

African American Reparations: A Selected Annotated Bibliography

by

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Introduction

This descriptive selective annotated bibliography is primarily focused on the African American experience in the U.S. in accordance with the intent of our journal in joining *The Black Scholar*, *The Journal of African American History*, *Souls: A Critical Review of Black Culture*, *the Journal of Black Psychology*, *African American Learners* and other scholarly publications in a Call for Papers on the "Ten Point Program for Reparations for African Americans" devoted to the discussion and analysis of what might be included in a "Ten Point Program" for reparation payments to African Americans in the United States, organized by V.P. Franklin (Department of History, University of New Orleans), editor of *The Journal of African American History*.

I am pleased by this call because it energizes the discussion of reparations, and again it is a reminder of how far we have come, and how far we must go to fulfil the dreams and wishes of our ancestors as that we don't simply become a "footnote and forgotten casualty in European history and culture" (Karenga 2010: 260).

The impetus in part for this effort is Hilary McD. Beckles's book *Britain's Black Debt: Britain's Black Debt: Reparations for Slavery and Native Genocide* (2015) [annotated below] which sent new spark into the ongoing dialogue and research efforts surrounding reparations in the tradition of Eric William's 1944 book, *Capitalism and Slavery*, a classic which argues that the process of enslavement helped finance the Industrial Revolution in England as plantation owners, shipbuilders, and merchants connected to the European slave trade accumulated vast fortunes that established banks and heavy industry in Europe and expanded the reach of capitalism worldwide. Second, the now famous 15,000 word article "The Case for Reparations" in *The Atlantic* (June 2014) by Ta-Nehisi Coates based on original research, an extensive bibliography and film clips (the article broke the record for single-day traffic on the magazine's website when it was published May 21).

Third in this bibliographic scenario is Randall Robinson's national bestseller *The Debt: What America Owes to Blacks* (2001) wherein he argues for the restoration of the rich history that enslavement and segregation severed, drawing from research and personal experience, and shows that only by reclaiming a lost past and proud heritage Black people can lay the foundation for the future. And suggest that white Americans can make reparations for slavery and the century of racial discrimination that followed with monetary restitution, educational programs, and the kinds of equal opportunities that will ensure the social and economic success of all its citizens. Based in an unflinching indictment of past wrongs and an impassioned call to the U.S. to educate everyone about the history of Africa and its people, and of course, he makes a persuasive case for the debt white America owes Black people, and the debt Black folks owe themselves. And last but not least, *Should America Pay?: Slavery and the Raging Debate Over Reparations* (NY: Amistad, 2003) edited by Raymond Winbush that gathers pro and con essays from key participants in the debate with important documents, such as the First Congressional Reparations Bill of 1867 and the Dakar Declaration of 2001, as well as a chapter on the current status and future direction of the reparations movement with an outline of the legal status of reparations, strategies of the National Black United Front.

The intent of this introductory select literature review is to provide a concise summary of relevant content and highlight its central thesis, arguments/hypothesis, and conclusions. All of the content falls within the last 15 years, a period of major change: in 2001, two hijacked jetliners crash into two towers of World Trade Center in New York, one into the Pentagon, and another in rural Pennsylvania (more than 3,000 people died in the attacks); in 2006, the U.S. Census Bureau estimated that the U.S. population; in 2008, Barack Obama became the first African-American to be elected President, with 52.8% of the vote; then the police shootings began, in 2009 unarmed Oscar Grant III was killed by transit police in Oakland, California; in 2011 the United Nations proclaimed the year as International Year for People of African Descent, civil society organizations join UNESCO Slave Route project to celebrate the 10th anniversary of the Taubira Law and the Durban Declaration and Programme of Action, recognizing that "slavery and the slave trade are a crime against humanity"; in 2012 an unarmed 17-year-old named Trayvon Martin was killed in Sanford, Florida; in 2013 Black Lives Matter was born to campaign against police violence toward Black people; in 2014 Eric Garner (Staten Island, New York), and also in 2014, unarmed 18-year-old Michael Brown was killed by police in Ferguson, Missouri. These last fifteen years have been turbulent, and it is for this reason (and others) why reparations is a reasonable request considering the history of oppression calculated against Black people from the first day of capture in Africa, until today.

The organization of this work is into two main sections, first books, and then articles. Enjoy and do not hesitate to suggest via atjpas@gmail.com, other books or articles relevant and useful to the ongoing pivot of issues on or related to national or international reparations efforts.

