E5 ENCLAVE INCORPORATED

*A team of reparationists · A bloc of independent Black American voters · Economic parity for Black Americans*

JULY 8, 2026

The Honorable Clarence Thomas
Associate Justice
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

**Re: The Economic Condition of Foundational Black Americans — For the Record**

Dear Justice Thomas:

We, the undersigned, write not to ask anything of the Court, but to place a record before you.

In your dissent in this June's Citizenship Clause decision, you wrote: "Blacks were entitled to citizenship because they were Americans. They had no other homeland, owed no allegiance to any foreign power, and were subject to no other authority." Whatever else divides the country on that case, on this point the historical record stands with you: the Fourteenth Amendment was written first for the freedmen.

We are their descendants. The enclosed record—the Joint Economic Committee's reporting, produced under the Biden administration, and the scholarship gathered alongside it—shows the condition of the very Americans for whom the Amendment was written: at the bottom of the economic ladder in every state, Montana being the exception. This, in a country of vast wealth—wealth created on the chattel enslavement of Foundational Black Americans.

We have carried this record to both Houses of Congress to demand a hearing on the economic condition of Foundational Black Americans. We place a copy before you so that the same record the Congress holds also rests in your chambers. Among the undersigned is Jean Cornelius-Barnett, daughter of Dr. Samuel J. Cornelius.

Respectfully,
**The Undersigned**

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# CONTENTS OF THE RECORD

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# The Economic State of Black America in 2020

Over the past half-century, Black Americans have made substantial social and economic progress, gaining political rights that long had been denied to them, entering professions from which they had been blocked and largely overcoming centuries of overt racism and oppression.

While there were only five Black Members of Congress when the Civil Rights Act became law in 1964, there currently are 56 Black Members of Congress, including 12% of the House of Representatives. Black activists, scholars, and social commentators have raised awareness about the importance of diversity and shaped the national conversation around race and inequality. There has been a proliferation of Black writers, screenwriters, artists, poets, athletes and musicians who have become superstars in their respective fields. And the 21st century saw the election of the first Black American, Barack Obama, as president of the United States.

Millions of Black Americans also have benefited from the opportunities created by the de jure end of Jim Crow, entering the middle class for the first time, earning undergraduate and advanced degrees, receiving higher wages, achieving professional success and raising children who will build on their achievements. Leading indicators of economic prosperity and other measures of well-being also have trended upward for most of this period, with increased life expectancy, increased household incomes and substantial gains in educational attainment.

However, these very visible signs of improvement mask deep inequities that relegate tens of millions of Black Americans to second-class status, with far fewer opportunities to achieve good health, political influence, prosperity and security than other Americans. The majority of Americans fail to recognize the magnitude of these problems. For example, a 2019 study found that over 97% of respondents vastly underestimated the huge gap between the median wealth held by Black families ($17,000) and White families ($171,000)—a ratio of 10 to one. Respondents estimated the gap to be 80 percentage points smaller than the actual divide.

The data reveal a much different story, with leading indicators of social and economic well-being showing that, on average, Black Americans face much more difficult circumstances than their White counterparts. For example, Black Americans take home less income, are far less likely to own their homes and live shorter lives than White Americans.

Evaluating the economic state of Black America requires acknowledging that while the United States has made some progress, very large disparities continue to exist. Recognizing both the progress and the challenges is essential to ensuring that all Americans, including Black Americans, have a realistic chance to achieve success.

## KEY POINTS

- Despite significant economic progress over the past decades, Black Americans experience far worse economic conditions than Whites or the population as a whole.
- Historically, the unemployment rate for Black Americans has been approximately twice the rate for Whites. That is the case today—6.0% for Black workers and 3.1% for Whites.
- The difference in the unemployment rates for Blacks and Whites shrinks for college graduates; however, even in the current strong economy the unemployment rate is 50% higher for Black Americans.
- During the majority of the past 50 years, Black Americans have experienced unemployment rates that, were they experienced by the entire population, would be seen as recessionary.
- Black workers have been disproportionally hurt by the overall decline in union membership and the decreasing power of unions.
- The typical Black households earns a fraction of White households—just 59 cents for every dollar. The gap between Black and White annual household incomes is about $29,000 per year.
- Black Americans are over twice as likely to live in poverty as White Americans.
- Black children are three times as likely to live in poverty as White children.
- The median wealth of Black families ($17,000)—is less than one-tenth that of White families ($171,000).
- The wealth gap between Black and White households increases with education.
- Much less than half (42%) of Black families own their homes, compared to almost three-quarters (73%) of White families.
- High school graduation rates for Black and White Americans have nearly converged.
- The share of Blacks who are college graduates has more than doubled since 1990, from 11% to 25%—but still lags far behind Whites.
- Persistent segregation leads to large disparities in the quality of secondary education, leading to worse economic outcomes.
- The incarceration rate for Black Americans is falling, but is still nearly six times the rate for White Americans.
- Non-Hispanic Black Americans have a life expectancy 3.6 years lower than non-Hispanic White Americans.

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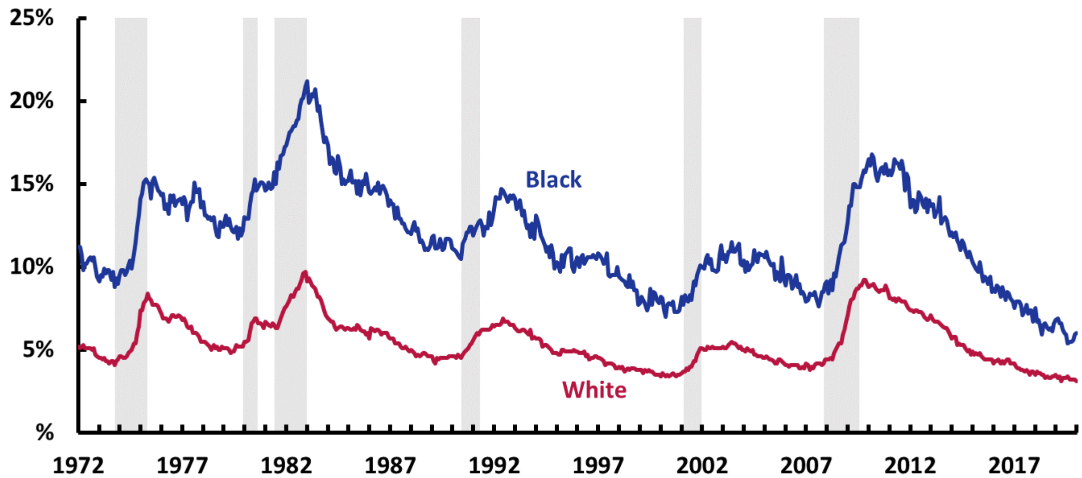
## EMPLOYMENT

### *The unemployment rate for Black Americans is much higher than for Whites*

The U.S. economy provides Black Americans with far fewer opportunities for stable, well-paying employment than their White counterparts. Over the past 50 years, the unemployment rate for Blacks consistently has been approximately twice that of Whites. Although President Trump in his recent State of the Union Address heralded the fact the Black unemployment rate had dropped to 6% in January 2020, it still is almost twice the White unemployment rate of 3.1%.[1]

**Black Unemployment Is Consistently Almost Double White Unemployment Across Time**

January 1972-January 2020




Source: Bureau of Labor Statistics, National Bureau of Economic Research, Haver Analytics.
Note: Unemployment rate for those 16 years and over; data are seasonally adjusted. Shading reflects periods of recession.

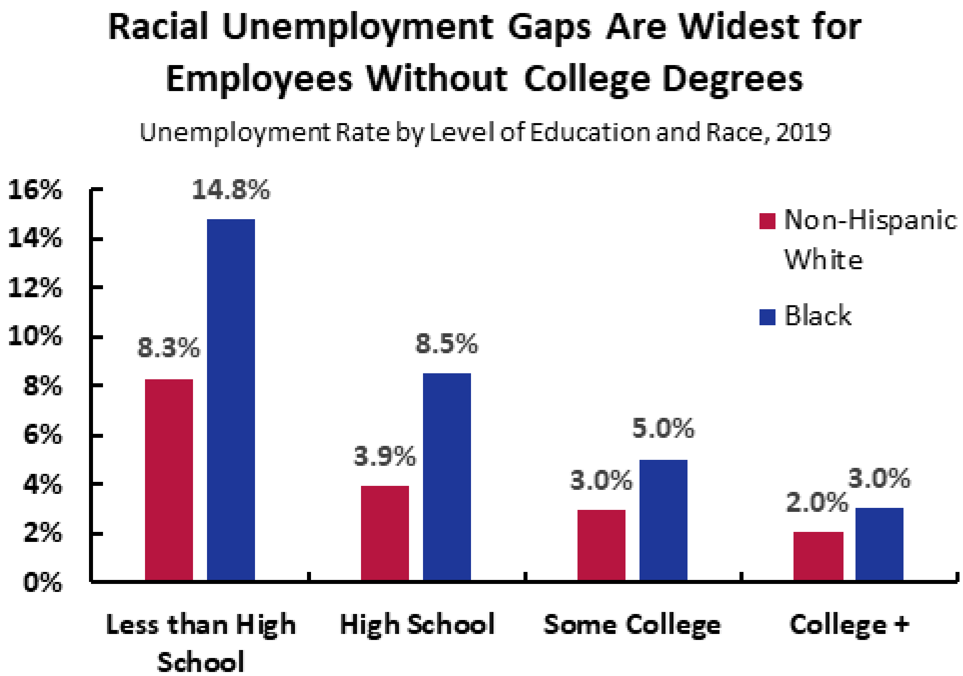
The spread between White and Black unemployment increases when overall unemployment rises and decreases when it falls. In 1983, when Federal Reserve Chair Paul Volcker pushed through very large increases in interest rates to combat inflation, Black unemployment skyrocketed to 21.2%, more than twice White unemployment.

Often, even in a strong economy, the labor market for Black Americans is what White Americans experience during a recession. In general, African Americans benefit when the economy improves, but when it sputters, they are the first to be fired. For this reason, policies that help support a strong economy close to full employment are particularly beneficial for Black Americans and help reduce racial disparities.[2]

### *Racial disparities in unemployment rates exist at every education level*

The largest gaps in unemployment exist between Black and White workers without a college education. The average unemployment rate in 2019 for Black workers with just a high school education was 8.5%, more than twice the 3.9% rate for similarly educated White workers.

Unemployment rates for both Blacks and Whites with at least a bachelor's degree were much lower, two percent for Whites and three percent for Blacks—50% higher.




Source: JEC Democratic Staff Calculations, Current Population Survey 12-Month Moving Average January 2019-December 2019.
Note: "Some College" includes associate degrees; "College +" refers to bachelor's degrees and more. "Black" refers to Black Alone or in Combination, Non-Hispanic. "Non-Hispanic White" refers to White Alone, Not Hispanic.

### *A smaller share of Black Americans are in the labor force*

The current economic expansion, which began in 2009 under President Obama and is the longest on record, has helped increase the share of Black Americans in the labor force. As the labor market has tightened over the past several years, the difference between labor force participation rates for Blacks (62.6%) and Whites (63.4%) has almost disappeared. This undermines the persistent stereotype that Blacks are less inclined to seek work than Whites, suggesting instead that they have fewer opportunities to seek employment when the economy is not operating at its peak.

Black women and men have traditionally had labor force participation rates that are much similar than those of White women and men, reflecting a more gender-equitable division of labor both within and outside the home.[3] This in part may be due to difficult labor market conditions and discrimination against Black men, which makes Black women's participation critical to their families.[4] The labor force participation rates of Black women and men were 63.3% and 67.6% in January 2020, compared to 58.3% and 72% for White women and men.

### *Discrimination and occupational segregation are significant causes of racial disparities*

Field experiments have shown that resumes with typically "Black sounding" names received significantly fewer callbacks for job interviews than those with "White sounding" names, even when candidates had identical qualifications.[5] A meta-analysis of these experiments has shown almost no change in the level of hiring discrimination among Blacks over the past 25 years.[6] There also is evidence of Black employment being concentrated in occupations that have a higher risk of unemployment, often because of automation.[7] Black workers also are at higher risk of being the first fired in the event of an economic downturn.[8]

## UNIONIZATION

### *Black workers are more likely to be members of labor unions*

Labor unions have played a key role in helping Black workers secure higher wages, more comprehensive benefits and better working conditions, offering millions of Blacks a pathway to joining the American middle class. Black workers have higher rates of union membership than White workers, with membership rates of 11.2% compared to 10.3% for White workers.[9]

### *Union membership reduces wage differentials between Blacks and Whites*

Unionization has narrowed the wage disparity between Blacks and Whites, but has not eliminated it. In 2019, unionized Black men earned $948 per week compared to $1,181 for unionized White men, a relative pay gap of 80 cents to the dollar. Non-unionized Black men earned $746 compared to $1,012 for non-unionized White men, or 74 cents to the dollar.

Unionization made virtually no difference in the wage gap between Black and White women; unionized Black women earned $874 to unionized White women's $1,044 (84 cents to the dollar), while non-unionized Black women earned $683 to non-unionized White women's $810 (84 cents).[10] Given the reduced racial earnings gaps between unionized men and that a larger share of Black workers overall is unionized, earnings gaps between Black and White workers likely would be larger without unions.[11]

In addition to helping secure better wages and working conditions for Black Americans, unions also played a key role in the Civil Rights movement, improving the lives and economic fates of all Black Americans. Civil Rights leaders, in turn, championed organized labor. A. Phillip Randolph founded the Brotherhood of Sleeping Car Porters, the first Black labor organization chartered by the American Federation of Labor (AFL), and went on to become one of the architects of the Civil Rights Movement.[12] Martin Luther King, Jr. was an outspoken advocate for the labor movement and created the Poor People's Campaign, a multiracial working-class movement dedicated to economic equality and social justice, with strong ties to organized labor.[13]

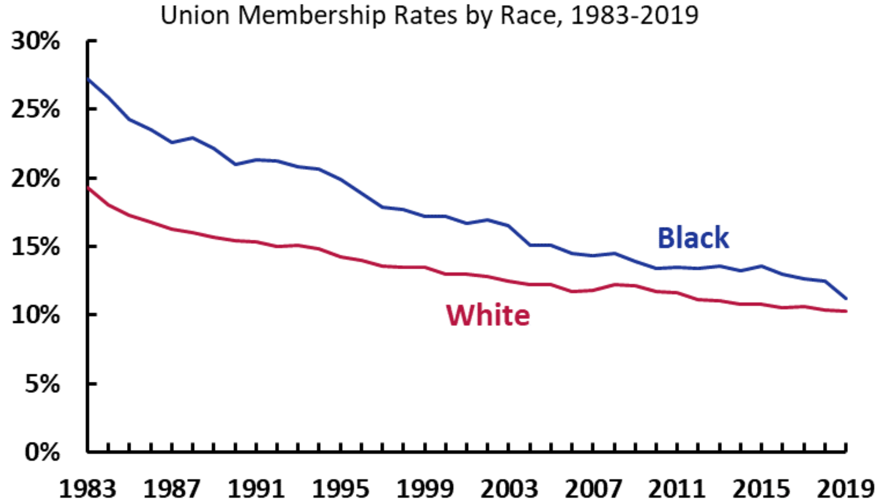
### *Falling union membership rates are particularly harmful to Black workers*

Union membership as a share of employment has been declining steeply for all Americans since the 1980s, declining by nearly half overall from 20.1% in 1983 to 10.3% in 2019. The decline for Blacks has been the steepest, from 27.2% in 1983 to 11.2% in 2019.[14]

In recent years, the most significant drops have been among Black Americans, whose union membership fell from 12.5% to 11.2% from 2018 to 2019. In comparison, White union membership remained relatively unchanged (from 10.4% in 2018 to 10.3% in 2019). The passage of "right-to-work" laws in states across the country, President Trump's executive orders restricting union activities and recent Supreme Court decisions that jeopardize collective bargaining, likely will cause this decline to continue.

