

# Expanding and Re-focusing the Case for Black Reparations<sup>1</sup>

by

James B. Stewart

js8@psu.edu

Professor Emeritus, Penn State University

“The Past before Us: African Americans and Movements for Reparations in the United States” panel of the “Repairing the Past, Imagining the Future: Reparations and Beyond...” conference University of Edinburgh, UK

This presentation calls for an expansion of the basis of reparations claims beyond the focus on labor expropriation associated with plantation-based chattel slavery. The exploitation of enslaved African Americans by industrial interests is offered as one additional basis for reparations claims. Even more significant are the continuing inter-generational effects of pre- and post-Civil War dietary restrictions on childhood development, and barriers to human capital accumulation through educational attainment. It is argued that disrupting the ongoing cycle of youth disempowerment and constrained life choices requires that reparations payments be targeted to youth development as proposed by V.P. Franklin in his plan to establish a Reparations Superfund (Franklin 2012a; 2012b).

In assessing how the exploitation of African Americans fueled pre-Civil war economic growth, it is important to consider the ways in which Black labor was exploited outside of plantation agriculture. Although the nonagricultural sector accounted for less than a quarter of southern output in 1840, it was the source of about 40 percent of all the increase in the region’s per capita income during the last two decades of the antebellum era (Fogel, 1989; 101). In addition, the South had about one-third of the nation’s railroad mileage in 1860 and the network was financed primarily from southern and not northern investment capital (Smith, 1998; 74). Not only was this rail network self-financed, enslaved Blacks supplied the labor used in its construction.

From a broader perspective, as noted by Starobin (1970), in the 1850s the South accounted for approximately 20% of invested industrial capital. Admittedly, Southern industry was intricately tied to plantation agriculture, e.g., textile manufacturing, which made extensive use of enslaved labor. In the 1850s, between 160,000 and 260,000 enslaved Blacks worked in industry with four-fifths owned directly by industrial entrepreneurs. Notably, Starobin (1970) reports that industries employing enslaved labor were more profitable than similar industries employing either integrated, slave-free, or free work forces.

Slavery was also a normal feature of Southern cities, and in 1860 there were approximately 70,000 enslaved Blacks based in urban areas. However, the population of both free and enslaved Blacks in southern cities was declining between 1850 and 1860 as the demand for agricultural labor increased. In discussing slavery in urban areas, Wade (1964), has noted that public control replaced private supervision by owners because many enslaved Blacks were allowed to “hire their own time” and to “live out” (find their own residence). These arrangements reduced the costs to owners of maintaining involvement in negotiating contractual arrangements for the employment of enslaved Blacks and providing for their subsistence. It also allowed enslaved Blacks with such arrangements to capture some of the returns from their human capital. Often owners were paid fixed amounts that were less than the amounts earned even after accounting for maintenance expenses. Trotter (2001, 167) observes, “Artisans were the most numerous of the self-hirees” including “carpenters, tailors, seamstresses, and mechanics.” At the same time, Ransom and Sutch (1977, 15) provide a useful reminder that “only about 6 percent of adult male slaves held occupations above those of agricultural worker, unskilled laborer, or house servant.”

The sizable number of enslaved Blacks with technical skills is a reminder that exploitation of enslaved Blacks was not restricted to physical labor. As an example, many enslaved Blacks working in metal, wood, or machinery developed new or improved technologies but were unable to obtain a patent because they were not U.S. citizens. Intellectual property rights of Black inventors were typically appropriated by owners although in some cases owners were unable to obtain patents for devices designed by enslaved Blacks because they were not the actual innovators. Studies by Louis Haber and Vivian Sammons document the wide variety of inventions by Blacks during the slavery regime including Henry Blair’s (a free Black) patents for a Corn Planter (1834), and a Cotton Planter (1836) and provide evidence of Black involvement in developing technologies contributing to economic growth and development (Haber, 1970; Sammons, 1990).

Another particularly pernicious form of expropriation involved required transfers of wealth accumulated by Blacks to purchase property rights in themselves and their kin in search of freedom and family cohesiveness. Robert Fogel (1989; 194) observes “available evidence indicates that most manumissions during the late antebellum era were due to free Blacks who first purchased their relatives and then freed them.”

Various attempts to quantify both the gains that accrued to Whites, and the losses experienced by Blacks attributable to the slavery regime Have produced estimates that range from that range from \$2.1 billion to \$1.4 trillion (See America, 1990). These calculations do not consider the various forms of exploitation that are the focus of this inquiry. One factor typically overlooked in these analyses is the potential incremental income that could have been generated if systematic restrictions on human capital accumulation had not been in place. Laws restricting the education of enslaved Blacks were first passed in the 1820s. Roger Ransom and Richard Sutch (1977, 15) estimate that “probably no more than 2 to 5 percent of adolescent and adult slaves could read and write on the eve of the Civil War, and those were largely self-educated.”

