



WORLD

Reparations bill gets new attention amid BLM. Could other nations provide a blueprint?

Kim Hjelmgaard USA TODAY

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Tony Burroughs' great-great-great-great grandfather was freed from slavery in 1806 by a white woman from Pennsylvania. In her last will and testament, Margaret Hutton had specified that David Truman was to be taught to read and do math.

He was given \$8, about \$165 in today's money. Truman was 25.

But 59 years later when a Union Army general named Gordon Granger announced in Texas on June 19, 1865 – now known as Juneteenth – that "all slaves are free," neither Truman nor his descendants benefited from the federal government's short-lived promise of what then passed for reparations: "forty acres and a mule."

Truman's grandson, Burroughs discovered, would later accumulate enough money to buy a single acre for farming. But he lost it some years later. From enslavement, in all, it would take six generations – until Burroughs' parents' generation, in the late 1960s –before the family had the financial footing to become homeowners.

There is more to the Frederick Douglass story: Her name is Anna Murray Douglass

"The Confederates lost the Civil War. They sure didn't give up the fight," said Burroughs, 71, the founder of the Center for Black Genealogy, a Chicago-based organization that helps people scour records and offers advice about how to trace their lineages.

Burroughs has spent more than 20 years researching his ancestors.

"There's so many ways in which Black Americans have been denied wealth," he said.

'It allows people to get back on their feet and be reborn'

Protests unleashed by the deaths of George Floyd, Breonna Taylor and other Black Americans have re-centered racial inequality in the public consciousness, and renewed debate around what to do about it — including reparations.

Black Americans: More hate crimes, violence in wake of George Floyd protests

But reparations — or compensation for historical crimes and wrongdoings with the aim of remedying injustices and helping specific groups of people or populations to prosper — have mostly been experimented with in international settings.

From Germany to South Africa, and from Colombia to Kuwait, various authorities have sought to draft and implement policies, not always monetary payments, whose chief purpose is to translate the most hellish forms of suffering into redress.

Though the British government has not made reparations for the trans-Atlantic slave trade, in 2013 it paid \$31 million to 5,228 claimants in Kenya for unspeakable atrocities committed against Mau Mau independence fighters from 1952-1963. Forced off their fertile lands by white European settlers, Mau Mau rebels started fighting back. While the Mau Mau themselves were responsible for many deaths, when captured, women were sometimes raped with glass bottles; men castrated with pliers.

Iraq has paid out almost \$50 billion to Kuwait for the destruction of its oil fields during its invasion and occupation of the country during the 1990-91 Gulf War. It has also compensated Kuwaitis for personal property damages, job losses and sexual assaults.

In 2011, Colombia's so-called Victims Law was established for the more than 11 million people who were caught up in over half a century of massacres, bombs and armed conflict between Colombia's guerrillas, paramilitaries and military forces.

"It allows people to get back on their feet and be reborn," said Gloria Quintero, 48, speaking about the law, a far-reaching reparations system that includes financial payments, restitution of stolen land, health care, education and other benefits.

Quintero was forced to flee her home twice, and her brother was "disappeared" by paramilitaries. Only 10% of the population of Grenada, the town where she lives in central Colombia, remains. Today, Quintero runs her own family baking business, a relative success story she credits to her government's decision to pursue reparations.

However, Colombia's government hasn't always followed through on its reparations promises, leaving many victims, such as Ángela Maria Escobar, who was raped by paramilitaries in 2000, feeling like they haven't received justice. She received about \$4,500 in compensation from the government, but because sexual violence victims are stigmatized, she said she never received sufficient medical or psychological care.

"We've had to fight for ourselves," said Escobar, 55, from her home near Bogota.

"When you think about some of the violations, most people have received a pittance," said Makau Mutua, a Kenyan-American law professor who was part of the justice and reconciliation task force in Kenya that helped secure the Mau Mau payments. Mutua is also active in pressuring Germany's government to be held accountable for its genocidal slaughter of Herero and Nama tribespeople in Namibia more than a century ago when the African nation was a German colony.