**Black Workers Remain More Likely to Be Unionized, But Rates Are Falling Across the Board**

Union Membership Rates by Race, 1983-2019




Source: Bureau of Labor Statistics, Union Affiliation Data from the Current Population Survey.

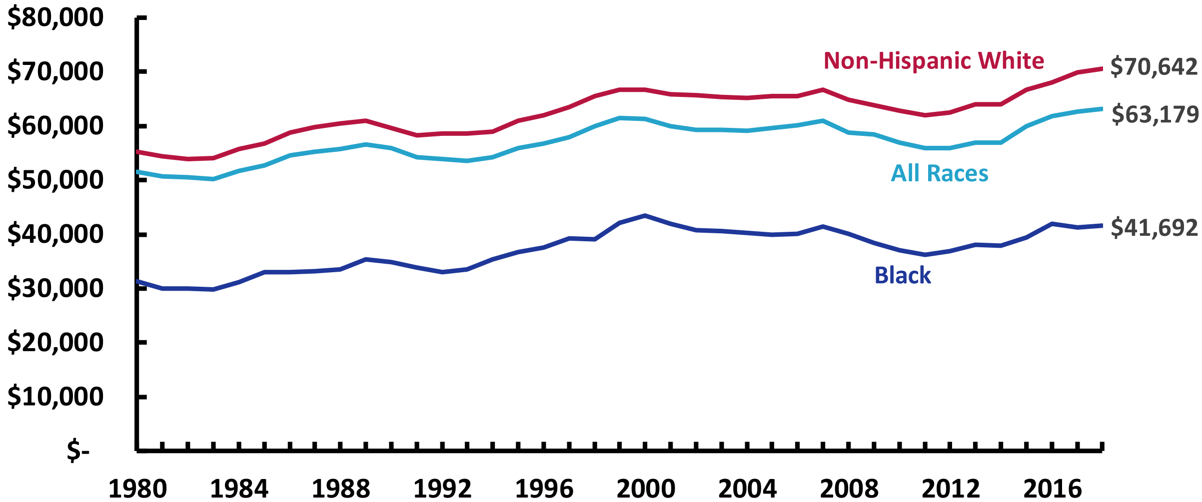
## WAGES AND INCOME

### *Black households earn a fraction of what White households earn*

The median annual household income for Black households in 2018 (the last year for which household data are available) was $41,692, more than $21,000 less than all households and nearly $29,000 less than for White households, which had a median income of $70,642. In other words, for every dollar earned by the typical White household, the typical Black household

**Black Families Earn Far Less than White Families and All Families Nationwide**

Median Household Income, Adjusted to 2018 Dollars, 1980-2018




Source: U.S. Census Bureau, "Income and Poverty in the United States: 2018," Table A-2.
Note: Income in 2018 CPI-U-RS adjusted dollars. Households as of March of the following year. "Black" refers to Black Alone or in Combination (2002-2018)/Black (1980-2001). "Non-Hispanic White" refers to White Alone, Not Hispanic (2002-2018)/White, Not Hispanic (1980-2001).

earned only 59 cents. This is significantly worse than in 2000, when the typical Black household earned about 65 cents for every dollar earned by a White household. [15]

Between 2000 and 2018, wage growth for White and Hispanic workers was faster at every decile of income than for Black workers; as a result, the gap in hourly wages between Black and White workers is larger now at every decile of income than in 2000.[16] The past 40 years have seen rising wage inequality and stagnating wage growth in the United States; this trend has coincided with increasing racial disparities in wages and wage growth. Wages have grown fastest for those at the top of the income distribution, including for high-earning Black workers. However, because Black workers make up a disproportionate share of the bottom of the income distribution, slow wage gains at the bottom have hit the Black community hardest.

### *Black workers are more likely to earn the minimum wage*

Black workers are significantly more likely to work at or below the minimum wage than White workers; 2.4% of Black workers worked at or below the federal minimum wage of $7.25 in 2019 compared to 1.9% of White workers. In 2018, Black workers made up 18% of minimum wage workers despite being only 12.7% of the population.[17]

Black Americans would especially benefit from increases in the minimum wage. Research shows that this not only would raise wages for workers who receive the minimum wage, but those earning more than the minimum wage.[18] As a result, 38% of Black workers would benefit from a proposal to raise the minimum wage to $15 by 2024, compared to 23.2% of White workers.[19]

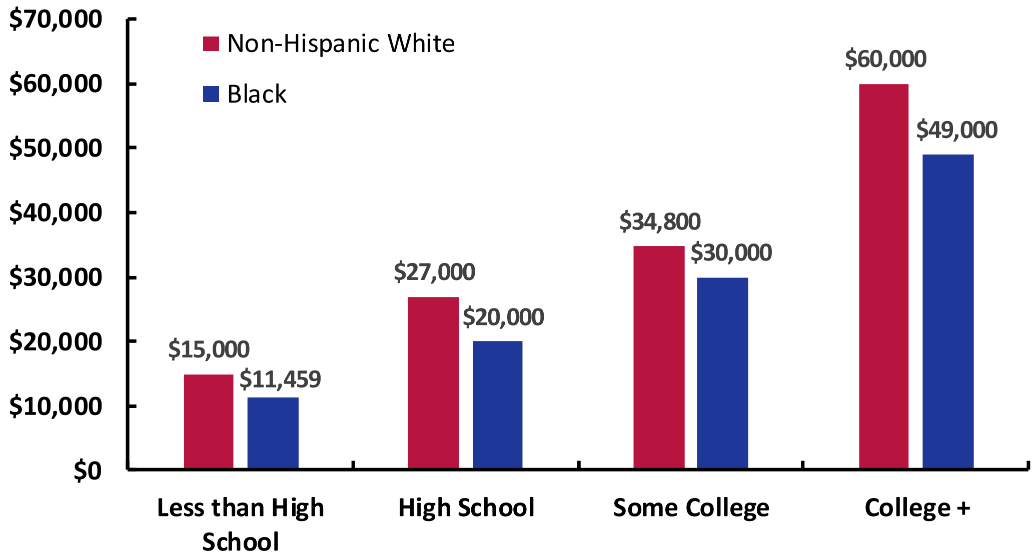
### *College-educated Black workers fare worse in comparison to White workers*

Ironically, college-educated Black workers face a larger absolute income gap relative to Whites than those without a college education. While Black workers with less than a high school education earned $3,500 less than similarly educated White workers in 2018, Black workers with a bachelor's degree and above earned $11,000 less than their White counterparts.

College-educated Black workers are also at a higher risk than their White counterparts of being underemployed—working in occupations that do not make use of their education and consequently pay less. Almost 40% (39.4) of Black college graduates are underemployed compared to 31% of White graduates. [20]

**Racial Pay Gaps Are Widest for Employees with College Degrees**

Median Total Personal Income by Race, 2018




Source: JEC Democratic Staff Calculations, Current Population Survey, ASEC 2019.
Note: "Some College" includes associate degrees, "College +" refers to bachelor's degrees and more. "Black" refers to Black Alone or in Combination. "Non-Hispanic White" refers to White Alone, Not Hispanic.

### *Black women are doubly disadvantaged*

Black women face a double-penalty in income, earning less due to both racial and gender disparities. This income penalty can be traced in part to discrimination and occupational segregation. Black women earned 68 cents for every dollar earned by White men in 2019, improving from 65 cents in 2018. [21] This gender-racial gap in earnings between Black women and White men translates to a lifetime earnings difference of over $900,000 (assuming a 40-year career).[22]

Reductions in occupational segregation began to slow significantly in the 1980s, and there has been little to no progress in reducing occupational segregation since in the 21st century.[23] Between 2000 and 2016, the share of Black women who would have to change occupations in order to eliminate occupational segregation between Black women and White men fell only three percentage points, from 59% to 56%.[24]

## POVERTY AND ECONOMIC MOBILITY

### *Black Americans are over twice as likely to live in poverty as White Americans*

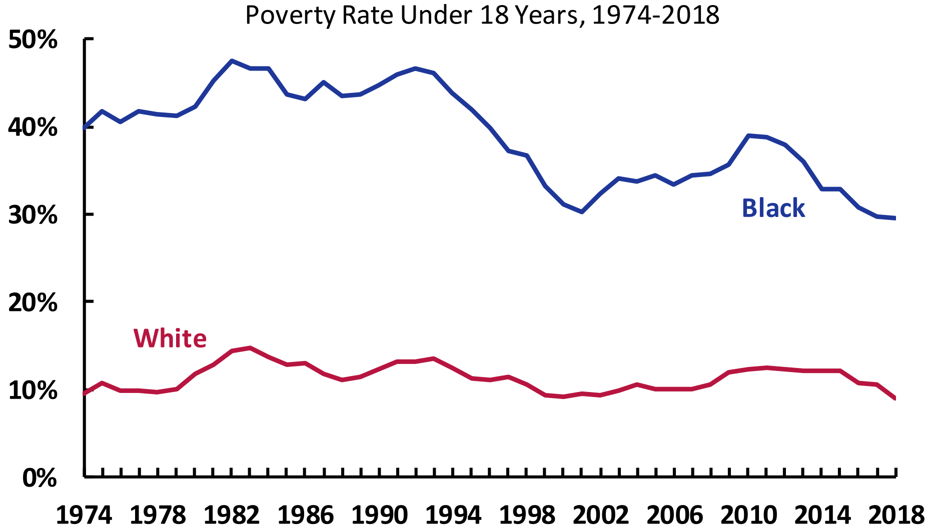
In 2018, almost one-in-12 (8.1%) non-Hispanic White Americans lived under the poverty line. More than two and a half times that percentage of Black Americans (20.8%) lived in poverty. The share of Black Americans living below the poverty line has not fallen below 20%, nor has the share of White Americans living below the poverty line risen above 11% since at least 1959.[25]

Black workers generally are more likely to work at what are known as "poverty-level wages"—at which one person working full time, year-round, would still earn less than the federal poverty line for their family size. In 2017, 14.3% of Black workers earned poverty-level wages, compared to just 8.6% of White workers.[26]

Black Americans also face high rates of child poverty in America, with under-18 poverty rates close to or exceeding 30% dating back to 1974. The poverty rate for Black children regularly triples the rate for White children.[27]

**Black Child Poverty Rates Are Regularly Triple White Rates**

Poverty Rate Under 18 Years, 1974-2018




Source: U.S. Census Bureau, Historical Poverty Tables: Table 3. "Poverty Status of People by Age, Race, and Hispanic Origin."
Note: "Black" refers to Black Alone (2002-2018)/Black (1974-2001). "White" refers to White Alone, Not Hispanic (2002-2018)/White, Not Hispanic (1974-2001).

### *High poverty rates among Black Americans have lifelong consequences*

The consequences of high poverty rates are felt throughout the life cycle for Black Americans. Poverty has well-documented adverse effects on children's educational outcomes and limits young adults' ability to pursue post-secondary education.[28] Those born to families at or below the poverty line are more than twice as likely to be in poor health as adults as those born into families with income more than twice the poverty line.[29]

### *Black Americans experience far less upward economic mobility*

Black Americans face more limited upward economic mobility than White Americans and face a higher risk of downward mobility, even when not born into poverty. Black children born into families in the bottom income quintile are twice as likely as poor White children to stay in the bottom income quintile as adults. The wealthiest Black children are nearly just as likely to remain in the top income quintile as they are to fall to the bottom as adults, whereas it is rare for rich White children to become impoverished as adults.[30]

### *Black Americans depend more on the social safety net*

Safety net programs like SNAP, unemployment insurance, Medicare, Medicaid and Social Security have wide-ranging benefits for demographic groups throughout the economy. They also help to stabilize the economy in the event of an economic downturn by sustaining spending when the economy weakens. [31] Safety net programs disproportionately benefit Black Americans because a larger share lives close to or below the poverty line.