References

Jefferson, Tara. "Ta-Nehisi Coates Presents "Case for Reparations" at City Club of Cleveland". Anisfield-Wolf Book Award (August 24, 2014).

<http://www.anisfield-wolf.org/2014/08/ta-nehisi-coates-presents-case-for-reparations-at-city-club-of-cleveland/> [Retrieved May 22, 2016].

Karenga, Maulana. *Introduction to Black Studies*. Los Angeles, CA: University of Sankore Press, 2010.

Books

Beckles, Hilary McD. *Britain's Black Debt: Britain's Black Debt: Reparations for Slavery and Native Genocide*. Cave Hill, Barbados: University of West Indies Press, 2015.

This book looks comprehensively at the reparations discussion in the Caribbean. The author is a leading economic historian of the region and a seasoned activist in the wider movement for social justice and advocacy of historical truth, and as such, he is uniquely positioned to explore the origins and development of reparations as a regional and international process. Thus, he weaves detailed historical data on Caribbean slavery and the transatlantic European slave trade together with legal principles and the politics of post-colonialism, and sets out a solid academic analysis of the evidence. He concludes that Britain has a case of reparations to answer, which the Caribbean should litigate. International law provides that chattel slavery as practiced by Britain was a crime against humanity. Slavery was invested in by the royal family, the government, the established church, most elite families, and large public institutions in the private and public sector. Citing the legal principles of unjust and criminal enrichment, the author presents a compelling argument for Britain's payment of its black debt, a debt that it continues to deny in the face of overwhelming evidence to the contrary.

Berry, Mary Frances. *My Face Is Black Is True: Callie House and the Struggle for Ex-Slave Reparations*. New York, NY: Vintage Books, 2006.

This book resurrects the story of Callie House (1861-1928) a formerly enslaved person (a widowed Nashville washerwoman, seamstress and mother of five) who seventy years before the civil-rights movement, headed a demand for reparations for the formerly enslaved in the U.S. Nevertheless, she fought for African American pensions based on those offered to Union soldiers, brilliantly targeting \$68 million in taxes on seized rebel cotton and demanding it as repayment for centuries of unpaid labor. In 1899, in Nashville help found the National Ex-Slave Mutual Relief, Bounty and Pension Association to provide aid to the poor and the sick.

House recognized the need for pensions to support the formerly enslaved left aged and destitute and as a reward for Black people who served in the Union army, even as the government provided pensions to white Union veterans and sought to compensate Southern plantation owners. Thus, this reparations campaign provoked the ire of the U.S. Postal Service, which charged House and her compatriots with mail fraud and subjected them to scrutiny, harassment, and prosecution (she was convicted of mail fraud). In 1915, nearly bankrupt, the association switched tactics and filed a lawsuit claiming that a cotton tax levied to support the war should pay for a pension for ex-slaves; the suit lost on the grounds of government immunity. House was eventually imprisoned for her activities and died in 1928.

Henry, Charles P. *Long Overdue: The Politics of Racial Reparations*. NY: New York University Press, 2009.

Ever since the unfulfilled promise of “forty acres and a mule,” America has consistently failed to confront the issue of racial injustice. Exploring why America has failed to compensate Black Americans for the wrongs of slavery, this book provides a history of the racial reparations movement and shows why it is an idea whose time has come. Second, it examines Americans’ unwillingness to confront this economic injustice, and crafts a skillful moral, political, economic, and historical argument for African American reparations, focusing on successful political cases. And interesting, the author shows how some groups have won the fight for reparations as the book provides an up-to-date survey of the political and legislative efforts that are breaking the surface to move reparations into the heart of a national discussion about race.

Martin, Michael and Marilyn Yaquinto, eds. *Redress for Historical Injustices in the United States: On Reparations for Slavery, Jim Crow, and Their Legacies*. Durham, NC: Duke University Press, 2007.

This work brings together primary and secondary documents related to efforts to redress historical wrongs against African Americans. These varied efforts are often grouped together under the rubric “reparations movement,” and they are united in their goal of “repairing” the injustices that have followed from the long history of slavery and Jim Crow. The book is written by activists and scholars of law, political science, African American Studies, philosophy, economics, and history, the twenty-six essays include both previously published articles and pieces written specifically for this volume. Essays theorize the historical and legal bases of claims for redress; examine the history, strengths, and limitations of the reparations movement; and explore its relation to human rights and social justice movements in the United States and abroad. Other essays evaluate the movement’s primary strategies: legislation, litigation, and mobilization.