Germany has accepted "moral responsibility" for the killings. But it has so far kept an official apology for the massacres at arm's length to avoid compensation claims, according to Wolfgang Kaleck, a German civil rights attorney who is involved in the negotiations. He said a development in the case is expected within months.

"The big question is: What is appropriate compensation in this context?" he said.

'We tried to deal with our original sin of slavery by fighting a Civil War'

In the USA, the case for reparations for the federal government's role in slavery has been both growing and met with skepticism.

Just weeks after Floyd died after a Minneapolis police officer kneeled on his neck for almost nine minutes, the California Assembly passed a bill to establish a task force to study and develop reparation proposals for African Americans.

But more than a year before, Rep. Sheila Jackson Lee, D-Texas, sponsored a bill in Congress known as H.R. 40, or the Commission to Study and Develop Reparation Proposals for African-Americans Act. And for more than two decades before her, Rep. John Conyers, D-Mich., introduced it year after year without success.

Now, it's receiving greater attention, Jackson Lee said.

The Congressional Black Caucus met on it last week.

"There is no better time for H.R. 40 to be part of the national dialogue, and part of the national legislative response," she said

The "40" is a reference to the 40 acres of land promised, but never fully delivered, to former slaves by another Union Army general, William Sherman, in 1865.

The full allotment under Sherman's Special Order No. 15 was for 5.3 million acres of land to be distributed to newly freed Black families, according to a new book – "From Here to Equality: Reparations for Black Americans in the Twenty-First Century" – by Kirsten Mullen, a folklorist and historian, and William Darity, an economist at Duke University whose research is devoted to inequality in the context of race.

The offer, such as it was, was overturned by President Andrew Johnson, the 17th American president and President Abraham Lincoln's successor, that same year.

In the end, only 40,000 of approximately 4 million of the formerly enslaved were settled on 400,000 acres of land before Johnson reversed the order.

H.R. 40 isn't a reparations plan per se.

It's a bill that, if passed, would study what, if anything, the federal government owes the descendants of slaves, and how to implement that debt.

Renewed public interest in the topic was kick-started by the writer Ta-Nehisi Coates, among others, whose 2014 cover story "The Case for Reparations" in The Atlantic magazine argued "it is impossible to imagine America without the inheritance of slavery."

H.R. 40: Ta-Nehisi Coates, Danny Glover call for slavery reparations before Congress

Though Congress for the first time formally apologized for slavery in 2008, H.R. 40 has still faced opposition.

"I don't think that reparations for something that happened 150 years ago, for whom none of us currently living are responsible, is a good idea. We tried to deal with our original sin of slavery by fighting a Civil War, by passing landmark civil rights legislation, by electing an African American president," Senate Majority Leader Mitch McConnell, a Republican whose great-great grandfathers owned slaves who worked on Alabama cotton farms, said in 2019 amid a congressional hearing on the topic.

At the hearing, which took place on Juneteenth and saw testimony from Coates as well as Sen. Cory Booker, D-N.J. and the actor Danny Glover, a writer and opinion columnist

named Coleman Hughes told the panel that while he considered "our failure to pay reparations directly to freed slaves after the Civil War to be one of the greatest injustices ever perpetuated by the U.S. government," he worried that paying reparations to all descendants of slaves might be "justice for the dead at the price of justice for the living."

Hughes, who said he is descended from slaves, added:

"Take me, for example. I was born three decades after Jim Crow ended into a privileged household in the suburbs," he said, referencing the state and local statutes that previously legalized segregation in the USA until the middle of the 20th century.

"I attend an Ivy League school," he went on. "So reparations for slavery would allocate federal resources to me but not to an American with the wrong ancestry – even if that person is living paycheck to paycheck and working multiple jobs to support a family."

In fact, the USA has done reparations before.

Congress established the Indian Claims Commission at the end of World War II. The commission was designed to address Native American grievances related to a century's worth of treaty violations, gross maltreatment and lost territories.