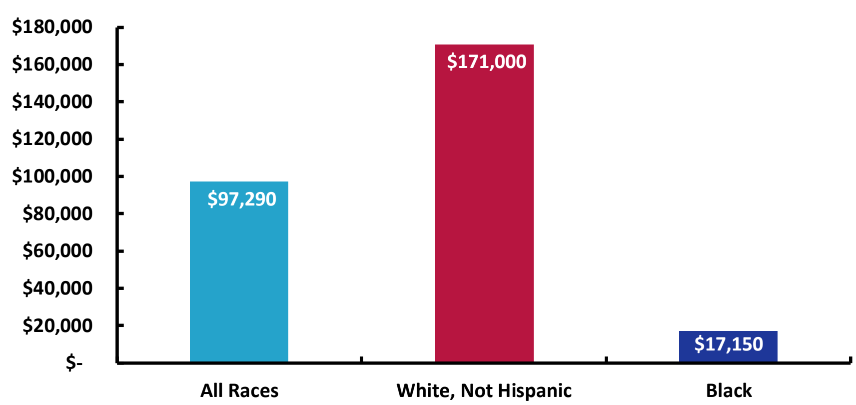
## WEALTH

### *The median wealth of Black families is only one-tenth that of White families*

The median net worth of White families is $171,000, nearly 10 times the median net worth of Black families, which was only $17,150 in 2016. The median Black net worth is less than one year's subsistence at the federal poverty level for a family of three.[32]

**White Families Own Nearly Ten Times the Wealth of Black Families**

Median Family Net Worth, 2016



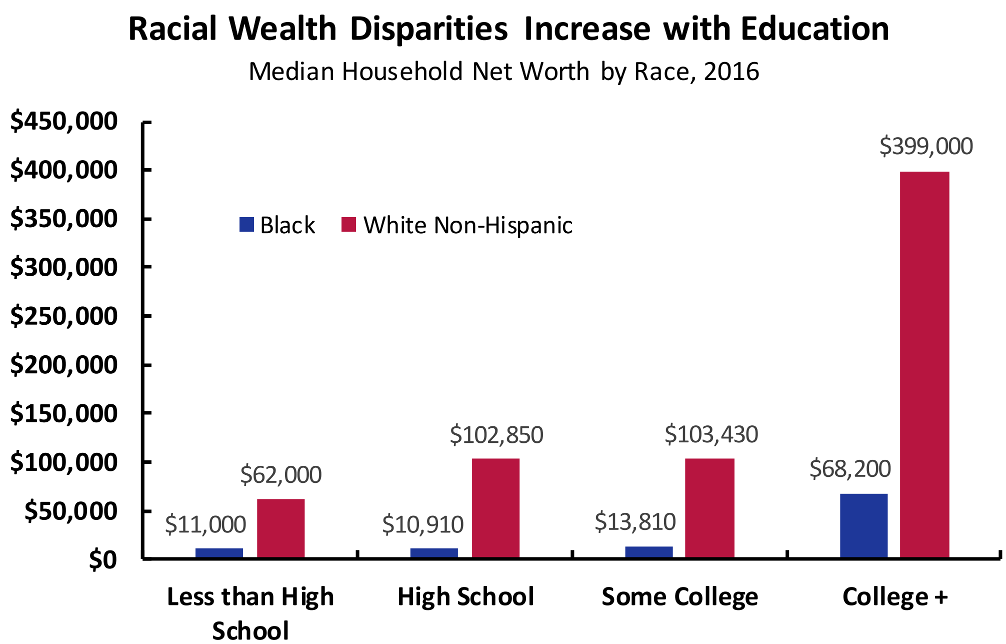

Source: JEC Democratic Staff Calculations, Federal Reserve Survey of Consumer Finances, 2016.

Among households with wealth, Black median household wealth hovered between 5% and 17% of the level of White household wealth between 1989 and 2016. Black households have never held more than 5% of the nation's total wealth, while White households held 85% in 2019, despite Blacks making up around 13% of the population.[33] A 2016 study found that Americans underestimated the size of the Black-White wealth gap by 80 percentage points.[34]

If these trends persist, White median household wealth will increase while Black and Hispanic household wealth continues to fall. At the current pace of decline, median household wealth could reach zero by 2053 for Black households and by 2073 for Hispanic households.[35]

### *A college education does not decrease the wealth gap*

Racial wealth disparities are larger for more highly educated Blacks and Whites than for those with less education. While the Black-White gap in wealth was $51,000 for those with less than a high school education in 2016, for those with a bachelor's degree or higher, the gap was over




Source: 2016 Survey of Consumer Finances.
Note: "Some College" includes those with associates degrees; "College +" refers to bachelor's degrees and more.

$300,000. The median net worth of college-educated Black families was $68,200, while for White families it was $399,000.

### *Historical disparities perpetuate the Black-White wealth gap*

Intergenerational wealth transfers are a determining factor in the distribution of wealth in the United States and of the racial wealth gap in particular.[36] Throughout history, Black Americans have been excluded from programs that allowed a White middle class to emerge and build wealth, and the wealth Blacks were able to build despite these hurdles was often destroyed through acts of domestic terrorism (e.g. Wilmington, NC in 1898, Tulsa, OK in 1921 and countless other smaller lynchings throughout the 19th and 20th centuries).[37] Institutional practices like redlining, the undervaluation of homes in majority-Black neighborhoods and predatory lending continue to exacerbate racial wealth disparities. The failure to fully address these inequities further sustains the wealth gap from generation to generation.

### *Many Black college graduates have difficulty paying off student loan debt*

Twenty years after starting college, the typical Black borrower still owes 95% of his or her original balance, while the typical White borrower owes only 6%. [38] This student debt burden contributes to the difficulty Black adults have in building wealth, preparing for retirement and passing wealth to the next generation.

### *Black Americans approaching retirement have far less savings*

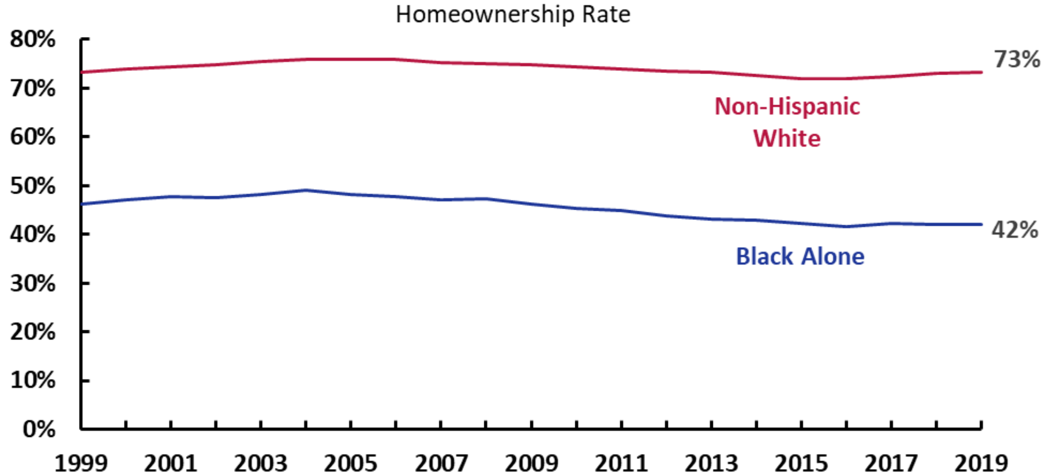
Racial disparities in wealth and income continue across lifetimes and lead to disparities in retirement readiness. There are significant gaps in retirement account savings across both race and gender, with Black men and women ages 55-64 each only holding $30,000 in savings compared to White men's $101,000 and White women's $60,000. [39]

## HOMEOWNERSHIP

### *Black Americans are far less likely to own their own homes than White Americans*

Less than half of Black families own their homes (42%), compared to nearly three-quarters of White families (73%). This is a significant decline from the peak Black homeownership rate of 49% in 2004. The collapse of the housing market in 2008 hit Black homeowners particularly hard, with Black households over 70% more likely to have faced foreclosure than non-Hispanic White households.

**The Black Homeownership Rate Has Not Risen Above Fifty Percent this Century, While Nearly Three-Quarters of White Families Own Their Homes**




Source: U.S. Census Bureau, Current Population Survey/Housing Vacancy Survey. Table 16: Homeownership Rate by Race and Ethnicity of Householder: 1994 to Present.

### *Homes in majority-Black neighborhoods are valued lower*

Fifty years after the passage of the Fair Housing Act, which prohibited discrimination in housing sales, rentals or financing based on religion, race or national origin, residential segregation is still widespread in the United States. Across the 51 metropolitan areas in the United States with at least 1 million residents, the average segregation index was at still nearly 60—where 0 represents full integration and 100 represents complete separation of racial groups. Homes in majority-Black neighborhoods are valued at $48,000 less on average than homes in neighborhoods with few or no Black residents, even when controlling for home quality and neighborhood amenities.

### *Black Americans overall pay higher mortgage interest rates*

During the housing boom of the early and mid-2000s, Black loan applicants living in majority-Black neighborhoods were more likely to receive high risk and high-cost mortgage terms than those living in majority White neighborhoods. Research shows that Black applicants of a similar age, employment history and credit score, seeking to purchase a home in a similar metro area, were almost 8% more likely to have a high-cost mortgage than White applicants.[40]

### *Black homeownership rates are trending downward*

Black millennials (ages 21-36) had a homeownership rate of just 16% in 2017. This is slightly less than one-third the 46% rate of non-Hispanic White millennials. The millennial Black-White homeownership gap substantially exceeds that of every previous generation of Americans since World War II.

The relatively low rate of homeownership for Black millennials is strongly influenced by disparities in employment rates, income, student debt burdens and wealth. Many Americans rely on homeownership and rising home prices as a form of savings; therefore, the low rate of homeownership among young Blacks will make it more difficult for them to build wealth and prepare for retirement.

Over half of Black households (58%) rent their homes, while only 28% of White households rent.[41] Black families often find it more challenging to cover the cost of rent due to a combination of the disparities in income and wages and because of the general crisis in housing affordability in the United States.

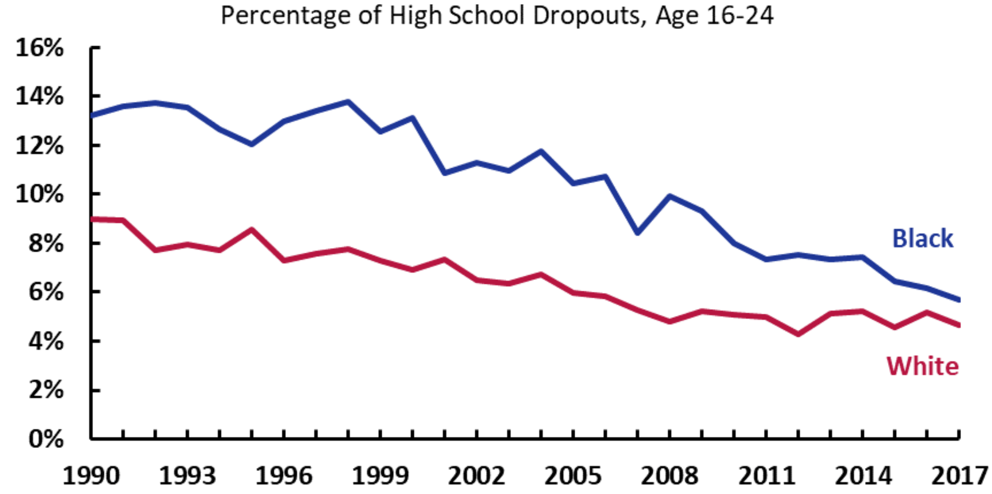
## EDUCATION

### *High school graduation and dropout shares for Blacks and Whites have nearly converged*

Between 1990 and 2017, increasing shares of both Black and White youth have finished high school. The shares of Black and White adults with high school diplomas or GEDs have nearly converged, with Black rates rising from 66% to 88% and White rates rising from 79% to 90%. The shares of Black and White youths (ages 15-24) who are high school dropouts are converging as well, with Black rates falling from 13.2% to 5.7% from 1990 to 2017, and White rates falling from 9% to 4.6%.

**Black and White High School Dropout Rates Are Falling and Converging**

Percentage of High School Dropouts, Age 16-24




Source: Digest of Education Statistics; Current Population Survey, 1990-2017.

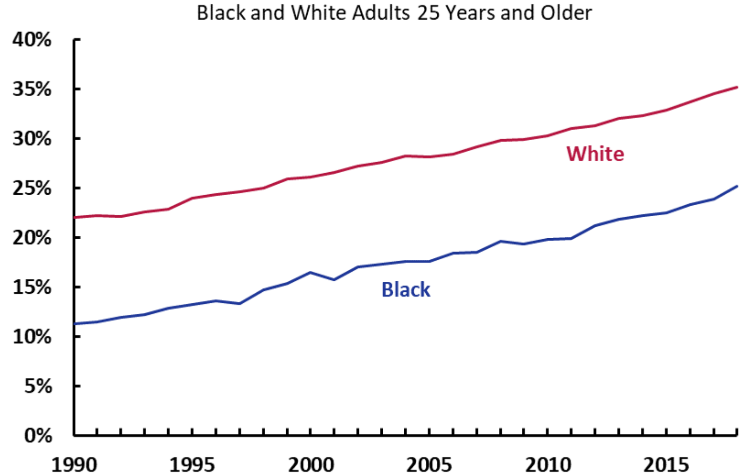
### *The share of Black college graduates has doubled—but still lags far behind whites*

Between 2000 and 2017, college enrollment increased markedly for all groups, such that the share of Black women enrolled in college (40%) exceeded the share of White men enrolled (38%).[42]

However, large disparities in college graduation rates remain. While 67% of White students who enrolled in college in 2012 had completed their degrees by 2018, just 41% of Black students finished their degrees.[43] Moreover, although the share of Black adults with college degrees more than doubled since 1990, the gap in the share of Black and White college graduates has remained mostly unchanged. Differences in Black and White college completion outcomes reflect differences in institution type and access to resources like parental wealth for financial support during enrollment.

**Black College Graduation Rates More than Doubled from 1990 to 2018**

College Graduation Rates
Black and White Adults 25 Years and Older




Source: US Census Bureau, CPS Historical Time Series Tables, Table A-2. Percent of People 25 Years and Over Who Have Completed High School or College, by Race, Hispanic Origin and Sex: Selected Years 1940 to 2018

### *Racial segregation leads to large educational disparities*

Enrollment, graduation and dropout rates alone do not reflect the degree of educational disparities based on race. Economic success depends not only on whether an individual received an education but on whether he or she got a good education sufficient to lead to a well-paying career. In recent decades, the economic returns to education have increased substantially, and more education often is required to achieve a basic level of financial success.

A landmark study (Reardon, et al, 2019) finds that poverty drives the racial achievement gap in education, rather than racial segregation itself.[44] The quality of primary and secondary schools is highly correlated with the wealth of a community, as school funding primarily is dependent on local property taxes, which in turn are driven by the wealth of residents. For this reason, wealthy families have very high incentives to live in proximity to other wealthy families, sending their children to better-funded primary and secondary schools. Likewise, working-class families have high incentives to live in the best neighborhoods they can afford. This residential sorting leads affluent families and poor families to live in increasingly separate and homogenous communities.

Race is highly linked to income and wealth, and therefore many poor neighborhoods are also Black neighborhoods. The most impoverished families most often live in the poorest neighborhoods with the worst schools; even if their children graduate from high school or college, they will face steeper odds than their middle- or upper-class counterparts. Schools with high concentrations of minority students are often lower performing than schools with more White children not because of race per se, but because they are impoverished.