The dietary practices employed by owners had perhaps even more pernicious effects on human capital accumulation, in addition to mortality patterns. Robert Fogel (1989, 144) insists “excess death rates of children under 5 . . . accounted for nearly all the difference between the overall death rates of U.S. slaves and U.S. whites during the late antebellum era.” Fogel (1989; 143) also contends that the available evidence indicates surviving infants were disproportionately undersized and small babies failed “to exhibit much catch up growth between birth and age 3 suggest chronic undernourishment during these ages.” Infants’ post-natal problems originated with the malnourishment of pregnant women who were subjected to “the intense routine of the gang system down to the eve of childbirth” (Fogel, 1989; 145). Pregnant women were not provided with nutritional supplementation that might have compensated for such high levels of physical activity. As a consequence, they generally failed to achieve sufficient weight gains “that would [normally] yield average birth weights and forestall infant death rates” (Fogel, 1989; 145).

Although Fogel does not make the logical connection, surviving Black infants suffered short-term and long-term complications as a result of pre-natal and post-natal nutritional deficiencies. These conditions included impaired learning skills and chronic health problems that hampered efforts to accumulate human capital and compete in post-Civil War labor markets. We now know, as documented in the Tufts University Center on Hunger and Poverty’s, *Statement on the Link Between Nutrition and Cognitive Development in Children* (1998, 5), that “undernutrition – even in its ‘milder’ forms – during any period of childhood can have detrimental effects on the cognitive development of children and their later productivity as adults” (see also Brown and Pollitt, 1996). When undernutrition is coupled with the oppressive conditions associated with slavery the results are even more disastrous. The Center’s report notes “undernutrition along with environmental factors associated with poverty can permanently retard physical growth, brain development, and cognitive functioning [and] the longer a child’s nutritional, emotional and educational needs go unmet, the greater the overall cognitive deficits” (Center on Hunger and Poverty, 1998; 8-9). In the case of very low birthweight infants, “permanent cognitive deficiencies associated with smaller head circumference may reflect diminished brain growth” (Center on Hunger and Poverty, 1998; 7).

The Center's report maintains that "the greatest costs associated with undernutrition among children are the more intangible . . . opportunity costs' – the costs of lost opportunity in which productivity with financial benefits would otherwise occur" (Center on Hunger and Poverty, 1998; 7). These opportunity costs are very large because, as described by Robert Waterland and Cutberto Garza (1999), childhood malnutrition has life-long consequences through its effects on the body's metabolism. These effects create increased morbidity and mortality risk associated with obesity, cardiovascular disease, high blood pressure, and diabetes.

There are three principal conclusions that emerge from the preceding discussion. First, accurately assessing reparations payments due to African Americans necessitates a more expanded analysis of the harms imposed during the era of enslavement beyond losses associated with direct wage expropriation. Second, wage appropriation and other evils visited on African Americans have had intergenerational effects that continue to contribute to the contemporary reproduction of racial inequality in various life outcomes. Third, the degree of direct harm experienced by enslaved African Americans varied by age, gender, and the nature of their linkage to the economic order.

All of these considerations pose significant difficulties for any effort to calculate reparations due to descendants of specific individuals. Consequently, a more constructive strategy should involve legal advocacy for recognition of group rights in addition to traditional individual rights. Under the rubric of group rights, reparations claims could focus, in part, on the broader concept of "underdevelopment" resulting from systematic enslavement and exploitation of African Americans that ensured that money and other resources were channeled to Whites and denied to African Americans.<sup>2</sup> Reparations claims could then focus, in part, on remedying the broad-based harm that produced a wide array of benefits to Whites via slavery and segregation. Such a strategy could avoid the counter arguments that have stalled contemporary reparations litigation. A major class action suit targeting corporations that employed enslaved labor was dismissed in July 2005, with the presiding judge declaring that the plaintiffs failed to show any injury done to them that can be traced to the companies. This case is indicative of the difficulties plaintiffs face in advancing "derivative claims," or claims brought by someone other than the direct victim.

Supposing that the various legal and political hurdles to obtaining reparations payments could be overcome, the issue remains of how to utilize the funds so as to maximize long-term improvements in collective well-being. As discussed, during the era of enslavement Black youth were disproportionately victimized by the system of racial oppression. And this horrific pattern persists today as evidenced by high profile murders of Black youth by law enforcement officials and the growing "Black Live Matters" movement. The distinct oppression experienced by Black youth has cumulative adverse effects on community life as each cohort progresses through the life cycle, and many of the negative consequences of their restricted life chances are transmitted to subsequent generations. The so-called "School-to-Prison" pipeline is reflective of this pernicious exploitation.