Altogether, 176 different tribes and bands lodged claims that resulted in payouts ranging from \$2,500 to \$35 million. But historians Michael Lieder and Jake Page noted in their book "Wild Justice: The People of Geronimo Vs. the United States" that the average payout to a person with Native American ancestry was just \$1,000.

"Gambling has had a more positive impact on the quality of life on reservations than did the Indian Claims Commission Act primarily because tribal income from it reached \$4 billion in 1994 alone, more than two and a half times the total amount of the awards under the Indian Claims Commission Act," they write in the book.

A separate claim, in 1971, gave one billion dollars and saw 40 million acres returned to Native Alaskans, but the commission was effectively closed in 1978.

Supreme Court: Eastern Oklahoma remains Native American territory

Ten years later, President Ronald Reagan signed the Civil Liberties Act to compensate more than 120,000 Japanese Americans who were incarcerated in remote and sometimes desolate internment camps during World War II amid evidence-less fears that they would act as spies or saboteurs for the Japanese government.

With the adoption of the 1988 Civil Liberties Act, Reagan acknowledged the injustice of the internment, apologized for it and a \$20,000 cash payment was made to each person who was interned and, perhaps crucially in terms of setting a precedent, still alive.

"The act was designed to avoid the whole issue of heirs and estates and descendants. It was decided that only the person who had been incarcerated should be paid – directly," said Norman Mineta, who served as Commerce secretary under President Bill Clinton, and Transportation secretary under President George W. Bush.

Mineta, 88, was instrumental in the act's passage.

He also understood more than most what it meant to Japanese Americans.

Age 10, he was interned with his family – immigrants from Japan – first at the Santa Anita racetrack near Los Angeles, then in Wyoming.

They were sent there shortly after President Franklin Delano Roosevelt declared the 1941 Japanese attack on Pearl Harbor "a date which will live in infamy."

All these years later Mineta has an abiding memory of that time: "I remember lots of these big signs that were put up on utility poles and sides of buildings where there were relatively large populations of people, like me, with Japanese ancestry," he said.

The signs instructed all those of "Japanese ancestry, alien and non-alien" to report to certain designated areas, at certain times, for evacuation to the camps.

"I looked at those signs as a very young boy and I said to my brother, who is 9 years older: 'Who's a non-alien?' He said: 'That's you.' I said: 'I'm not a non-alien. I'm a citizen.' He said: 'It means the same thing. It's some kind of psychological warfare.' And that's why, to this day, I still continue to cherish the word 'citizen,' because my own government wasn't willing, at that time, to use the word to describe me," Mineta said.

'I'm leaving, not coming back': Fed up with racism, Black Americans head overseas

'They accepted responsibility for their actions. Everything starts with that'

One country that perhaps has more experience administering reparations than any other is Germany, a consequence of its state-directed murder of millions of Jews.

During World War II, Germany also forced millions into slave labor throughout German-occupied Europe. Up to 20 million people toiled manufacturing steel and armaments, as farm hands, in clerical positions, as servants in private homes and other jobs.

Bernd Reiter, a German-born political scientist who teaches at the University of South Florida, said that initially international calls for Germany to pay reparations to Holocaust survivors were met with strong resistance domestically because the country had been all but destroyed by the war and many Germans were poor or destitute.

Additionally, there was recognition that it was Germany's payment of reparations after World War I to compensate Allied powers such as Britain, France and the USA for some of their war costs that contributed to the rise of Hitler's Nazism in the first place.

There was also an unwillingness from some of Israel's Jews to receive German funds.

"Many Israelis saw reparations as blood money – a cheap way out," Reiter said.

Still, by 1956, according to Reiter, Germany was contributing significant sums to Israel's state revenue – money the new state used to build its railways and electricity grid and fund major national infrastructure projects in agriculture, mining and irrigation.

Confronting injustices: Germany slowly relaxes its grip on how it deals with Holocaust

Germany has also, since 1952, paid more than \$80 billion in reparations directly to 800,000 Holocaust victims, according to Claims Conference, an organization that represents the world's Jews in negotiating compensation for victims of Nazi crimes.