As such, racial segregation concentrates minority students in high-poverty schools, which are generally less effective than lower-poverty schools.[45]

### *Concentrated poverty leads to weak student performance*

Segregated districts have large achievement gaps, not solely due to the racial composition of the student body, but because poverty makes it difficult for students to excel at school. In the 2016-17 school year, 74% of Black students, compared to 31% of White students, were in mid-high or high poverty schools, with 44% of the Black students in high-poverty schools, compared to 8% of White students.[46] The children at these schools come from high-stress environments, surrounded by more crime and violence than affluent White children, adding extra barriers to achievement.[47]

### *A lack of teacher diversity worsens outcomes*

Students perform better when their teacher is of the same race/ethnicity and data show that schools with more racial/ethnic diversity among their students also have more diversity among their teachers.[48] There was little change in the racial/ethnic composition of public elementary and secondary school teachers between 2003-04 and 2015-16; an overwhelming majority of public elementary and secondary school teachers were White.

### *Nonwhite school districts as a whole are more poorly funded*

Recent research finds evidence supporting that higher school funding improves student outcomes.[49] When Black students increasingly are concentrated in separate school districts from White students in the same state, total revenue to schools shifts unfavorably away from the typical Black student's district.[50] Majority non-White school districts as a whole receive $23 billion less than majority White districts, despite serving the same number of students.[51] Disparities in private fundraising can help to explain achievement gaps even among equally-funded schools. Schools with higher private funding can support extracurricular activities, like sports and music groups, which have been found to yield consistent benefits to student academic achievement.[52]

As a result of segregation, many Black Americans are held back by wide differences in school quality. This is a powerful determinant of economic outcomes, undermining the notion that every American has roughly the same chance of achieving economic success.

## INCARCERATION

### *One in three Black men will be incarcerated over his lifetime*

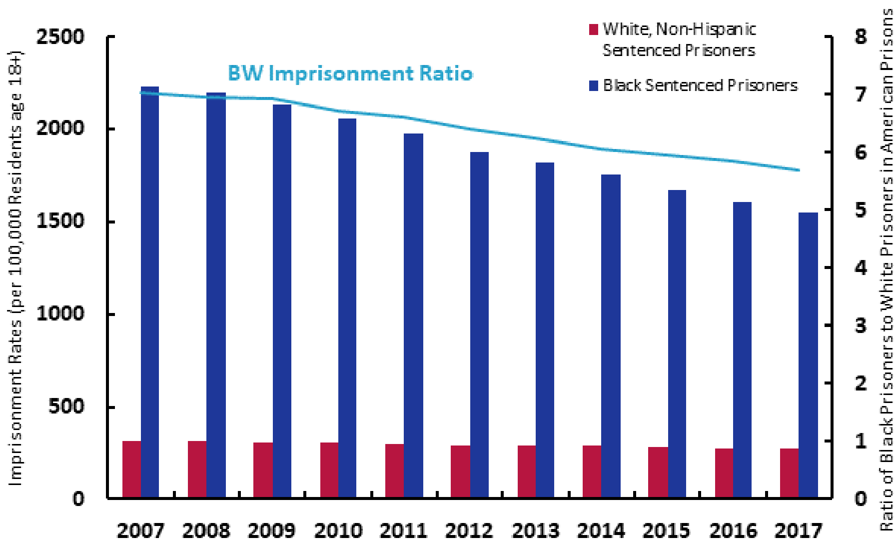
The United States has the highest incarceration rate in the world, with 440 persons per 100,000 sentenced to prison in 2017.[53] The incarceration rate for Black Americans is more than three times higher than the overall U.S. rate at 1,549 per 100,000. Black Americans made up 33% of the sentenced prison population in 2017, despite comprising only about 13% of the U.S adult population.[54]

The vast disparity in incarceration rates is driven substantially by the unequal application of U.S. laws. For example, Black Americans are 3.7 times more likely than White Americans to be arrested for marijuana possession despite comparable rates of use and are twice as likely to be charged with crimes that carry mandatory minimum sentences.[55] Over their lifetime, Black men have a one in three chance of being sent to prison and are 2.5 times more likely to be killed by police than White men.[56]

### *The incarceration rate for Black Americans is falling, but is nearly six times the rate for White Americans*

Incarceration rates for all racial groups have fallen significantly over the past decade, with Black rates falling the most sharply. The incarceration rate for Black Americans fell by 31% between 2007 and 2017. Blacks were still nearly six times more likely than Whites to be imprisoned in 2017, though this is down from seven times more likely in 2007.[57]

**Incarceration Rates for Black Americans Are Declining, But Blacks Are Still Nearly Six Times as Likely to Be Imprisoned as Whites**




Source: JEC Democratic Staff Calculations; Bronson, J, Carson, EA. "Prisoners in 2017." Bureau of Justice Statistics. NCJ 252156. Table 5. Imprisonment rates of sentenced prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction and demographic characteristics, 2007-2017.

These reductions come as the result of more than a decade of criminal justice reform, directed at ending mass incarceration, at the federal and state levels, including the 2010 Fair Sentencing Act, which reduced the disparity in sentencing between crack and powder cocaine offenses that had led to Black Americans often receiving much harsher sentences.[58]

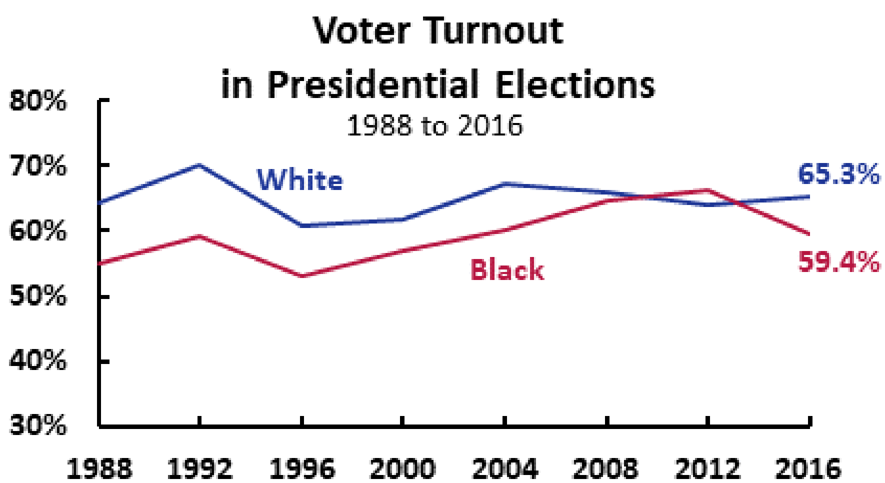
The economic impact of mass incarceration on the Black community has been devastating. While incarceration makes success in the labor market more difficult in general, it is particularly harmful for Black Americans. Formerly incarcerated Blacks have lower earnings than their White counterparts, even when controlling for differences in health, skills, social background, type of crime committed and job readiness.[59] A criminal record restricts employment prospects significantly, with ex-offenders being much less likely to be considered for employment than non-offenders. However, White applicants with criminal records have been shown to receive as many callbacks for interviews as similarly qualified Black applicants without criminal records.[60]

The impacts of imprisonment can extend well beyond the individual to negative consequences for families and communities. When parents are incarcerated, children have worse health and educational development outcomes, as well as worse economic outcomes as adults.[61] When the formerly incarcerated return to their communities, they often return to diminished job prospects, lower earnings potential and other challenges.

## VOTING RIGHTS

### *Black voter turnout decreased in 2016*

Being able to reliably access and shape government at all levels is essential to the economic health of a community. Monitoring trends in voting and voter suppression throughout the country allows us to see where communities can voice their economic concerns and be heard, and where those voices have the potential to go unheard.




Source: U.S. Census Bureau.
Note: Percentage of eligible voters who say they voted. Eligible voters are U.S. citizens ages 18 and older. "White" and "Black" include only non-Hispanics.

Turnout among Black voters dropped for the first time in 20 years in a presidential election to 59.4% in 2016, down from a record-high of 66.6% in 2012. This coincides with increased efforts to suppress the votes of people of color following the 2013 Supreme Court decision, *Shelby County v. Holder*, which effectively struck down the core of the Voting Rights Act, allowing states to change their election laws without federal approval. [62]

### *Decreased voter turnout is partly a result of voter suppression*

Efforts to suppress voting rights have been made under the guise of neutrality and voter fraud prevention; however, they largely target racial minorities. For example, the “exact match” law in Georgia, which faced repeated legal challenges, disenfranchised Black and Latino voters when nearly 70% of the more than 53,000 voters who had their registration put on hold before the 2018 election were Black.[63]

Suppressing the votes of people of color paves the way for state legislators to enact socially conservative agendas and gerrymander districts to establish strangleholds on legislative seats, continuing the cycle of voter disenfranchisement and disempowerment. Partisan gerrymandering in 2010 allowed Republicans in several states to draw districts concentrating Black voters in as few districts as possible, maximizing the number of heavily White Republican seats and minimizing the electoral influence of Black voters.[64]

The Trump administration attempted to use the 2020 Census to suppress minority voting by adding a citizenship question that opponents argued was intended to make some nonwhite residents less likely to participate.[65] This was blocked by the Supreme Court. Data from the decennial census drive the geographic distribution of federal dollars and electoral representation and underlie key indices that measure economic health. A citizenship question would have led to an undercount in the survey due to disproportionately lower response rates among Blacks and Latinos, thus diverting much-needed funds and representation away from states and communities with higher proportions of minorities.

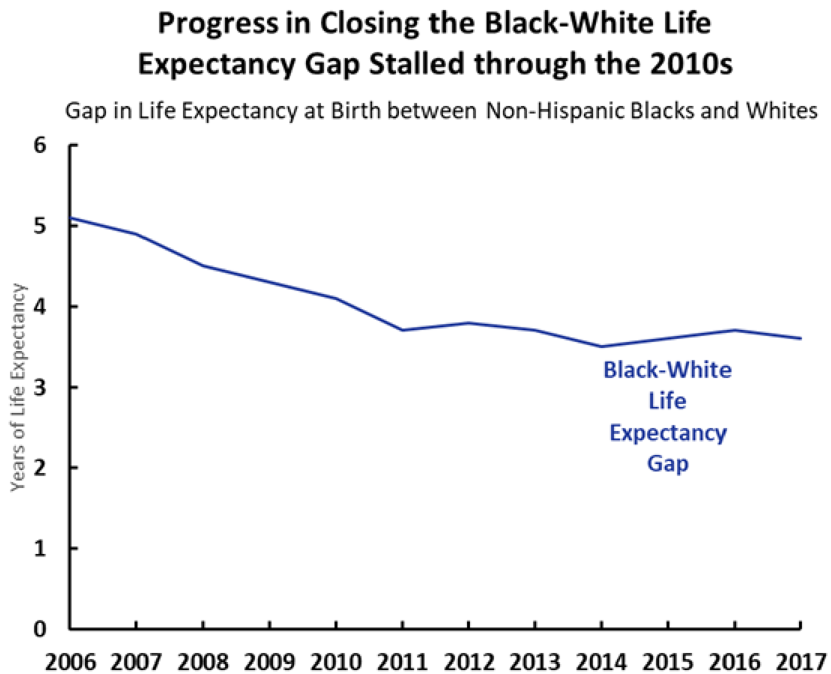
## HEALTH

### *Black Americans have a significantly lower life expectancy than Whites*

The life expectancy at birth for non-Hispanic Black Americans is 74.9 years—3.6 years lower than for non-Hispanic Whites. The disparity is worse for Black men, whose life expectancy is only 71.5 years—4.6 years lower than for White men. Black women have a life expectancy of 78.1 years—2.9 years lower than for White women.

Life expectancy in the United States rose consistently from as far back as 1900 up until 2014, when it reached 78.9 years. During the same period, life expectancy for Black men and women rose from 33 years to 75.3 years.[66] However, this upward trend stalled in the 2010s, and by 2018 the life expectancy for all Americans had fallen to 78.7 years—the same level at which it had been in 2010.

The gap in life expectancy between Blacks and Whites decreased from 5.1 years in 2006 and to 4.1 years in 2010. However, progress in closing racial disparities in life expectancy also stalled in the 2010s, with the life expectancy gap between non-Hispanic Blacks and Whites falling to 3.7 years in 2011 and only falling an additional 0.1 year by 2017.




Source: Center for Disease Control, *Health, United States 2018*. Life expectancy at birth, at age 65, and at age 75, by sex, race, and Hispanic origin: United States, selected years 1900-2017.

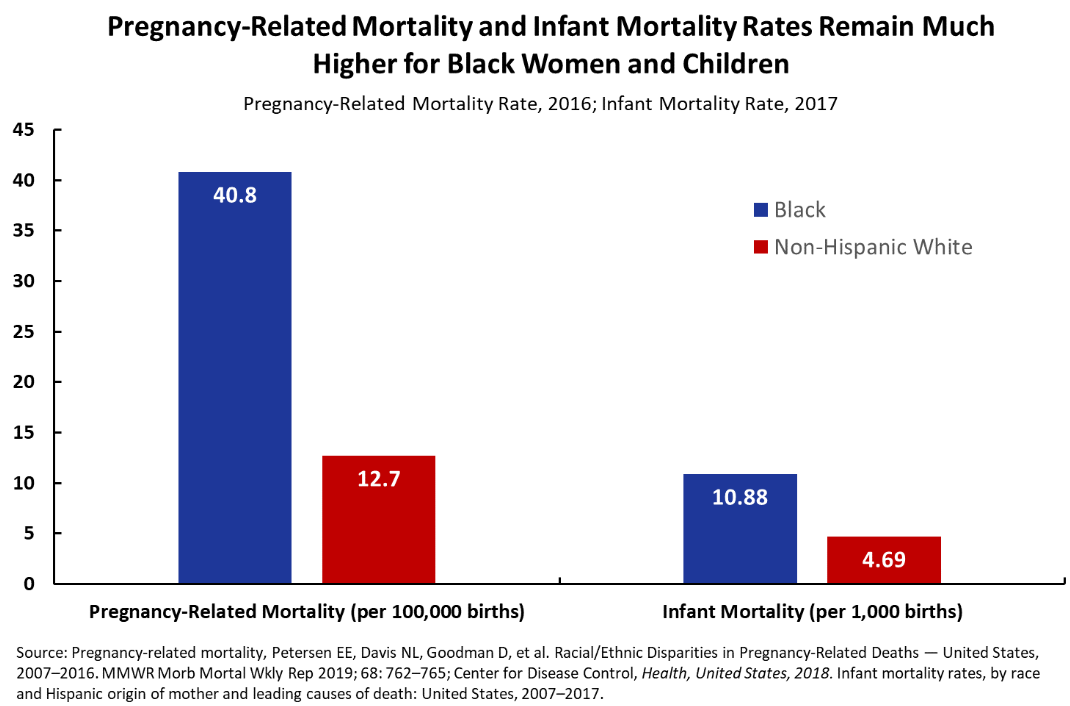
### *Blacks have a lower life expectancy despite White "deaths of despair"*

Much attention has been given to the increased mortality rates among middle-aged White men and women attributable to suicides and accidental poisonings—collectively referred to as "deaths of despair." However, while life expectancy for non-Hispanic Whites decreased from 78.8 years to 78.5 years between 2014 and 2017, it still at its lowest point exceeded Black life expectancy by 3.6 years.[67]

Disparities are smaller for those who make it to age 65, with White men living just under two years longer than Black men and White women living just one year longer than Black women. Disparities in life expectancy often decrease with age due to "weathering"—the least healthy Black Americans die earlier, meaning that those who make it to age 65 are relatively healthier than Whites of the same age.[68]

### *Black Americans suffer far higher rates of infant and pregnancy-related mortality*

Pregnant Black women and Black babies suffer far higher rates of death than their White counterparts. Black mothers are over three times as likely to die from complications with pregnancy or childbirth as White mothers (40.8 per 100,000 versus 12.7 per 100,000). Black infant mortality rates are twice as high as White rates (10.9 per 100,000 versus 4.7 per 100,000).