While all of the contributors support the campaign for redress in one way or another, some of them engage with arguments against reparations. Among the fifty-three primary documents included in the volume are federal, state, and municipal acts and resolutions; declarations and statements from organizations including the Black Panther Party and the NAACP; legal briefs and opinions; and findings and directives related to the provision of redress, from the Oklahoma Commission to Study the Tulsa Race Riot of 1921 to the mandate for the Greensboro Truth and Reconciliation Commission.

Salzberger, Robert P. and Mary C. Turck, eds. *Reparations for Slavery: A Reader*. Lanham, MD: Rowman & Littlefield Publishers, 2004.

This is a collection of essays on the topic of reparations for slavery in the United States. The book includes a substantial number of essays designed to provide the entire discussion with an historical context by giving the reader a sense of the injuries inflicted by enslavement, its aftermath, and the continuing history of state-supported discrimination.

Walters, Ronald W. *The Price of Racial Reconciliation*. Ann Arbor, MI: University of Michigan Press, 2009.

This work attempts to address racial restitution within the framework of larger societal interests to suggest that, insofar as the impact of the enslavement of African people in the U.S., it is still very much present today and has been reinforced by forms of post-slavery oppression, the objective of racial harmony will be disrupted unless it is recognized with the solemnity and amelioration it deserves. Hence, the grand narrative of Black oppression in the United States—which contains the past and present summary of the Black experience—prevents racial reconciliation as long as some substantial form of racial restitution is not seriously considered. And also, the methodology of the author for achieving this finding is grounded in comparative politics, where the analyses of institutions and political behaviors are standard approaches as he presents the conceptual difficulties involved in the project of racial reconciliation by comparing South African Truth and Reconciliation and the demand for reparations in the United States.

Articles

Aiyetoro, Adjoa and Adrienne D. Davis. “Historic and Modern Social Movements for Reparations: The National Coalition for Reparations in America (N’COBRA) and its Antecedents.” *Texas Wesleyan Law Review* (May 31, 2010; revised October 20, 2014).

Most of the legal scholarship on reparations for Blacks in America focuses on its legal or political viability. This literature has considered both procedural obstacles, such as statutes of limitations and sovereign immunity, as well as the substantive conception of a defensible cause of action. Indeed, Congressman John Conyers introduced H.R. 40, a bill to study reparations, in 1989 and every Congressional session since, and there have been three law suits that have received national attention. This Essay takes a different approach, considering reparations as a social movement with a rich and under-explored history. As Robin Kelley explains, such an approach is “more interested in the historical vision and imagination that has animated the movement since the days of slavery.” In keeping with such an emphasis, this Essay focuses on the diverse array of individual actors and institutions that for over a century have comprised the reparations movement. Contemplating reparations in this way, as a social movement, shifts attention away from the doctrinal and policy questions that have dominated the legal literature on the feasibility of reparations, and instead poses an intriguing set of other questions about the reparations movement’s complex, and at times competing, set of actors, institutions, and ideologies that, like N’COBRA, have been underexplored in the legal literature. This essay takes as its case study seven of the diverse group of Black activists and lawyers who in 1995 joined the N’COBRA Reparations Litigation Committee.

Using interviews with these original Committee members, it situates their contemporary activism within the long history of Black activism that viewed reparations and redress as part of the struggle for liberation from slavery and its vestiges. In so doing it changes the barometer by which we measure its effectiveness; instead of focusing solely on whether a specific legal result has been obtained, a social movements approach also questions how ordinary people develop a common “oppositional consciousness” and mobilize to confront what they perceive as injustice. This essay tells their history, leading up to the resurgence of reparations activism today. It concludes that conceiving reparations as a century-old social movement in addition to a political and legal claim casts the contemporary reparations movement in a different light, illuminating competing visions of Black political subjectivity and activism within the reparations movement.

Berry, Mary Frances. "In Search of Callie House and the Origins of the Modern Reparations Movement." *Journal of African American History*, vol. 91, no. 3 (Summer 2006), pp. 323-327.

The author in this editorial reflects on several commentaries of various critics on her book "*My Face Is Black Is True: Callie House and the Struggle for Ex-slave Reparations*." It is said that Darlene Clark Hine considers the book as worthy addition to the field of African American women history. The author claims that the Ex-Slave Movement encourages the exercise of everyone's First Amendment right to petition the U.S. government.