This works out, on average, at about \$100,000 per recipient.

Separately, Remembrance, Responsibility and Future Foundation, a German federal agency, has paid out almost \$6 billion to 1.7 million former workers, or their descendants, who were forced into labor by Nazis or their collaborators. These payments have been based on estimates of how much their work enriched Germany.

More recently, in 2013, the German government agreed to pay \$1 billion for the home care of elderly Holocaust survivors – financial assistance that, as of July 2019, was estimated to benefit about 80,000 Holocaust survivors, Claims Conference said.

Sami Steigmann, 80, may eventually be one of them.

He was forced into a Nazi labor camp in Ukraine when he was just 18 months old. While there, he nearly starved to death after Nazi scientists experimented on his young body.

After the Russians liberated his family from the camp in 1944, Steigmann moved to Israel before eventually settling in New York City, where he still lives today.

Over the years Steigmann estimates that he has received about \$110,000 in payments of various kinds from the German authorities. He still receives about \$400 per month.

But life has not been easy for Steigmann.

The legacy of his time in the camp, though he was very young, has contributed to mental health problems and, off and on, he has experienced homelessness.

"Germany's money has not changed my life," he said. "But the way I look at it is that they accepted responsibility for their actions. Everything starts with that."

How much?

At a Congressional Black Caucus press conference in early July, Rep. Sheila Jackson Lee said that systemic racism "has been a cancer on the skin and the fabric of this nation that has not been remedied; it has only deepened." She said reparations are "the answer to the original sin."

But the prospect of reparations in the USA, at least in policy terms, has raised a lot of questions. Among them: Who gets reparations? And how much should they get?

According to an estimate by Mullen and Darity, the historian and economist at Duke University, the cost of compensating Americans descended from slaves for the legacy of bondage and subsequent racial oppression could be as much as \$13 trillion.

Mullen and Darity have calculated that, out of an approximate 45 million Black Americans, about 40 million would be eligible recipients of these funds if eligibility is based on whether their ancestors were enslaved in the USA.

This works out in the vicinity of \$300,000-\$350,000 per recipient.

Which raises another question: What's the potential impact? How, in other words, will reparations for a historic crime help the future Tony Burroughs of this world amass wealth and pass it on to subsequent generations of Black Americans?

Studies have shown that the net worth of a typical white family is nearly ten times greater than that of a Black family. Black Americans are also less likely to own a home than other racial and ethnic groups. The Black poverty rate is double the white rate.

12 charts: How racial disparities persist across wealth, health, education and beyond

According to an analysis by Mullen and Darity, reparations, if handled judiciously, could lead to the elimination of the Black-white wealth gap within 10 years.

However, that does not mean that reparations would be a panacea for all the myriad ways in which racial discrimination from police brutality to predatory mortgage-lending practices have persisted after Jim Crow laws officially stopped being enforced in 1965.

"I don't believe the elimination of racial wealth differences will solve every dimension of racial injustice," Darity said. "Other policies would be needed," he added.

'They decided to focus on lynchings, rather than Jim Crow laws'

Still, the example of South Africa shows that even when claims for reparations are clear, as they are in a nation where Black people endured three centuries of slavery and forced labor, followed by nearly 50 years of race-based oppression, the process of righting a wrong can be fraught with legal, social and economic complexities.

More than 25 years after apartheid officially ended, South Africa is still wrangling with how to restore to Black ownership vast tracts of land, much of it taken by force by whites, but some also sold to white colonial settlers by indigenous communities.

South Africa's President Cyril Ramaphosa has vowed that the restitution of farmland previously owned and worked by Black South Africans will go ahead. But in a place where the country's mostly white farmers control more than 70% of the best arable land, Ramaphosa has raised the controversial specter of expropriation without compensation.

In other words, forcibly taking land from whites, who make up 9% of South Africa's population, and giving it to Blacks. It's a scenario that for some revives images of when Zimbabwe's former President Robert Mugabe seized farms owned by the nation's whites, disrupting crop growing areas and unleashing economic devastation.