To break this devastating cycle of human destruction requires that programs focusing on youth development constitute the top priority for the deployment of reparations payments. Recognition of this reality is implicit in the proposal advanced by V.P. Franklin for a “Reparations Superfund” (Franklin, 2012a; 2012b). Franklin (2012a, 1) declares “There is currently an undeniable need for a ‘Reparations Superfund’ to support positive and successful interventions to prevent African American youths from turning to murderous violence against other African American youths and those in the line of fire.” One of the objectives of a Reparations Superfund would be to “provide funding to committed professionals . . . who have developed strategies and models of intervention and remediation” to address the contemporary plight of Black youth. According to Franklin, “The Reparations Superfund would be used to fund projects in public schools to promote the arts and music and in private institutions offering supplemental education in the form of music and arts programs.” In addition, the Superfund “would be used to target and support alternatives to the current emphasis on ‘high stakes testing’ and test preparation that contributes mightily to the high dropout rates.” Moreover, the Superfund would “help to support maternal and early childhood health care program and interventions that target young children and place them in a ‘health-care network’ administered by health care professionals who have experience implementing these programs successfully in African American communities or neighborhoods.”

As V.P. Franklin cogently reminds us “We are currently engaged in a life and death struggle to save our youth, but the damage that has been done to African Americans collectively inhibits our ability to deal with this problem and many others.” By deploying our intellectual and financial resources in support of the reparations movement we can begin to ameliorate this condition and demonstrate that we truly believe that Black lives have *always* mattered!

## References

- America, R. ed. (1990). *The Wealth of Races: The Present Value of Benefits from Past Injustices*. Westport, CT: Greenwood Press.
- Brown, J. & Pollitt, D. (1996). Malnutrition, poverty, and intellectual development. *Scientific American* 274, 38-43.
- Center on Hunger and Poverty (1998). *Statement on the link between nutrition and cognitive development in children*. Waltham, MA: Center on Hunger and Poverty, 1998. Available at: <http://www.centeronhunger.org/pubs/cognitive.html>.

- Fogel, R. (1989). *Without Consent or Contract, The Rise and Fall of American Slavery*. New York: W.W. Norton.
- Franklin, V.P. (2012a). "Introduction – African Americans and Movements for Reparations: Past, Present, and Future," *The Journal of African American History*, 97:1 (Winter-Spring),1-12.
- Franklin, V.P. (2012b). Reparations Superfund: Needed Now More than Ever, *The Journal of African American History* 97:4 (Fall), 371-375.
- Haber, L. (1970). *Black Pioneers of Science and Invention*. New York: Harcourt, Brace and World.
- Ransom, R. and Sutch, R. (1977). *One Kind of Freedom: The Economic Consequences of Emancipation*. New York: Cambridge University Press.
- Rodney, W. *How Europe Underdeveloped Africa* (Washington, DC: Howard University Press, 1981).
- Sammons, V. (1990). *Blacks in Science and Medicine*. New York: Hemisphere Publishing Corporation.
- Smith, M. (1998). *Debating slavery, economy and society in the antebellum American South*. Cambridge: Cambridge University Press.
- Starobin, R. (1970). *Industrial slavery in the Old South*. New York : Oxford University Press.
- Stewart, J. (2005). The Critical Role of African Americans in the Development of the Pre-Civil War U.S. Economy," in *African Americans in the U.S. Economy*, John Whitehead, Cecelia Conrad, Patrick Mason, & James Stewart, eds. Lanham, MD: Rowman & Littlefield, 20-31.
- Trotter, J. (2001). *The African American Experience*. Boston: Houghton Mifflin Co.
- Wade, R. (1964). *Slavery in the Cities : The South, 1820-1860*. New York : Oxford University Press.
- Waterland, R. & Garza, C. (1999). Potential mechanisms of metabolic imprinting that lead to chronic disease. *American Journal of Clinical Nutrition* 69, 179-197.

## Notes

---

<sup>1</sup> Major portions of this presentation are taken from James Stewart, “The Critical Role of African Americans in the Development of the Pre-Civil War U.S. Economy,” in *African Americans in the U.S. Economy*, John Whitehead, Cecelia Conrad, Patrick Mason, & James Stewart, eds. (Lanham, MD: Rowman & Littlefield, 2005), 20-31.

<sup>2</sup> The argument would follow the general outlines found in W. Rodney, *How Europe Underdeveloped Africa* (Washington, DC: Howard University Press, 1981).