Brown, Jeffery M. "Deconstructing Babel: Toward a Theory of Structural Reparations," *56 Rutgers Law Review*. 463 (2004).

This paper argues that there is an apparent inability of contemporary reparations scholars to reach consensus on prudential considerations such as structure and purpose undermines efforts to obtain reparations. The Author finds intriguing recent proposals that see Black reparations claims not as litigation vehicles, but as broader invitations to re-energize discussions of racial equity via "rehabilitative" or "inward looking" transformations that stress Black institutional capacity building. Thus, this article posits that the idea of "rehabilitative" or structural reparations continues to have both conceptual and pragmatic currency. However, successful implementation of this idea demands that scholars and activists reacquaint themselves with the meaning of structural reparations as that concept was generally understood during Reconstruction where it first gained favor.

Campo, Shelly, M. Somjen Frazer, Teresa Mastin. "In Black and White: Coverage of U.S. Slave Reparations by the Mainstream Black Press." *Howard Journal of Communications*, vol.16, no.3, July-September 2005, pp. 201-223.

The issue of reparations being awarded to descendants of U.S. the enslaved has appeared in media and policy agendas, thus, this study examines differences in how four mainstream and four Black newspapers covered this issue. A content analysis revealed that the majority of the slavery reparations articles were printed in the Black press, and a larger percentage of Black press articles were pro-slavery reparations. Both mainstream and Black newspapers most often covered the issue in a legislative context rather than moral or legal one, and both rarely addressed slavery reparations in the context of its potential positive or negative effect on relations between U.S. Blacks and Whites. A larger percentage of mainstream press articles compared slavery reparations with other reparations such as those paid to Japanese internment survivors, Holocaust survivors, and American Indians than did the Black press. In short, the results of this study indicate that Black press coverage of slavery reparations differed from that of the mainstream press during the 20-year period examined.

Campo, Shelly, Teresa Mastin and M. Somjen Frazer. "Predicting and Explaining Public Opinion Regarding U.S. Slavery Reparations." *Howard Journal of Communications*, vol.15, no.2, April-June 2004, pp.115-130.

Reparations for enslavement have long been a discussion topic within the African American community and press. The issue has begun to appear in mainstream press and was a topic at a Fall 2001 United Nation summit on race. Little is known about how Americans feel about slavery reparations, proposed forms of compensation, and how opinions compare to reparations already awarded to others such as Japanese Americans interned during World War II. The data for this study were obtained from a Fall 2001 poll conducted by a mid-sized southern university of state residents (N = 614). Data suggest that attitudes toward slavery reparations and forms of compensation are largely predicted by race and mediated by the belief that race relations will be hurt or hindered by awarding reparations. Attitudes were quite varied and are not as polarized as the press portrays them. Despite the fact that many are opposed to reparations to individuals, further examination reveals that there is support for other forms of compensation such as a museum on enslavement and community development programs. Although newspapers use failed to predict attitudes toward reparations for enslavement, television news viewing had significant effects on support for a formal apology, monument, and museum.

Cha-Jua, Sundiata Keita. "Slavery, Racist Violence, American Apartheid: The Case for Reparations." *New Politics*, vol. 8 (Summer 2001), pp.46-64.

This paper argues that over the last year the demand for reparations has blazed across the political skyline, and thus, few current issues burn as brightly among African Americans and the movement's surging growth has predictably provoked renewed opposition with critiques of the escalating reparations movement from Adolph L. Reed, Jr., a justly-respected African American radical, and David Horowitz, an un-respected neoconservative ideologue. Hence, the paper has three interconnected objectives: (1) to explicate Reed's and Horowitz's arguments; (2) to contextualize their arguments; and (3) to suggest an alternative reading of the reparations movement. First an explication of their arguments which has two aspects: explanation and critique of their positions. The second objective is to locate that their arguments in the current socio-historical and political moment, and third, attempts to meet the requirement that social analysts move beyond rejection toward projection: that is, that social critics offer an alternative to the theories and practices that they repudiate.

Coates, Ta-Nehisi. “The Case for Considering Reparations.” *The Atlantic*, January 27, 2016.

