoing working off of American slavery and all its consequences would restore African Americans’ trust in the world that is lost, once again, every time they are followed in a department store. That working off must include complete reform of a justice system that grants little justice to black people. Might that be enough without the trouble of figuring out who owes what to whom? Isn’t the commodification of everything, including suffering, part of what’s wrong with the world?

I can also imagine voices saying: *Bull . . . shit. Those are just excuses to avoid paying up. Of course money can’t make up for murder. But let them start by trying.*

Améry rejected financial reparations, and others might do so as well. I’ve come to believe they should nonetheless be offered, even were African Americans to share in a social democratic system that guaranteed economic rights for all. Financial compensation should be offered on the same grounds that it’s awarded in cases of wrongful imprisonment. No amount of money can make up for years lost. Yet even most courts hold that to release a prisoner after new evidence proves his innocence and leave him with nothing but an apology would be simply shabby.

Nor does it matter whether the wrong was intentional. The historian Isaac Deutscher illustrated this with a parable: suppose a man jumped from a burning house in which many of his family had died, and hit a passing stranger, breaking her arms and legs in falling. If both people were reasonable, they would not become enemies. The jumper would try to console and compensate the innocent stranger, who would understand that she was a victim of accidental circumstance. If they were irrational, they will be caught in an endless cycle of resentment, fear, and revenge. Deutscher devised this parable to describe the justified claims of Israeli Jews and Palestinians in 1967, but it can be applied to many cases.⁶⁴ To this day, Israel has refused to recognize the justice of Palestinian claims that began when Jews fled a burning Europe, and those claims have only become more valid under the long occupation. All the more urgent are the claims of the victims of American racism, whose perpetrators can hardly be compared with someone escaping a burning home.

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After his long career as a diplomat and a shorter one as Brandenburg’s minister of justice, Hans-Otto Bräutigam headed the Memory, Responsibility, and Future Foundation, which was established in 2000 to compensate those non-Jewish laborers enslaved by the Nazis. He knew that no sum could suffice, which is why he rejected the word *Wiedergutmachung*, but he believed that anything that made the

survivors' old age more tolerable was worthwhile. He did not believe that material compensation, however generous, would be sufficient. "The consciousness of German past crimes had to become a basis—*Grundlage*—of our democratic system as a whole," he told me. To a large extent, that has taken place, but Bräutigam still believes that Germany hasn't accepted its responsibility to engage internationally to work for a better world.

I told him about the American debate over reparations for slavery and asked what he thought of it. Like any good German, he eschewed comparisons, insisting that the Holocaust was a singular, and singularly evil, event in human history. Still, he declared that from a moral standpoint, reparations for American slavery seem as justified as the reparations he sought for those the Nazis enslaved. "One must think carefully about the form," he said. "Above all, the descendants should be given the support their families were unable to give them." Given the research on redlining and wealth, this seems decisive. Even a small inheritance can spell the difference between making a down payment on a home and living your days at the mercy of landlords.

How far back do our obligations extend? Noting British prime minister Tony Blair's apology for injustices committed against the Irish a century earlier, the author Robert Penn Warren asked if an apology should extend to Oliver Cromwell, who devastated Ireland in the seventeenth century. Penn Warren thought he was showing the absurdity of demands for historical justice, but the question is worth taking seriously. At the close of the twentieth century, the punk group The Pogues sang

A curse upon you Oliver Cromwell,
You who raped our Motherland

and hoped he was burning in hell as they sang it. As long as public memory is seething over unacknowledged injustice, the heirs of those who wreaked it should, at the least, acknowledge it. "Let My People Go" still rings in our ears.

The philosopher Janna Thompson has argued that obligations to right historical wrongs persist indefinitely, if not eternally. She believes that keeping transgenerational commitments, implicit or not, is the central moral and political good that gives nations the basis for trust. Philosophical theories of reparations depend on two different arguments: one emphasizing historical obligations, the other present needs. The case for American reparations for slavery can be made on both grounds—the historical obligation arising from the evil of slavery, as well as the present economic condition of most of its descendants. To those claims Thompson adds a third: "Maintaining a political society capable of acting justly in a world of nations depends essentially on a moral practice that requires each generation of citizens to take responsibility for keeping the commitments of its predecessors and repairing their injustice."⁶⁵ This way of grounding an obligation for reparations requires no appeal to guilt for the sins of long-dead ancestors, nor does it appeal to obligations automatically conferred by citizenship. It can be applied very widely, though determining the exact obligations must be decided case by case. Particular circumstances always matter.