### *Discrimination may contribute to worse health outcomes*

Racial disparities in mortality rates and the incidence of sickness and disability are partially the result of disparities in access to the resources that protect and promote good health. The relationship between socioeconomic status and life expectancy is well-established in the United States, and a large portion of the life expectancy gap between Black and White Americans can be attributed to disparities in income and educational attainment.[69] However, even when controlling for income, education and wealth, racial disparities in health remain. These unexplained disparities suggest that discrimination and racial bias play a role in determining poorer health outcomes for Black Americans.

Exposure to discrimination is correlated with worse physical and mental health as well, suggesting a direct effect of racism and racial bias on health beyond their effects on socioeconomic status.[70] Racial residential segregation results in minority neighborhoods having fewer places for recreational activity, higher exposure to pollutants, a higher concentration of ads for unhealthy substances like fast food, tobacco and alcohol and hospitals with reduced access to technology.[71] There is also evidence that Black Americans receive lower-quality health care than White Americans do, even when controlling for access to insurance, income and symptoms.

### *Health insurance rates for Blacks rose under Obama, then have fallen under Trump*

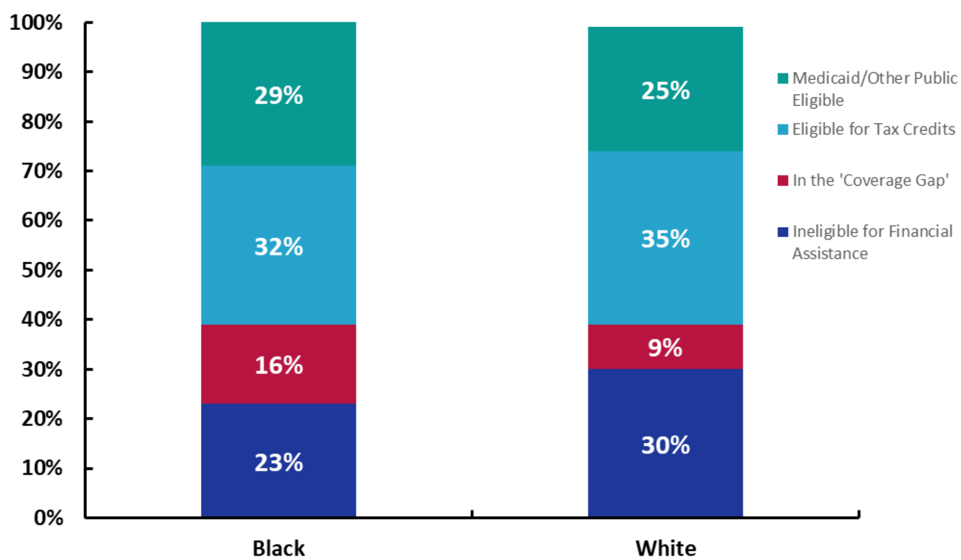
As recently as 2013, almost one-in-five Black Americans (19%) did not have health insurance; in contrast, only 12% of White Americans were not insured. This gap is due in part to the fact that a higher percentage of Black Americans are employed in low-wage jobs and industries which do not provide health care benefits.

The Affordable Care Act (the ACA or "Obamacare") provided new coverage options for low- and moderate-income individuals. From 2013 to 2016, the uninsured rate for African Americans was cut from 19% to 11%, while rates for Whites were cut from 12% to 7%, and overall rates were cut from nearly 17% to 10%.

However, within a year of President Trump taking office, his administration implemented administrative changes to the ACA that resulted in an increase in the percentage of Americans without health insurance. The overall percent of uninsured individuals rose 0.2%; the uninsured rate for nonelderly Blacks slipped backward by 0.5%—more than 167,000 people.

**A Larger Share of Uninsured Black Americans Falls in the Health Insurance "Coverage Gap"**

Eligibility for ACA Coverage Among the Uninsured Nonelderly by Race




Source: Kaiser Family Foundation analysis based on 2018 Medicaid eligibility levels and the 2017 American Community Survey. Artiga, Orgera, Damico 2019. "Changes in Health Coverage by Race and Ethnicity since Implementation of the ACA, 2013-2017."

More Black Americans than any other racial/ethnic group experience a gap in health care coverage, with incomes above Medicaid eligibility levels but below the poverty level, which is the lower limit to qualify for Marketplace subsidies. Almost 16% of Black Americans fall within the coverage gap. In 2012, the Supreme Court decided against a section of the ACA requiring states implement an expansion of Medicaid benefits to cover this gap. In states that chose not to implement Medicaid expansion, the percentage of uninsured, nonelderly Blacks is 6% higher than in states that expanded Medicaid.

Research has shown that going without health insurance negatively impacts the timing and quality of health care treatment, as well as long-term health outcomes.[72] This in turn can substantially reduce financial security, wealth, retirement readiness and other aspects of economic well-being.

## CONCLUSION

America made significant progress in reducing social and economic disparities in the latter half of the 20th century, as discriminatory policies like segregation, redlining, employment discrimination and restricted voting rights were outlawed. Black Americans have achieved success in many visible fields, from sports and entertainment to politics. That said, there are still deep inequities across social and economic indicators that will take awareness and concerted effort to address.

Black Americans have made more progress in the 21st century in reducing gaps in educational attainment than in other areas. At the secondary level, the shares of Black and White young adults who have dropped out are falling and converging, while the shares of Black and White adults with high school diplomas or GEDs are rising and converging. Black Americans have made progress in attaining postsecondary education as well, doubling the share of Black college graduates since 1990.

However, very deep social and economic inequities persist. Many Americans are poorly aware of the magnitude of these entrenched problems. In many years, Blacks experience recession-like conditions even in an economy in which others thrive. Blacks suffer about twice the unemployment rate as Whites. The typical Black household earns about $29,000 less annual income than its White counterpart. Black children are three times as likely as white children to grow up in poverty, and they are much more likely to remain there.

Black Americans also face significant challenges in other areas that affect the quality of life and overall prosperity. Homeownership rates are stagnant among all Black households and are falling for Black millennials. Voting rights have once again been put in jeopardy in ways that disproportionately affect minority communities, making it more difficult for Blacks to advocate for better policies. Significant racial disparities in health outcomes remain, while the Trump administration makes it more difficult to access affordable health insurance.

There are few signs that these inequities will diminish in the near future or that market forces alone will address them. Bold economic policies will be necessary to improve the economic state of Black America moving into the future, but the first steps are to recognize just what progress has been made, and how much further we have yet to go.

## STATE CHART

| Current Measures of Economic Well-Being for the Black Population by State (2018) | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | Unemployment Rate | | Median Household Income | | Poverty | |
| State | Black Share of State Population | Black | White, Not Hispanic | Black | White, Not Hispanic | Black | White, Not Hispanic |
| Alabama | 26.7% | 9.3% | 4.2% | $33,539 | $58,257 | 27.7% | 11.3% |
| Alaska | 3.4% | 4.1% | 4.9% | $63,198 | $83,245 | 11.3% | 7.4% |
| Arizona | 4.7% | 8.0% | 4.5% | $50,068 | $64,876 | 19.5% | 9.0% |
| Arkansas | 15.2% | 8.2% | 3.8% | $30,769 | $50,831 | 30.4% | 13.5% |
| California | 5.8% | 9.4% | 4.6% | $53,565 | $87,078 | 19.4% | 9.0% |
| Colorado | 4.2% | 5.9% | 3.5% | $49,081 | $77,732 | 18.0% | 7.5% |
| Connecticut | 11.0% | 9.5% | 4.4% | $50,113 | $87,666 | 18.6% | 6.1% |
| Delaware | 22.5% | 9.3% | 4.6% | $44,666 | $70,623 | 20.2% | 8.3% |
| District of Columb | 45.5% | 14.3% | 2.4% | $45,193 | $142,544 | 25.3% | 6.4% |
| Florida | 16.0% | 8.3% | 4.4% | $41,416 | $61,446 | 21.2% | 9.8% |
| Georgia | 31.6% | 7.2% | 3.8% | $45,100 | $68,055 | 20.0% | 9.9% |
| Hawaii | 2.0% | 11.2% | 4.3% | $70,185 | $80,940 | 5.5% | 9.3% |
| Idaho | 0.7% | NA | 3.6% | $41,326 | $57,506 | 25.9% | 10.2% |
| Illinois | 14.1% | 12.9% | 3.9% | $39,719 | $72,280 | 24.8% | 8.4% |
| Indiana | 9.5% | 10.8% | 3.7% | $34,290 | $59,587 | 26.8% | 10.4% |
| Iowa | 3.6% | 12.9% | 3.0% | $31,992 | $61,540 | 30.7% | 9.4% |
| Kansas | 5.9% | 8.0% | 3.2% | $35,412 | $61,447 | 25.3% | 9.5% |
| Kentucky | 7.9% | 9.6% | 4.7% | $35,565 | $52,165 | 28.1% | 15.4% |
| Louisiana | 32.4% | 10.0% | 4.5% | $30,188 | $59,942 | 30.0% | 12.2% |
| Maine | 1.4% | 5.5% | 3.4% | $48,840 | $55,932 | 20.2% | 11.0% |
| Maryland | 30.0% | 7.1% | 3.7% | $66,926 | $93,745 | 13.2% | 5.9% |
| Massachusetts | 7.8% | 7.7% | 4.0% | $53,270 | $86,087 | 17.9% | 6.7% |
| Michigan | 13.8% | 11.1% | 4.3% | $34,503 | $61,331 | 27.4% | 11.0% |
| Minnesota | 6.6% | 7.6% | 2.8% | $36,849 | $73,608 | 27.2% | 7.0% |
| Mississippi | 38.0% | 10.2% | 5.3% | $30,612 | $55,820 | 30.7% | 11.9% |
| Missouri | 11.5% | 8.5% | 3.6% | $35,998 | $57,999 | 25.7% | 11.0% |
| Montana | 0.5% | NA | 3.1% | $41,981 | $57,025 | NA | 11.4% |
| Nebraska | 4.7% | 9.0% | 2.9% | $37,986 | $62,422 | 23.7% | 8.5% |
| Nevada | 9.2% | 8.3% | 4.8% | $40,560 | $66,540 | 21.5% | 8.9% |
| New Hampshire | 1.7% | 9.1% | 3.3% | $47,625 | $75,948 | 27.5% | 6.7% |
| New Jersey | 13.6% | 9.0% | 4.1% | $55,072 | $93,031 | 16.2% | 5.5% |
| New Mexico | 2.2% | 6.9% | 4.3% | $29,629 | $58,981 | 26.7% | 11.7% |
| New York | 15.7% | 8.2% | 3.7% | $48,347 | $77,897 | 20.0% | 9.1% |
| North Carolina | 21.4% | 7.8% | 3.9% | $38,597 | $61,695 | 21.1% | 9.8% |
| North Dakota | 3.4% | 13.0% | 2.2% | $45,802 | $67,352 | 25.1% | 8.8% |
| Ohio | 12.4% | 9.5% | 4.1% | $33,590 | $61,056 | 28.7% | 10.8% |
| Oklahoma | 7.3% | 8.0% | 3.7% | $35,887 | $56,312 | 27.6% | 12.3% |
| Oregon | 2.0% | 5.5% | 4.8% | $46,076 | $65,236 | 20.1% | 11.1% |
| Pennsylvania | 11.2% | 11.3% | 3.8% | $37,201 | $65,326 | 26.1% | 8.7% |
| Puerto Rico | 12.5% | 17.6% | 9.6% | $19,476 | $26,840 | 44.7% | 38.7% |
| Rhode Island | 6.7% | 7.6% | 4.6% | $48,961 | $71,366 | 17.9% | 8.3% |
| South Carolina | 26.6% | 8.0% | 4.1% | $34,576 | $61,600 | 25.4% | 10.0% |
| South Dakota | 2.2% | NA | 1.9% | $43,686 | $60,239 | 15.5% | 8.4% |
| Tennessee | 16.8% | 10.0% | 4.5% | $36,533 | $56,968 | 26.4% | 12.0% |
| Texas | 12.3% | 7.4% | 4.1% | $45,545 | $74,509 | 19.6% | 8.5% |
| Utah | 1.3% | 6.7% | 3.0% | $44,090 | $75,399 | 20.9% | 7.2% |
| Vermont | 1.2% | NA | 3.6% | $40,509 | $62,235 | 13.4% | 10.5% |
| Virginia | 19.2% | 6.7% | 3.5% | $50,064 | $78,745 | 17.4% | 8.5% |
| Washington | 3.9% | 7.4% | 3.9% | $55,661 | $76,521 | 20.0% | 8.2% |
| West Virginia | 3.8% | 10.8% | 5.6% | $30,925 | $44,840 | 28.6% | 17.1% |
| Wisconsin | 6.4% | 7.6% | 2.7% | $30,798 | $63,906 | 31.8% | 8.4% |
| Wyoming | 0.6% | NA | 3.8% | $88,951 | $62,507 | NA | 9.8% |

Source: JEC Democratic staff analysis based on 2018 American Community Survey 1-Year Estimates

Note: Black refers to African American or Black not in combination with any other race. White, Not Hispanic refers to White not in combination with any other race without Hispanic or Latino ethnicity.