In this article, the author uses the city of Chicago historically and in the present to outline the case for reparations as he mentions that in the 1920s, Jim Crow Mississippi was, in all facets of society, a kleptocracy wherein the majority of the people in the state were perpetually robbed of the vote—a hijacking engineered through the trickery of the poll tax and the muscle of the lynch mob and between 1882 and 1968, more Black people were lynched in Mississippi than in any other state. Hence, the state robbery Black folks of life and property as many of Mississippi’s Black farmers lived in debt peonage, under the sway of cotton kings who were at once their landlords, their employers, and their primary merchants (in 2001, the Associated Press published a three-part investigation into the theft of Black-owned land stretching back to the antebellum period to document some 406 victims and 24,000 acres of land valued at tens of millions of dollars; the land was taken through means ranging from legal chicanery to terrorism. Next he discussed that from the 1930s through the 1960s, Black people across the country were largely cut out of the legitimate home-mortgage market through means both legal and extralegal as redlining went beyond FHA-backed loans and spread to the entire mortgage industry, which was already rife with racism, excluding Black people from most legitimate means of obtaining a mortgage while in Chicago and across the country, whites looking to achieve the American dream could rely on a legitimate credit system backed by the government as Black folks were herded into the sights of unscrupulous lenders who took them for money and for sport.

And as a result, the income gap between black and white households is roughly the same today as it was in 1970, and now Black families of all incomes remain handicapped by a lack of wealth, so they remain handicapped by their restricted choice of neighborhood, and even Black people with upper-middle-class incomes do not generally live in upper-middle-class neighborhoods. Continuing the author says that while the people advocating reparations have changed over time, the response from the country has remained virtually the same.

Pressing on history, the author also argues that having been enslaved for 250 years, Black people were not left to their own devices and were terrorized in the Deep South as a second slavery ruled. And in the North, legislatures, mayors, civic associations, banks, and citizens all colluded to pin Black people into ghettos, where they were overcrowded, overcharged, and undereducated as businesses discriminated against them, awarding them the worst jobs and the worst wages while police brutalized them in the streets, and the notion that Black lives, Black bodies, and Black wealth were rightful targets remained deeply rooted in the broader society.

And notwithstanding, for 250 years, American law worked to reduce Black people to a class of untouchables and raise all white men to the level of citizens as the vending of the Black body and the sundering of the Black family became an economy unto themselves, estimated to have brought in tens of millions of dollars to antebellum America (in 1860 there were more millionaires per capita in the Mississippi Valley than anywhere else in the country).

And the results of 250 years of enslavement, of war upon Black families and Black people were profound (like homeownership today, slave ownership was aspirational, attracting not just those who owned slaves but those who wished to).

In conclusion, the author argues that the high point of the lynching era has passed, but the memories of those robbed of their lives still live on in the lingering effects. Second that Liberals today mostly view racism not as an active, distinct evil but as a relative of white poverty and inequality as they ignore the long tradition of this country actively punishing Black success—and the elevation of that punishment, in the mid-20th century, to federal policy. And third, that the idea of reparations threatens something much deeper—America’s heritage, history, and standing in the world; white supremacy is not merely the work of hotheaded demagogues, or a matter of false consciousness, but a force so fundamental to America that it is difficult to imagine the country without it; reparations beckons us to reject the intoxication of hubris and see America as it is—the work of fallible humans; reparations would mean a revolution of the American consciousness, a reconciling of a self-image as the great democratizer with the facts of history.

Cooper, Allen. “From Slavery to Genocide: The Fallacy of Debt in Reparations Discourse.” *Journal of Black Studies*, vol.43, no.2, pp.107-126.

This paper analyzes the failure of the ‘Reparations for Slavery’ movement within the African American community over the past century. It argues that the association of reparations with a “debt” has complicated the ability to win legal arguments for reparations. The author asserts that a stronger legal case can be made by arguing that the Jim Crow era constituted a form of genocide as defined by the 1948 UN Genocide Convention, and that a potential reparations claim made on this basis can overcome the obstacles that have thus far defeated previous reparation law suits.

Daniels, Ron. “Reparations: It is Now or Never.” *The Final Call*, March 15, 2000.

In this early article the author argues that no topic for discussion more urgent than the issue of reparations for the sons and daughters of Africa in America. Thus, the demand that the U.S. government repair the damages done to African people during the holocaust of enslavement is a long overdue piece of unfinished business on the agenda of Black people in America. Further, he states that the U.S. government has never apologized and offered compensation for one of the greatest crimes against humanity in history, a criminal omission due to a state of denial in white America about the impact of slavery on Black people and an outright resistance to the idea of compensating Black people for the horrors of enslavement. In regards to momentum, the concludes that the reason compensation for Black people in America has not been forthcoming is of a lack of a broad-based, massive and sustained movement for reparations as many have been

