

Testimony of Deadria Farmer-Paellmann

In Support of H. R. 40 -- Commission to Study Reparations Proposals for African Americans Act. Rayburn HOB, Room 2226 Washington, D.C. April 6, 2005.

I extend my appreciation to the Honorable John Conyers and the esteemed members of Congress for allowing me this opportunity to testify today. In addition, I thank N'COBRA (The National Coalition of Blacks for Reparations in America) for their unwavering leadership on the issue of slavery reparations.

My name is Deadria Farmer-Paellmann. I am Adjunct Professor of Law at Southern New England School of Law. I serve as Executive Director of the Restitution Study Group – a non-profit organization that examines approaches to securing restitution for injuries inflicted upon oppressed people. I am also lead plaintiff in the landmark class action case pending in the Chicago Federal District Court against 18 corporations due to their historical roles in the enslavement of Africans.

I appear before you today to express my personal support for HR40. Further, I would like to emphasize that many institutions with which I am affiliated also support the bill and recognize that it is through operational unity, from the grassroots up, that this nation will be blessed with passage of the law. Some of these organizations include: The Restitution Study Group, The National Black United Front (NBUF), headed by Dr. Conrad Worrill of Chicago; and the N'DABA movement. My role in the struggle for slavery reparations began as a law student at New England School of Law, in Boston, Massachusetts, in 1997. I went to law school specifically to develop a case for slavery reparations – and serve as law clerk for N'COBRA during that time. Attorney Adjoa Aiyetoro was my first guide in this work, as well as Sister Johnita Scott Obadele.

As a student, I thought my reparations case would be against the federal government for the forty-acres and a mule promised in General Sherman's Field Order 15 during the Civil War. However, due to legal hurdles in litigating against the federal government, including sovereign immunity, I began focusing on corporations and private estates that were built on slavery. I took a class called Race and the Law, taught by Robert V. Ward, now Dean of Southern New England School of Law.

I choose to present a case for reparations that required me to research my family roots to link myself to a particular company. To conduct the complicated genealogy research required to trace enslaved ancestors, I referred to the book, *Black Genealogy*, by Charles L. Blockson. Blockson suggested that one source of tracing enslaved ancestors was slave life insurance policies. He directs readers to Aetna Incorporated, the Insurance Company of North America, and Lloyd's of London, as sources of such policies because they used to write them. This was my first encounter with modern-day corporations that played a role in slavery.

In January of 2000, motivated by a desire for justice in the new millennium, I called Aetna to request copies of their slave policies. An enthusiastic Archivist sent 3 copies of two policies, and a group of circulars from life insurance companies that competed with Aetna in its slave policy business.

After reviewing the policies and circulars, with all their details about our ancestors' suffering, I was compelled to share the information with the world. I concluded that the policies were clearly an unknown part of American history and our children deserved to learn about them. I requested that the company issue a public apology for their role in slavery – which they did. I also asked that they create a restitution Trust Fund to benefit the descendants of enslaved Africans. They said they would, but have yet to do so.

Slave life insurance policies were written with slave holders as the beneficiaries. An investor, unsure about purchasing costly human chattel, would gain security from predecessor companies to Aetna Inc., New York Life Insurance Company, even American International Group. The policies essentially meant: "go ahead and buy those Africans. If they die, we've got you covered. You can buy another one." Slave policies helped slave owners to employ enslaved Africans in ultra-hazardous capacities. Consequently, insured enslaved Africans sometimes died horrendous deaths – for example, drowning or burning to death in coal mines.

Using a New York State banking database, in September 2000, I traced one circular given to me by Aetna to the present day JP Morgan Chase. At that time, I also asked that they apologize and pay restitution for their role in slavery.

My effort with Aetna served as the catalyst for a host of slavery era disclosure bills. These laws required corporations doing business in a State or with a Municipal government to disclose any ties they or their predecessor have to the institution of slavery. As a result of the law passed in California, I learned that Aetna Inc. wrote a policy on the life of my ancestor Abel from South Carolina – a discovery that aids in establishing my standing to pursue the action pending in the Chicago Federal District Court.

Earlier this year, the disclosure law passed in Chicago was successful at pressuring JP Morgan Chase to acknowledge their connection to slavery and create a \$5 million reparations scholarship program in the state of Louisiana.

The Restitution Study Group continues to engage in research and outreach on corporations complicit in slavery. Most recently, we teamed up with African American Genealogy Connections, a Louisiana organization Founded by Antoinette Harrell-Miller, and Untold Legacies Productions, Inc., Founded by Leslie K. Brown, to demand that Ringling Brothers and Barnum and Bailey Circus pay restitution to honor the legacy of Joice Heth – a woman enslaved by P.T. Barnum. Heth was Barnum's first circus act when he began his career in show business in 1835. She was promoted as a 161-year-old woman who served as nurse to George Washington. Barnum advertised Heth as "The Greatest Natural and National Curiosity in the World." That title became, "The Greatest Show On Earth."

Even after she died in 1836, Joice Heth was exploited as a circus act as 1500 spectators paid to witness her autopsy to determine if she was really 161-years-old. Medical students observed the autopsy as well.

The use of enslaved people, dead and alive, for medical experimentation and training was common practice. This factor is highlighted in a law review article by University of Dayton Ohio Law School Professor, Vernellia Randall, entitled: *Slavery, Segregation and Racism: Trusting the Health Care System Ain't Always Easy! An African American Perspective on Bioethics*, 15 St. Louis U. Pub. L. Rev. 191 -235 (1996). Professor Randall's hypothesis is that African Americans' distrust of the health care system is built out of a history that includes experimentation..." The consequence of the distrust is the development of a fear to go to the doctor which results in poor health.

In conclusion, I support HR 40 because it provides that the federal government recognize the suffering of enslaved people, like Joice Heth, and tests Professor Randall's hypothesis. I also support HR 40 because it would provide for the study of economic discrimination against African Americans. This could entail a commission determining the present day value of wealth that modern day corporations and the United States government squeezed from human chattel, and stole through Jim Crow labor practices, and the economic impact of these practices are having on living African Americans. Thank you again for this opportunity to testify and I welcome any questions or comments.