"One of the main reasons for the backlogs in land transfer is corruption and incompetence among officials," alleged Nico Harris, 61, a white Afrikaner whose family farm in the rolling lush hills of South Africa's most abundant agricultural land of KwaZulu-Natal province, home to the Zulu tribe, was seized by the government.

Following a court case, the government was forced to pay Harris for his land.

Meanwhile, many new Black farmers have gone out of business for lack of resources.

Yet some resettled Black farmers have said they are happy with the land they have received even without promised government support in the form of training and capital equipment for the land that they must now work that has not materialized.

"It is easy for the government to give Black people land. But at the same time, they should advise us how to run commercial farms," said Nodumo Biela, 38, of the Kwasague community association, a group that represents Black farmers in her area.

Justin Hansford, a law professor and executive director of the Thurgood Marshall Civil Rights Center at Howard University, said that the example of South Africa, though flawed, may still be the most instructive for reparation comparisons to the USA.

"It's the closest context to ours because of apartheid, where racial justice was denied for so long," he said. "There's also a lot of public lands in the United States that could be part of a restitution program here," Hansford added, noting that while the land initiatives in South Africa may be an important step toward redress, they are far from perfect.

Many Black South Africans have been left deeply dissatisfied with a process that has focused on individual white actions and atrocities, rather than the "collective harm" on Black prosperity wrought by generations of previous white South African governments. South Africa is still a country of two nations: rich whites and poor Blacks.

"It's like they decided to focus on lynchings, rather than Jim Crow laws," Hansford said.

Hansford said that in a limited respect reparations are already happening in the USA.

He cited a number of different initiatives and groups that have been pursuing restitution at the local level, such as when students at Georgetown University in 2019 voted to tax themselves a small amount each semester to create a fund that will support the descendants of the enslaved people from whom the university profited.

In 2015, Chicago created a \$5.5 million reparations fund, as well as a memorial, free college tuition and employment assistance for Black Americans tortured by police.

Various churches and religious orders with links to slavery, such as The Society of the Sacred Heart, which owned slaves in Louisiana and Missouri, have also unveiled efforts such as scholarships aimed at confronting racism and fostering economic reconciliation.

The Harriet Tubman Community Investment Act, recently heard before the Maryland General Assembly, aims to atone for slavery and its legacy by addressing barriers for Black Americans to education, homeownership and starting businesses.

In-depth: The US is grappling with its history of slavery. How to deal with it? Some say look to Brown University

"I don't think we're going to get to a point where everybody agrees on reparations," said Hansford. "And I don't think the federal government is going to go first. There's going to be a lot of little local leaps forward from companies, in sports, elsewhere," he said.

According to a Reuters/Ipsos poll published in late June, only one in five respondents – 20% – agreed that the USA should use "taxpayer money to pay damages to descendants of enslaved people in the United States."

"Corrective justice" isn't easy, said Arif Hyder Ali, a lawyer who worked on the reparations claims arising out of Iraq's 1990 invasion of Kuwait. "That's true whether we're talking about South Africa, Germany, Colombia or the United States," he said.

"But it is imperative," Ali said.

'Reparations aren't a lost cause. I think we'll get there'

In Chicago, Burroughs is encouraged.

He mentioned a case from a few years ago involving a white family who, when they started researching their ancestors, discovered they had been involved in the slave trade. He said this family was so upset and embarrassed by it that they tracked down the descendants of the slaves the family owned to talk about reparations.

Burroughs is convinced reparations, and racism more generally, as well as the Black Lives Matter movement, will feature heavily as a topic in the U.S. presidential campaign ahead of November's vote. He believes that President Donald Trump has positioned himself as a defender of racism, and this will partly lead to his electoral undoing.

"Reparations aren't a lost cause. I think we'll get there," he said.

Then, quoting American abolitionist Frederick Douglass, added: "Power concedes nothing without a demand."

Contributing: Megan Janetsky in Colombia and Chris Erasmus in South Africa. Kim Hjelmgaard is on Twitter @khjelmgaard and on Instagram @khjelmgaard.