too concerned with integrating or assimilating into the system that reparations has not been viewed as a major objective, while others may agree that Black people are entitled to reparations, but view the struggle to achieve this goal as a pipe dream that will never be realized. Yet an exception has been a dedicated core of organizations, activists and leaders under the umbrella of the National Coalition for Reparations for Blacks in America that have consistently and persistently been articulating the rationale and necessity for winning compensation for Black people for the holocaust of enslavement. The fear of the author is that it may be now or never for Black people to win reparations because Black people in America are faced with a racist and reactionary national climate which has resulted in assaults on the gains that Black people have made in the last half century, and second, the changing demographics of the U.S. do not portend well for the struggle to win reparations because the forecast percentage of the Black population in the U.S. is almost locked at 13 percent and as other people of color become larger and even dominant in the overall U.S. population, the issues and concerns of Black people, past and present, are likely to receive less prominence. And in unity, in the absence of a thoroughgoing national commitment to incorporate the authentic Black experience into the educational process, there is a high probability that other people of color, as they seek to fulfill their own destinies, are likely to join with whites in becoming less and less sympathetic to the historic concerns of Black people.

In conclusion, the author suggests that there is an urgent need to develop a tight economic and political agenda immediately in the quest to achieve reparations, and thus, broaden the base for the reparations movement in the Black community and make reparations a top priority on the agenda as coalition-building, electoral politics and other methods of promoting and defending the interest and aspirations of Black people is done.

Davis, Angelique. "Apologies, Reparations, and the Continuing Legacy of the European Slave Trade in the United States." *Journal of Black Studies*, vol.45, no.1, May 2014, pp.271-286.

This article analyzes the apology resolutions of eight states as well as those of the U.S. House and Senate to argue that their failure to recognize the historical and ongoing effects of the European slave trade and slavery on the United States as a whole and, most importantly, the status and well-being of African Americans, or provide any concrete remedial measure raises questions about whether or not they were designed to actually atone for these atrocities.

Franklin, V.P. "Commentary— Reparations as a Development Strategy: The Caricom Reparations Commission." *The Journal of African American History*, vol.98, no.3, Summer 2013, pp.363-366.

In this commentary, the author state that there is a pressing need for African Americans in the United States to increase participation in the international reparations movement; and that the current demand for reparations for African Americans in the United States is a continuation of the mobilization that began at the end of the 19th century with the former enslaved pension movement and included the activities of the National Black Economic Development Conference in the late 1960s and early 1970s following the issuing of the "Black Manifesto". And third, given the depressed social and economic conditions facing African American youth, the mass incarceration, and the targeting by financial institutions for sub-prime mortgages that led to the destruction of many African American neighborhoods, there is a need for the creation of a reparations commission to establish the Reparations Superfund in the United States to address these serious and ongoing problems. Hence, he also mentions that the contemporary global movement to demand reparations from the Western industrialized nations for slavery and the international enslavement of people (slave trade) began with the First Pan-African Congress on Reparations held in Abuja, Nigeria, in April 1993 with representatives from Africa, the Caribbean, and the Americas who called upon the Western nations "to recognize that there is a unique and unprecedented moral debt owed to African peoples that has yet to be paid—the debt of compensation to the Africans as the most humiliated and exploited people in the last four hundred years."

Jeffries, Judson L. "Juneteenth, Black Texans and the Case for Reparations." *Negro Educational Review*, vol.55, no.2-3, April-July, 2004, pp.107-115.

The history of Juneteenth, enslavement, and deferred freedom is filled with heroes, plots, and interesting twists. For many of African descent, Juneteenth is a day to commemorate the official ending of American slavery. Enslavement did not end with the issuance of the Emancipation Proclamation. Not until June 19, 1865 was slavery abolished--two and a half years after President Abraham Lincoln signed the landmark mandate on January 1, 1863. However, Black people, such as those in Texas, remained in bondage until 1865. Because Black Texans remained in bondage nearly three years beyond the signing of the Emancipation Proclamation, they are, at a minimum, entitled to reparations comparable to two and a half years of unpaid backbreaking labor. Over the past ten years reparation has been one of the most hotly contested issues in American politics. The matter of reparations is a politically charged issue that is polarized along racial lines. The African-American community favors reparations, whereas the white community disagrees with support for reparations. While this author believes that Black people are owed reparations, this paper approaches the matter from a somewhat different angle. This essay focuses on the two and half years Black people in Texas spent enslaved after the signing of the Emancipation Proclamation.