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HEARING SUMMARY · PREPARED FROM THE OFFICIAL RECORD

# Examining the Racial Wealth Gap in the United States

JOINT ECONOMIC COMMITTEE · U.S. CONGRESS · MAY 12, 2021 · S. HRG. 117–77

The Joint Economic Committee convened this hearing, Chairman Donald S. Beyer Jr. presiding, to examine the Black–White wealth gap: its size, its causes, and what the Congress can do about it. Members of both chambers attended. It stands among the most direct examinations of the racial wealth gap the Congress has held.

## WITNESSES

- **Dorothy A. Brown** — Asa Griggs Candler Professor of Law, Emory University School of Law
- **Darrick Hamilton** — Henry Cohen Professor of Economics and Urban Policy; Founding Director, Institute on Race and Political Economy, The New School
- **Mehrsa Baradaran** — Professor of Law, University of California, Irvine School of Law
- **Ian Rowe** — Founder & CEO, Vertex Partnership Academies; Resident Fellow, American Enterprise Institute

## FROM THE RECORD

- By the Federal Reserve's 2019 Survey of Consumer Finances, the median White family held roughly **eight times** the wealth of the median Black family — $188,200 against $24,100.
- Up to **25 percent** of White households hold a net worth above $1 million; only **4 percent** of Black households do.
- Fewer than half of Black families own their homes — **43 percent**, against roughly three-quarters of White families — and the homes they own are valued about a third lower.
- Black students carry more student debt than their White peers, and are more likely to see that debt grow after entering the workforce.

> The Chairman's opening statement placed the cause on the record: most of the racial wealth divide is explained by the inability of Black families to transfer wealth from one generation to the next — the product of decades of systemic exclusion, from redlining and restrictive covenants to a tax code and credit system that disadvantage Black Americans.

*This summary sheet is enclosed in place of the full 93-page transcript, which is a matter of public record: Examining the Racial Wealth Gap in the United States, Hearing before the Joint Economic Committee, 117th Congress, S. Hrg. 117–77 (May 12, 2021), available at govinfo.gov. The full transcript is furnished upon request.*

# The Economic Status of Black Americans
## National and State Level Data
### *2022 Edition*

Despite significant improvements over the past few decades, Black Americans experience far worse economic conditions than white Americans and the population as a whole. Black workers and families lag behind other racial and ethnic groups in wealth, face ongoing disparities in income (across levels of educational attainment) and struggle to save for retirement and child care. At the same time, there have been marked progress in other measures like college and high school completion and rates of union participation. Recognizing both the progress that has been made over the last decades, as well as the challenges that remain, is essential to ensuring that every American has a positive opportunity to build and fully participate in an economy that is more inclusive and fair.

Since the beginning of the publication of labor market data reflecting Black workers specifically, there have been significant improvements in the visibility of Black workers and families in the economy. Because of these and other growing sources of data, economists and policymakers are better equipped to recognize, explain and address the challenges and progress of Black Americans over the last 50 years.

There are three main components to this document:

1. A series of key facts at the national level that describe many of the most significant economic inequities facing Black Americans.
2. A series of national graphs showing systemic inequalities with some written analysis to assist with interpretation.
3. A series of state-level tables providing more granular data on the pre-pandemic position of Black Americans in the economy and the impact of COVID-19.

These materials are part of a broader initiative by the Joint Economic Committee Democrats throughout Black History Month. For more Black History Month related content from the JEC, see:

- "Education Can Help Narrow the Racial Wealth Gap, But Structural Solutions Are Needed to Close It"
- "The Economic Legacy of the 1921 Tulsa Race Massacre: Today's Racial Wealth Gap"
- "The Student Loan Debt Crisis Is Reinforcing the Racial Wealth Gap"
- "On MLK Day, A Look at Racial Disparities in Employment, Wealth, Income and Health"

## Table of Contents

## Key Facts

- Despite significant economic progress over the past few decades, Black Americans experience far more precarious economic conditions than white Americans or the population as a whole.

Unemployment

- During most of the past 50 years, Black Americans have experienced unemployment rates that, were they experienced by the entire population, would be seen as recessionary.
- Historically, the unemployment rate for Black Americans has been approximately twice the rate for white Americans. While the pandemic shock decreased the ratio between the two temporarily, the Black-White unemployment ratio is moving back toward **2:1.**
- Data collected in January 2022 show that the unemployment rates were **6.9%** for Black workers and **3.4%** for white workers. In January 2021, the unemployment rates were 9.2% for Black workers and 5.7% for white workers.

Income and Poverty

- While the typical Black household's income has risen over time, Black households earn just **62 cents** for every dollar earned by white households. Annualized, the gap between Black **($46,600**) and white **($74,912**) median household incomes is about **$30,000**.
- Black workers are more likely to earn at or below the minimum wage than their white counterparts. For example, although Black workers made up only 13% of the labor force in 2019, they made up 18% of minimum wage workers.
- Since the 1980s, the Black child poverty rate has been cut nearly in half. However, Black children are still **2.7 times** more likely to live in poverty than white children, and Black Americans in general are **2.4 times** more likely to live in poverty than white Americans.

Wealth

- In 2019, the median wealth of Black families **($24,100)** was approximately **one-eighth** that of white families (**$188,200**).
- While homeownership rates have risen for Black families over time, less than half **(43%)** of Black families own their homes, compared to three-quarters (**74%)** of white families.

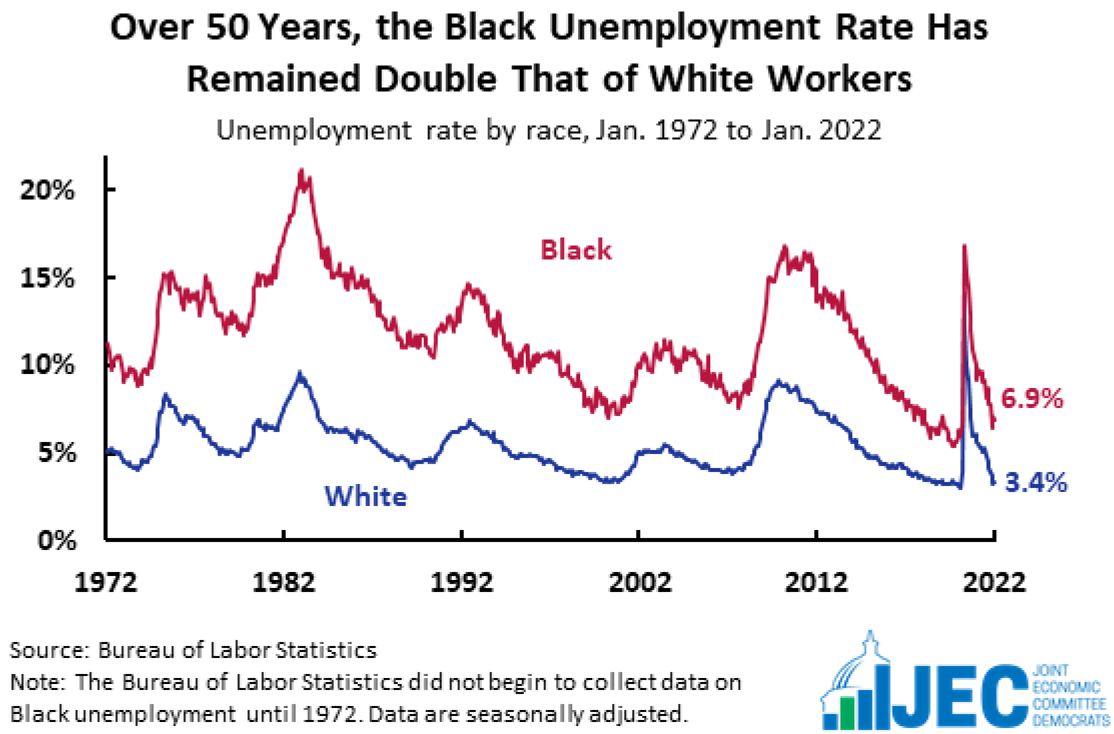
Education and Life Expectancy

- Black Americans have experienced observable gains in educational outcomes. For example, high school graduation rates for Black and white Americans have nearly converged.

- The share of Black students who are college graduates has more than **doubled** since 1990, from 11% to 28%—but still lags far behind whites (from 22% in 1990 to 41% in 2020).
- The gap in life expectancy between Black and white Americans grew before the COVID-19 pandemic from 3.6 years lower for Black Americans in 2017 to **3.8 years lower** in 2018.

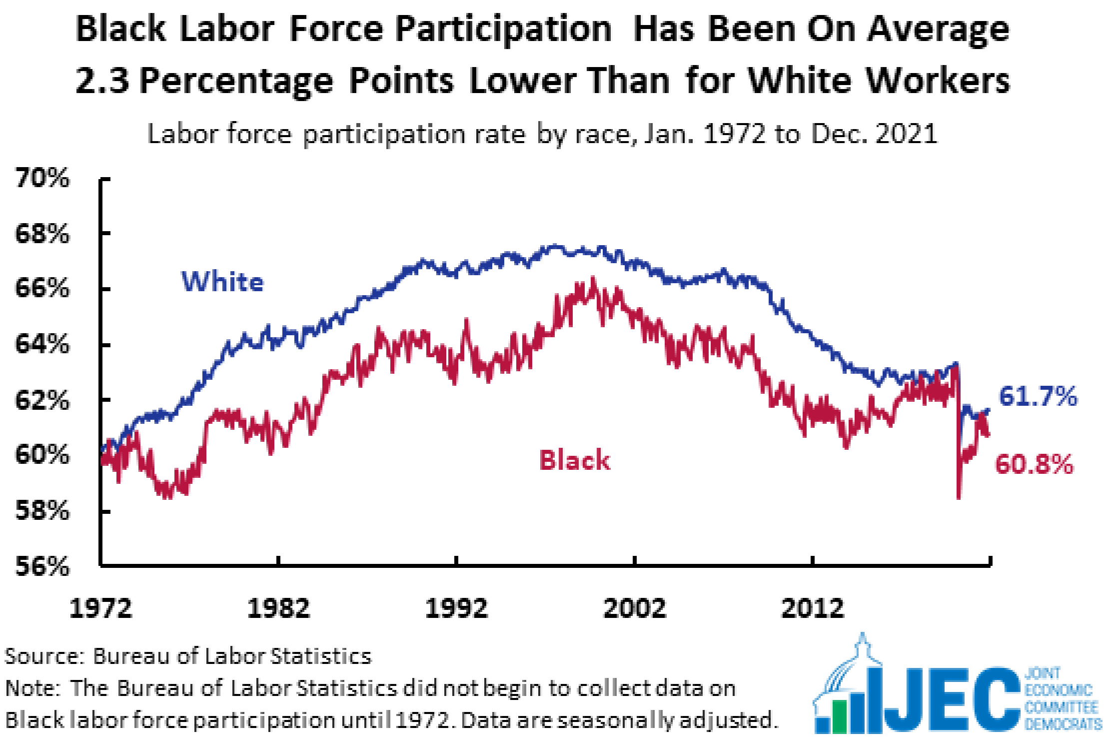
## National Level Graphs

### *Unemployment*



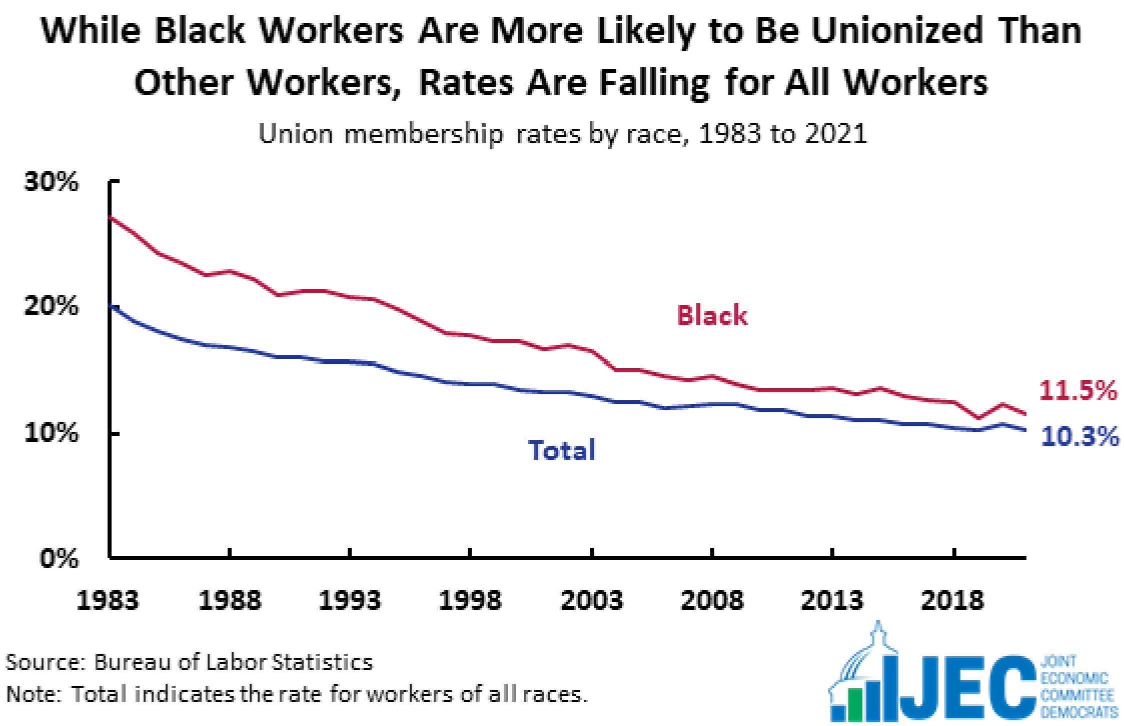

Historically, the unemployment rate for Black workers has been approximately double the rate for white workers. The initial pandemic shock temporarily decreased the difference between the Black and white unemployment rates to an all-time low of 2.5 percentage points in April 2020, as workers of all races faced historically high unemployment. Throughout the course of the recovery, persistent inequalities in unemployment between Black and white workers have returned to prior levels. The difference *between* the unemployment rates now stands at 3.5 percentage points, or more than double the white unemployment rate.