If there's no algorithm that can calculate how far obligations may go back in time, there is also none that can determine how wide they may reach across space. The claim that the United States owes reparations for slavery has been followed by the argument that European nations owe reparations to the Caribbean community, where slavery was often even more brutal and devastating than it was in the American South. Given the importance of the slave trade, and the products of slavery, for building nineteenth-century Europe's wealth, no further argument might be needed. But the Caribbean community is right to focus on one fact that's particularly galling: after abolishing slavery in its colonies in 1833, Britain paid 20 million pounds to compensate former enslavers for the loss of what they considered their property. The amount, at the time, was 40 percent of annual government income and had to be financed by private loan. British taxpayers paid the interest on that debt until 2015.⁶⁶

In demanding to receive at least the amount of reparations that slave owners received for the loss of property, Caribbeans demand elementary justice. They surely have every reason to demand an apology. Former prime minister David Cameron, whose distant cousin received compensation for the liberation of the people he had owned, refused to apologize during an official visit to Jamaica, saying rather, "I do hope that, as friends who have gone through so much together since those darkest times, we can move on from this painful legacy and continue to build for the future." Other nations guilty of profiting from slavery have been called to account, so far without result. Since 1993, the Organization of African Unity has called for reparations for the damage the continent suffered from slavery and colonialization. During a 2015 meeting with representatives of those countries, a European Union official dismissed their claims with the words, "We cannot correct history. What happened, happened." One wishes he'd read Améry: "What happened, happened. This sentence is just as true as it is hostile to morals."

Opponents of reparations will blanch: the case I've sketched does imply that there is no honest way to resist claims for reparations on a global scale. Lawyers may argue over legal precedent, but moral precedent was set when Germany first paid reparations for the Holocaust. There followed a small but significant number of reparations settlements: for U.S. treaties broken with Native Americans, for Japanese Americans interned during World War II, for black farmers denied loans. Britain even paid reparations to Kenyans tortured during the Mau Mau rebellion. By acknowledging that nations have an obligation to compensate for past crimes, Holocaust reparations opened uncounted doors.

Though the large reparations Germany made were prodded by political force, the principle is one of justice. The difficulty of figuring out how to allot what to whom is no excuse for refusing to try. It's probably impossible to calculate the amounts the United States owes to Native Americans, or European countries to their former colonies. Still, the U.S. could begin by restoring mineral rights on the reservations of the former, and Europeans by forgiving the debt of the latter.⁶⁷ This could initiate the sort of cleansing Karl Jaspers thought necessary and inescapable for Germany in 1946. After reparations to Israel began, other Germans spoke of retrieving lost honor.⁶⁸

Some have suggested that an apology for colonialism is more important than material compensation. The Indian politician and author Shashi Tharoor said that a symbolic payment of one pound a year would suffice as reparations for two hundred years of British rule in India. Reparations, he argued in a 2015

speech at the Oxford Union, are “not a tool to empower anybody, they are a tool for you to atone . . . The ability to acknowledge your wrong, to simply say sorry, will go a far, far longer way than some percent- age of the GDP in the form of aid.”⁶⁹ This is a remarkable statement, given Tharoor’s argument that Britain’s industrial revolution was premised on the destruction of India’s precolonial economy; as in many other colonies, what had been a self-sufficient system was turned into a source of raw material, often through barbaric means. An apology for those abuses would, at the least, acknowledge that foreign aid to developing countries—of which European countries contribute twice as much, relative to GDP, as the United States—is not a matter of generosity but of obligation. It might even restrain the development of the new forms of neocolonialism that many corporations practice today. But, for the reasons just sketched, I don’t believe that acknow- ledgment is enough. Opponents of reparations counter that the cost of all that debt would be impossible to raise, which makes them reluctant to even acknowledge it.

Proposals to repair massive injustice are inevitably met with the claim that there isn’t enough money in the world to do so. Several taxation policies that might finance reparations have been proposed, but if we are serious about seeking the means to restore justice, the real elephant in the room is the arms industry. Too many of us continue to ignore it. If no one ever produced or profited from another weapon again, we’d still have enough to defend (or kill) ourselves many times over. As in the fable of the emperor’s new clothes, it takes a child to point out the obvious. When Malala Yousefzai’s life was threatened for demanding girls’ rights to education, the world took notice, and she became the youngest person ever to receive the Nobel Peace Prize. Very little attention was paid a few years later, when she used her education to argue that all children have a right to twelve years of free education— and that this could be paid for by cutting military spending for *just eight days every year*. That fact, confirmed for me by a Nobel laureate in economics, received little attention because we have no idea what to do with it. If there were an international vote about priorities, a motion to replace military spending with education—at least for eight days—would surely win hands down. We do not even know what structures would frame such a decision process.