Karenga, Maulana. "Reaffirming the Rightfulness of Reparations: Repairing Ourselves and the World". *Los Angeles Sentinel*, June 20, 2006, p.A7.

This position suggest that reparations for African people is about how it is framed and forged and how it is understood and approached, and therefore a struggle for justice, oppressor accountability and an ethical model for the world in how to treat an injured people. Hence, it also calls for a meaningful and moral approach to reparations that includes: public dialog, public admission, public apology, public recognition, compensation, and preventive measures against the recurrence of holocaust and other acts detrimental to humankind. Hence, the struggle for reparations must be an inclusive project that seeks to repair injury so we can expand the realm of human growth and freedom, and bring good into the world.

Magee, Rhonda. "The Master's Tools, from the Bottom Up: Responses to African-American Reparations Theory in Mainstream and Outsider Remedies Discourse." *Virginia Law Review*, December 2007: 79(4).

This posits a Critical Race Theory (CRT) analysis of the historical legal responses to reparations claims on the part of groups, using the African-American claims as an example. The article then discusses racial remedies theories, suggesting that the prevailing theories must be expanded to provide support for reparations. Following a review of contemporary and historical proposals for reparations, the author argues that reparations merit a prominent place within remedies theory, and echoes central tenets of CRT in explaining why they have not to date.

Ogletree Jr, Charles J. "Litigating the Legacy of Slavery," *New York Times*, March 31, 2002.

In this early discussion on the question of reparations, the author mentions that a group of lawyers filed a federal class-action lawsuit in New York on behalf of all African-American descendants of enslaved people in the U.S. and thus, the lawsuit seeks compensation from a number of defendants for profits earned through slave labor and the European slave trade. Second, he states that the broader reparations movement seeks to explore the historical role that other private institutions and government played during slavery and the era of legal racial discrimination that followed, and that the goal of these historical investigations is to bring American society to a new reckoning with how our past affects the current conditions of African-Americans and to make America a better place by helping the truly disadvantaged. Next, he says that private institutions of higher education such as Brown University, Yale University and Harvard Law School are the beneficiaries of grants and endowments traced back to slavery, and that naming the U.S. government as a defendant is central to any reparations strategy as public officials guaranteed the viability of slavery and the segregation that followed it.

Further, he states that the federal government recently reached a consent decree with a class of over 20,000 African American farmers to compensate for years of discrimination by the Department of Agriculture, and thus, the case represents the largest civil-rights settlement by the government ever, with a likely payout of about \$2 billion. And likewise, the government paid reparations to black survivors of the Rosewood, Fla., race riots. And yes, although the precedents differ from a slavery-based reparations claim in that they involved classes of individuals who were both alive and easily identified, they nonetheless indicate government willingness to acknowledge past wrongs and remedy them. It is important that in each case the government waived its immunity from suit, thereby lifting the ordinary bar that prevents lawsuits against a sovereign. Arguing additionally, he states that bring the government into litigation will generate a public debate on slavery and the role its legacy continues to play in society with the opportunity to use expert witnesses and conduct extensive discovery to get facts and documentation which makes the courtroom an ideal venue for the debate on reparations.

Hence, litigation is required to promote this discussion, because political accountability has not been forthcoming (in each Congressional session since 1989, Representative John Conyers has introduced a bill to study slavery reparations and it has quickly died each time), and a full and deep conversation on enslavement-slavery and its legacy has never taken place in America; reparations litigation will show what slavery meant, how it was profitable and how it has continued to affect the opportunities of millions of African Americans. Accordingly in his insistence, he states that the reparations movement should not focus on payments to individuals because the damage has been done to the group -- African-American enslaved and their descendants, although it has not been done equally within the group. Second the reparations movement must aim at undoing the damage where that damage has been most severe and where the history of race in America has left its most telling evidence (hence, the legacy of slavery and racial discrimination in America is seen in well-documented racial disparities in access to education, health care, housing, insurance, employment and other social goods), and last, the reparations movement must focus on the poorest of the poor -- it must finance social recovery for the bottom-stuck, providing an opportunity to address comprehensively the problems of those who have not substantially benefited from integration or affirmative action.

Ogletree Jr, Charles J. "Repairing the Past: New Efforts in the Reparations Debate in America," *Harvard Civil Rights-Civil Liberties Law Review*, vol. 38, no.2, 2003.