### *Labor Force Participation*



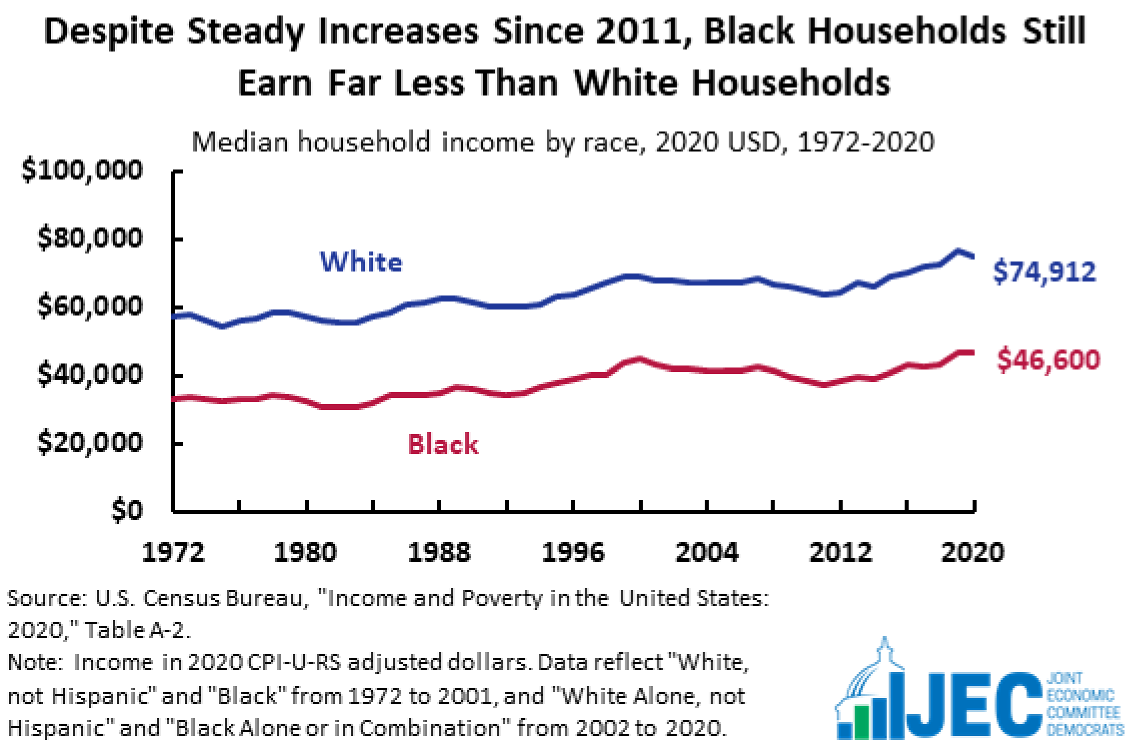

Historically, there is a more than 2-percentage-point gap in the labor force participation rates of Black and white individuals. After plunging nearly 5 percentage points during the initial pandemic shock, the Black labor force participation rate has regained half of the initial loss.

### *Union Membership*



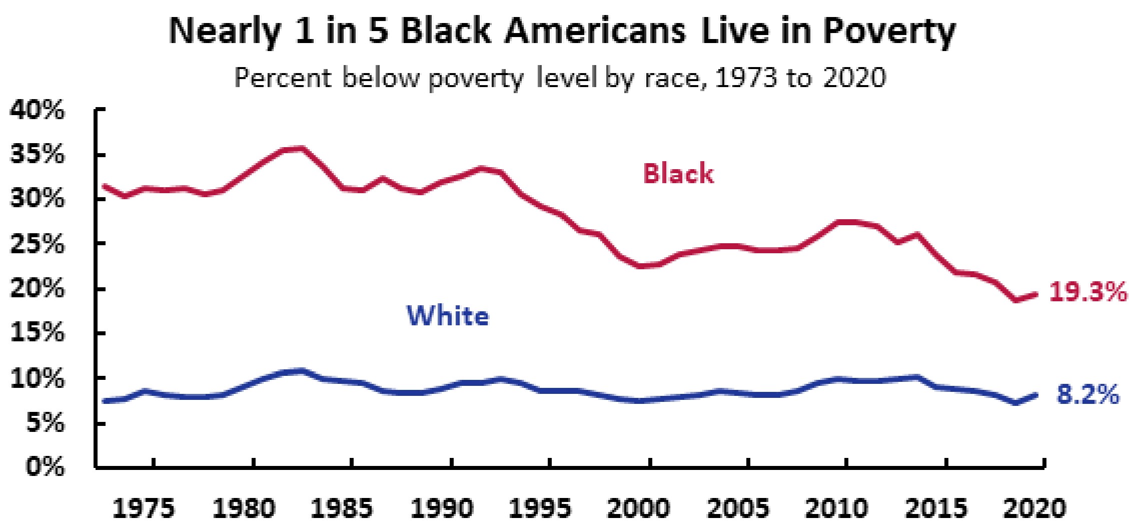

Over the last 38 years, rates of unionization have declined, and Black workers have been disproportionally harmed. Labor unions play a key role in helping Black workers secure higher wages, more comprehensive benefits and better working conditions, offering millions of Black workers a pathway to the American middle class.

### *Household Income*




While median incomes for workers of all races have increased since 1972, the typical Black household earns 62 cents for every dollar earned by a white household. Annualized, the gap between Black ($46,600) and White ($74,912) median household incomes is about $30,000. The gap was smallest in 2000, when the median Black household made nearly two-thirds the median white household income, but widened during the Great Recession and well into the recovery before beginning to narrow again.

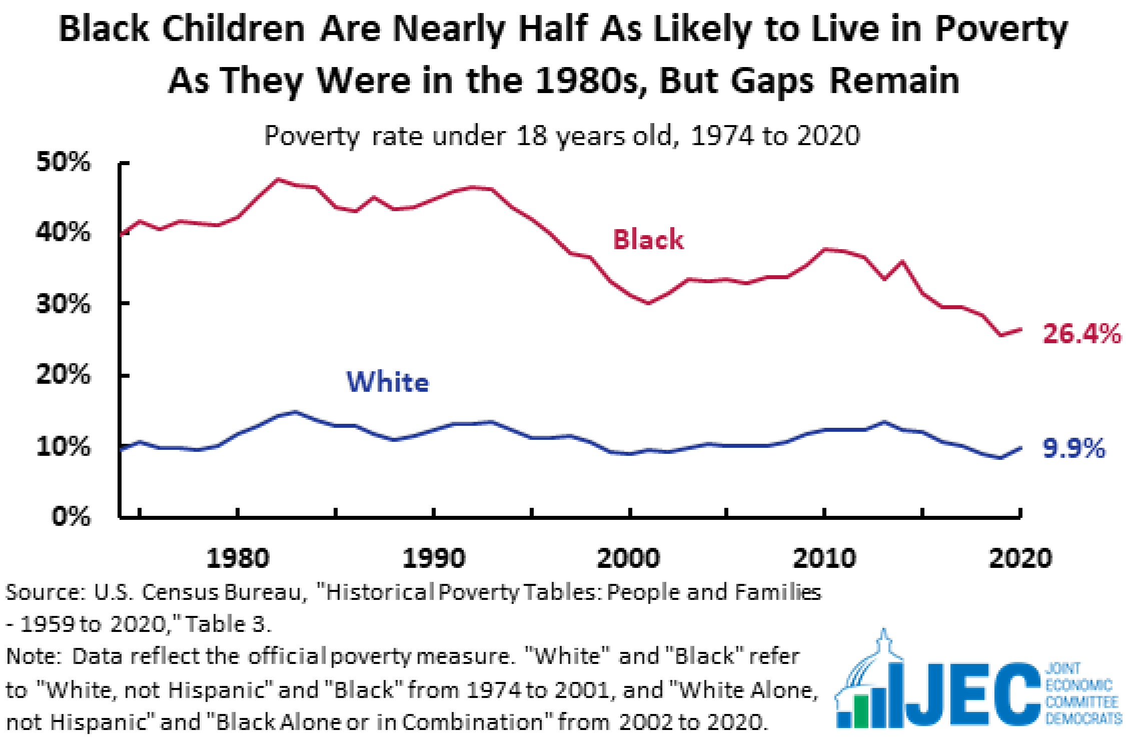
### *Poverty*




Source: U.S. Census Bureau, "Historical Poverty Tables: People and Families - 1959 to 2020," Table 2.
Note: Data reflect the official poverty measure. "White" and "Black" refer to "White, not Hispanic" and "Black" from 1973 to 2001, and "White Alone, not Hispanic" and "Black Alone or in Combination" from 2002 to 2020.

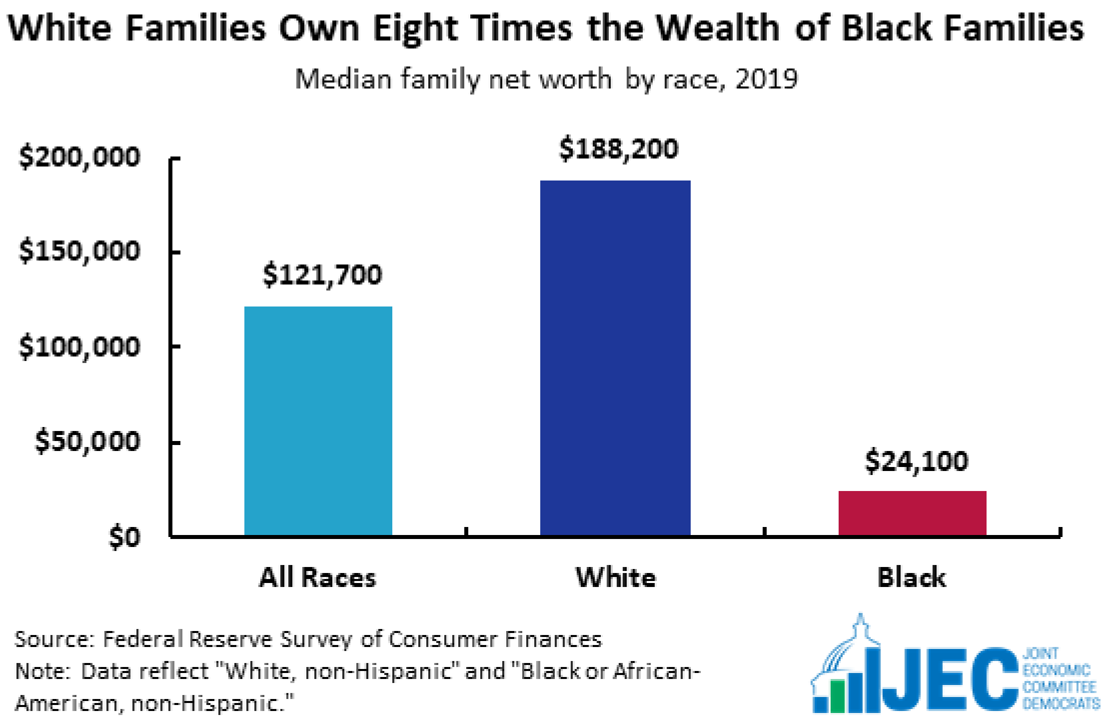
Black Americans are over twice as likely to live in poverty as white Americans due to disparities in wages, employment and family wealth. In 2019, the share of Black Americans living below the poverty line fell below 20% for the first time since data were first collected in 1959. However, as a result of the pandemic, poverty among Black Americans is rising again, as the effects of the pandemic have been borne disproportionately by marginalized groups,

### *Child Poverty*



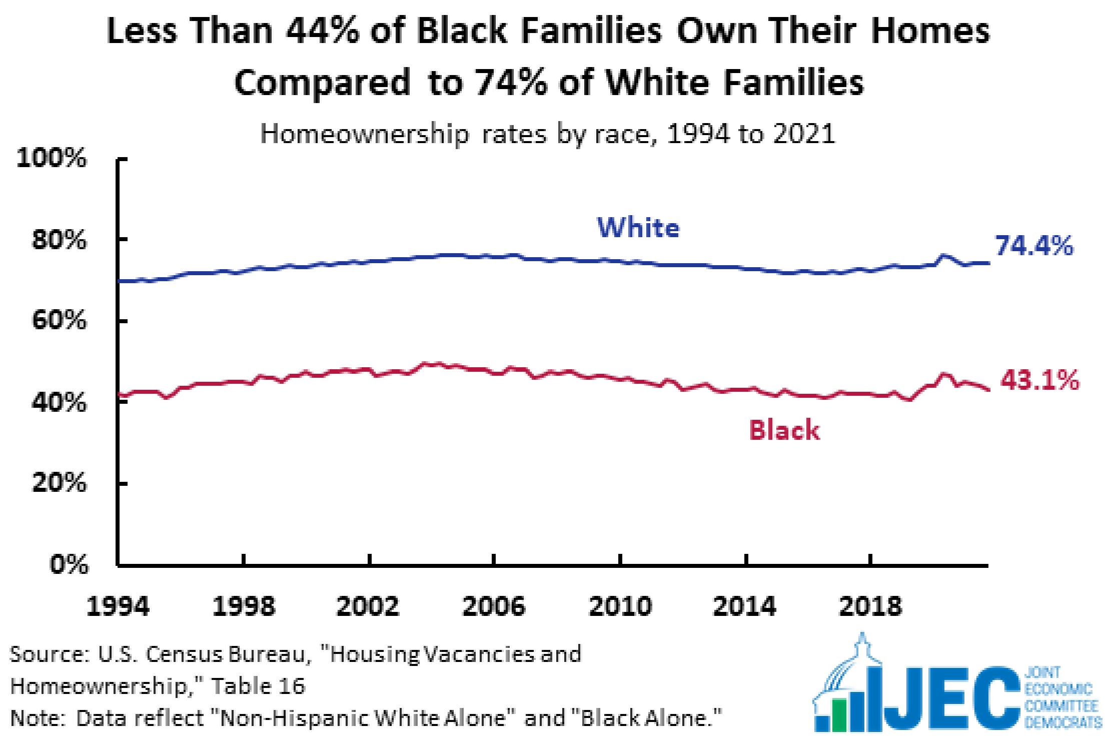

More than 1 in 4 Black children live in poverty, relative to fewer than 1 in 10 white children. Even while Black child poverty rates have been cut in nearly half since the 1980s, Black children in 2021 remain nearly three times as likely to live in poverty as white children.