When I began writing this chapter, I was not entirely convinced of the arguments for reparations myself. Thinking through the questions made me certain that justice demands them, however challenging it would be to work out the details. Yet when I sent what I hoped would be the final draft to my editor in October 2018, I feared I was going out on a limb so long that readers who had followed me up to this point would refuse to go any further. I could not have guessed that a few short months later, what had been a minority position would play a role in the forthcoming presidential race, or that *The New York Times* would print an argument for reparations citing Lincoln’s second inaugural address to support the claim that “sometimes the costs of repairing sin have to be born generations after the sin was first committed.”⁷⁰ Polls show that the majority of white Americans still oppose them, as the majority of Germans opposed reparations for the Holocaust in the early years after the war. Yet the fact that what was so recently the province of a few intellectuals is now part of a national conversation is as good a sign of progress as any I know.

Only the ideal can make demands on reality. If we could acknowledge the justice of claims for reparations, we could begin to work out how to honor them. Acknowledgment would be enough for some, and a beginning for all. Britons might begin by recognizing that their colonial history is far less beneficent than they were taught. Americans could start by simply asking Congress to pass H.R.40, a resolution made and denied every year since 1987, which would create a commission to study appropriate remedies for slavery. It cannot be too much to expect the U.S. Congress to do in the twenty-first century what the German parliament did in 1952.

Notes for Susan Neiman's Chapter 8, "Rights and Reparations"

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4. Hannah Arendt, "Auschwitz on Trial," *Responsibility and Judgment*, ed., Jerome Kohn (Schocken Books, 2003), pp. 228–29.
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8. Hannah Arendt, *Ich will verstehen: Selbstauskünfte zu Leben und Werk* (Piper, 1996), p. 59.
9. See Tom Segev, *The Seventh Million: The Israelis and the Holocaust* (Henry Holt, 2000).
10. *Ibid.*, p. 192.
11. *Ibid.*, p. 204.
12. Paul Weymar, *Konrad Adenauer: His Authorized Biography*, trans. Peter de Mendelsohn (Dutton, 1957), p. 406.
13. *Ibid.*, p. 445.
14. See Segev, *The Seventh Million*, pp. 230ff; and Constantin Goschler, *Schuld und Schulden: Die Politik der Wiedergutmachung für NS Verfolgte seit 1945* (Wallstein, 2005), p. 274.
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22. Ibid., p. 387.
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25. Ibid., chapter 4.
26. See Special Field Order 15 in Roy L. Brooks, *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice* (New York University Press, 1999), p. 366.
27. Baptist, *The Half Has Never Been Told*, p. 408.
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29. Douglas A. Blackmon, *Slavery By Another Name* (Anchor Books, 2008), p. 402.
30. Ibid., p. 73.
31. Ibid., p. 336.
32. Ibid., p. 380.
33. Ibid., p. 85.
34. See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (The New Press, 2012); and Bryan Stevenson, *Just Mercy: A Story of Justice and Redemption* (Spiegel and Grau, 2014).
35. For one summary of studies, see www.sentencingproject.org.
36. H.R. Haldeman, *Inside the White House* (G.P. Putnam, 1995), italics added.
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39. See Dalton Conley, *Being Black, Living in the Red* (University of California Press, 2009).

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44. Blackmon, *Slavery by Another Name*, p. 394.
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46. Thomas Chatterton Williams, "How Ta-Nehisi Coates Gives Whiteness Power," *New York Times*, October 6, 2017.
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50. Ibid., p. 37.
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52. McCarthy, "Coming to Terms with Our Past, Part II," p. 12.
53. Ibid., p. 24.
54. Robinson, *The Debt*, p. 232.
55. Susan Neiman, "What Americans Abroad Know About Bernie Sanders and You Should Too," *Los Angeles Times*, June 3, 2016.
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66. Kris Majapra, "When Will Britain Face Up to Its Crimes against Humanity?," *Guardian*, March 29, 2018.
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Additional Resources for Further Learning

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