This article attempts to explain why the asserted distinctions between various types of reparations lawsuits are overstated. The reparations debate, in the U.S. and globally, has gained momentum in recent years, and it will only grow in significance over time. The claim that the U.S. owes a debt for the enslavement and segregation of African Americans has had historical currency for over 150 years. Occasionally, the call for repayment of the debt for slavery has reached a fever pitch, particularly in the post-Civil War period. The demand for reparations has coincided with other civil rights strategies, reaching a national stage during the resolute leadership of Dr. Martin Luther King Jr.

The reparations movement has experienced ebbs and flows through periods of both forceful repression and abject depression. Today, in the U.S. and worldwide, we again face one of those historically significant moments when the momentum for reparations efforts raises and arguments that seemed morally and legally unfeasible reemerge with renewed political vigor and legal vitality. The number of reparations lawsuits and legislative initiatives at the local and state level is unprecedented. A variety of lawsuits are currently on file in various state and federal courts around the country. Focusing solely on reparations for African Americans, suits are on file in Illinois, New York, Texas, New Jersey, Louisiana, California and Oklahoma. Legislation abounds as well. States and municipalities have passed at least four statutes addressing reparations for African Americans, most notably in Rosewood, Florida, but also in California, Oklahoma and Chicago, Illinois. These legal and legislative initiatives raise complementary, and in some cases, conflicting issues. But it cannot be denied that there is a vital and compelling need for African American reparations.

Posner, Eric A. and Adrian Vermeule. “Reparations for Slavery and Other Historical Injustices”. *Columbia Law Review*, vol. 103, no. 3, April 2003, pp. 689-748.

Victims of historical injustices who have no positive law claim against wrongdoers often seek reparations from governments, and occasionally they obtain them. The best known reparations programs are those for Japanese Americans who were interned by the United States government during World War II, and for victims of the Nazi Holocaust. But there are several other less well known programs both in the United States and abroad, and there are countless proposals for new reparations programs, including proposals reparations for the enslaved in the United States. The moral and political arguments for and against reparations in diverse contexts have received considerable attention, but problems of legal and institutional design have received almost none. This paper fills the gap in the literature by analyzing the various design options for reparations programs, their legal and constitutional bases, and their relationship to the standard moral and political arguments about reparations.

Robinson, Alfreda. “Troubling “Settled” Waters: The Opportunity and Peril of African-American Reparations.” *Boston College Third World Law Journal*, vol.24, no.1, Winter 2004, pp. 139-156.

This article explores the theme of “troubling settled waters,” which represents the impact of African-American reparations on the current landscape of race relations in America. The article outlines the current (i.e., 2004) and historical debate over reparations, addressing the arguments of opponents who contend that reparations dialogue and action wastes intellectual and monetary resources, unnecessarily resurrects painful memories, and creates racial division. It also takes note of contemporary reparations efforts in the courts, as well as the theories and bases for this litigation.

The article concludes that, given the continuing pervasiveness of race and race issues in modern America, reparations are a welcome and important opportunity for achieving civil rights goals, and that notwithstanding the trepidation of reparations opponents, African-American reparations discourse and demands are significant issues that warrant substantial public attention. The author thus agrees with sentiment that there is an enormous benefit to reflection and debate on African-American reparations, even if such reparations never become a reality, because the conversation itself is worthy of pursuit. Also, it is suggested that Americans must address the thorny question of persistent disparities between white and Black people in America such as the widespread perception and reality of racial inequality in the nation. In conclusion, the author argues that the subject of African-American reparations will provide the necessary public scrutiny to explore the persistent significance of race in America and proposals for change.

Torpey, John and Maxine Burkett. “The Debate Over African American Reparations.” *Annual Review of Law and Social Science*, vol. 6: 449-467, December 2010.

This article offers an overview of the debate over reparations for African Americans in the United States considering that there is little consensus about the cause of action for which reparations are sought, whether for slavery or segregation; and little agreement on the type of remedy reparations might effect. This raises the question of political mobilization for and popular views of reparations for African Americans. It is well known that whites and African Americans have very different perspectives on this issue. The authors seek to address the underlying reasons for and significance of this, stressing peculiarities of American political culture. Less discussed, however, have been the consequences for the reparations debate of recent historical developments in the United States—in particular, the election of Barack Obama as president of the United States. In addition to assessing the significance of these developments for the debate over reparations, the authors point to several new directions that the notion of reparations appears to be taking, and conclude with some thoughts about how reparations—understood chiefly in terms of their larger aim of enhancing racial equality—might realistically be achieved.