### *Family Net Worth*



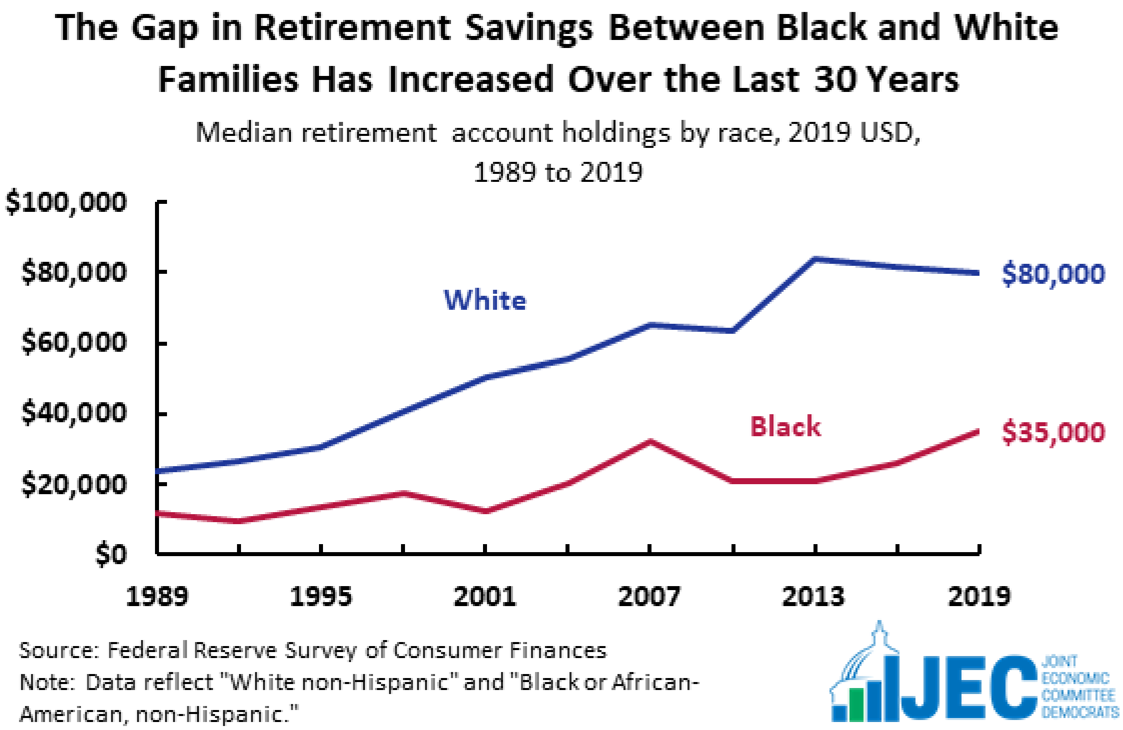

In 2019, the ratio of white to Black wealth was nearly 8 to 1, a result of historical disparities in asset ownership, unemployment, wages and intergenerational wealth transfers (passing of assets between grandparents, parents and their children).

### *Homeownership*



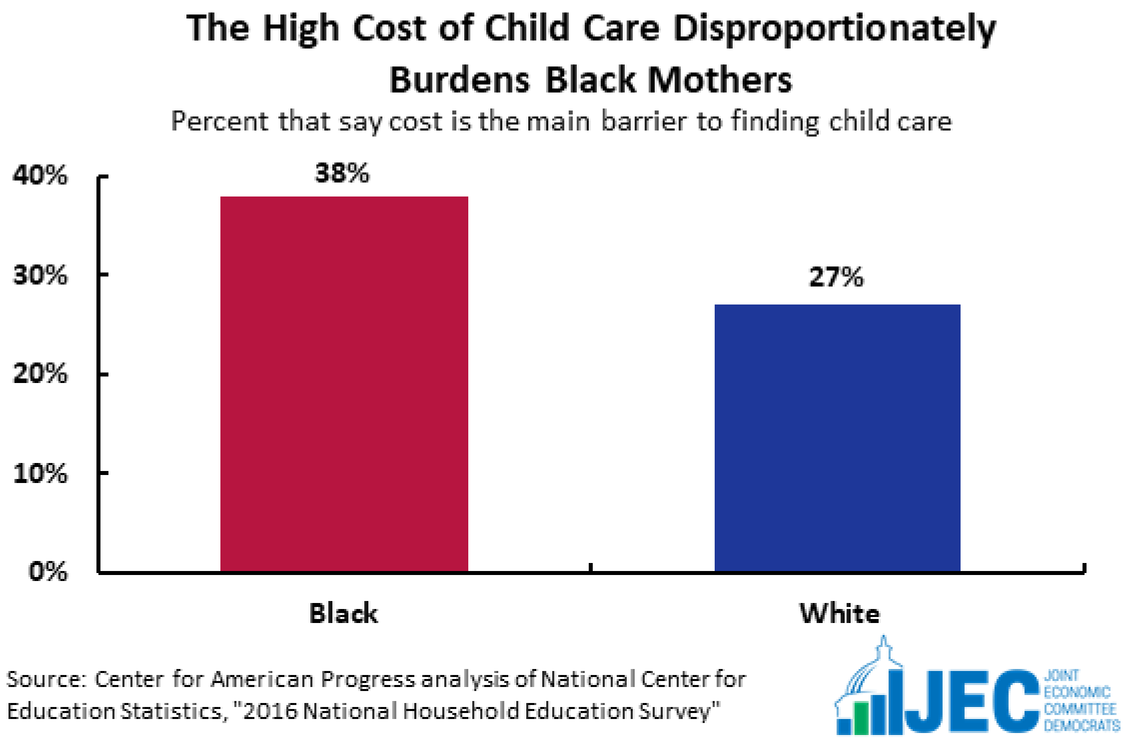

Less than half of Black families own their homes (43%), compared to nearly three-quarters of White families (74%). The Black homeownership rate has declined since reaching a peak of 50% in 2004. The collapse of the housing market in 2008 hit Black homeowners particularly hard: Black households were over 70% more likely to have faced foreclosure than non-Hispanic White households.

### *Retirement*



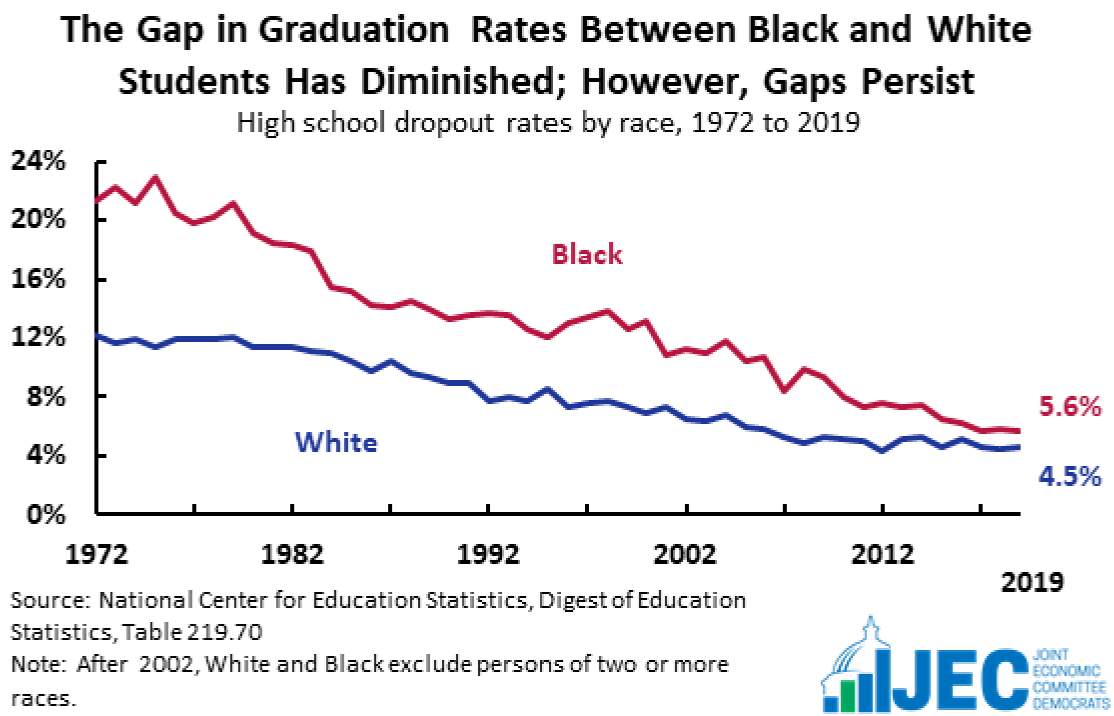

In 2019, 35% of Black families held a retirement savings account (relative to 57% of white families). Among those with accounts, the median Black family held savings of $35,000, or less than half the median retirement account balance of the median white family with a retirement account. This is partly due to the Great Recession, which did more damage to the retirement account balances of Black families than those of white families. From 2013 to 2019, the share of Black families holding retirement accounts fell even as the median value of Black families' retirement accounts built back up to pre-Great Recession levels.

## *Cost of Child Care*



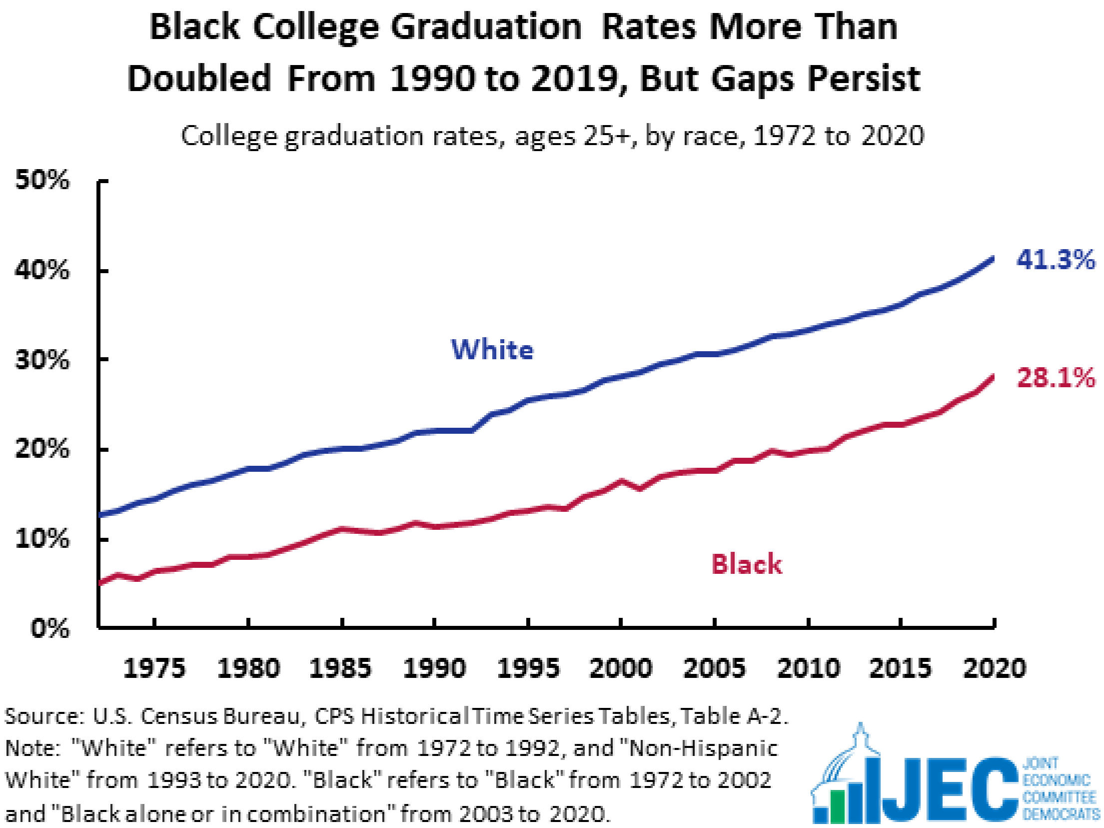

American families that rely on child care spend an average of 22% of their net income on it. For Black parents, whose incomes are lower on average, that burden is even greater. Thirty-eight percent of Black mothers report that cost is a barrier to finding child care, making it harder for them to participate in the labor force.

### *High School Dropout Rates*



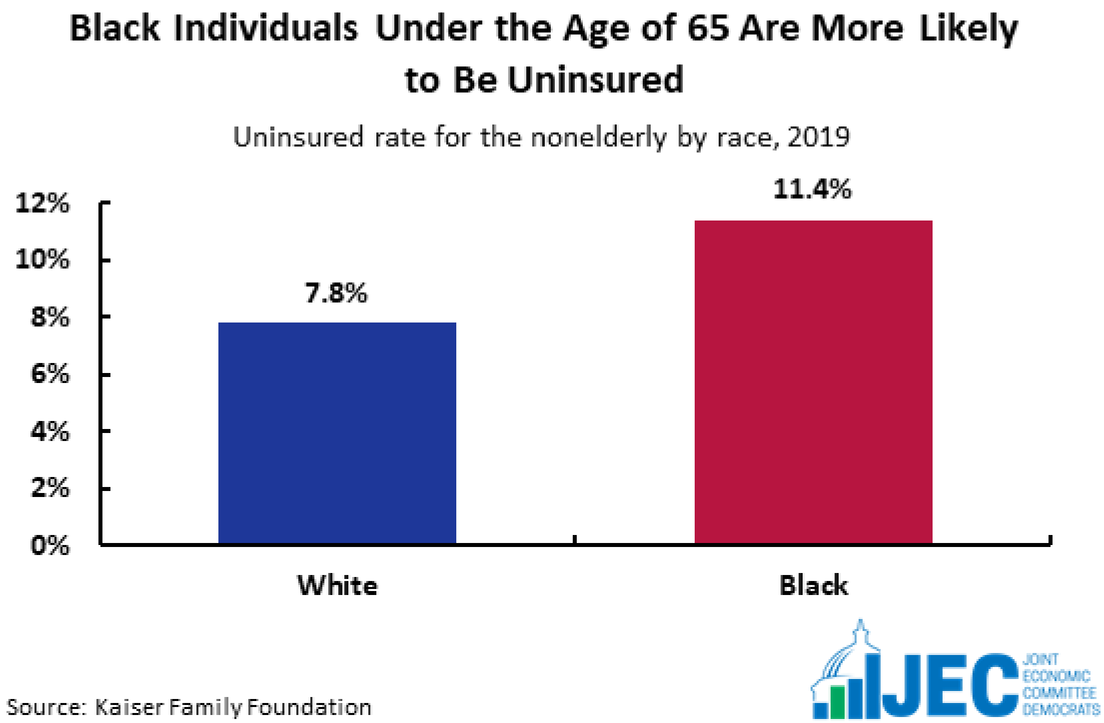

In the last 50 years, high school completion rates have risen significantly. In 2019, less than 6% of Black high school students dropped out of high school, a rate near that of white students.

### *College Graduation Rates*



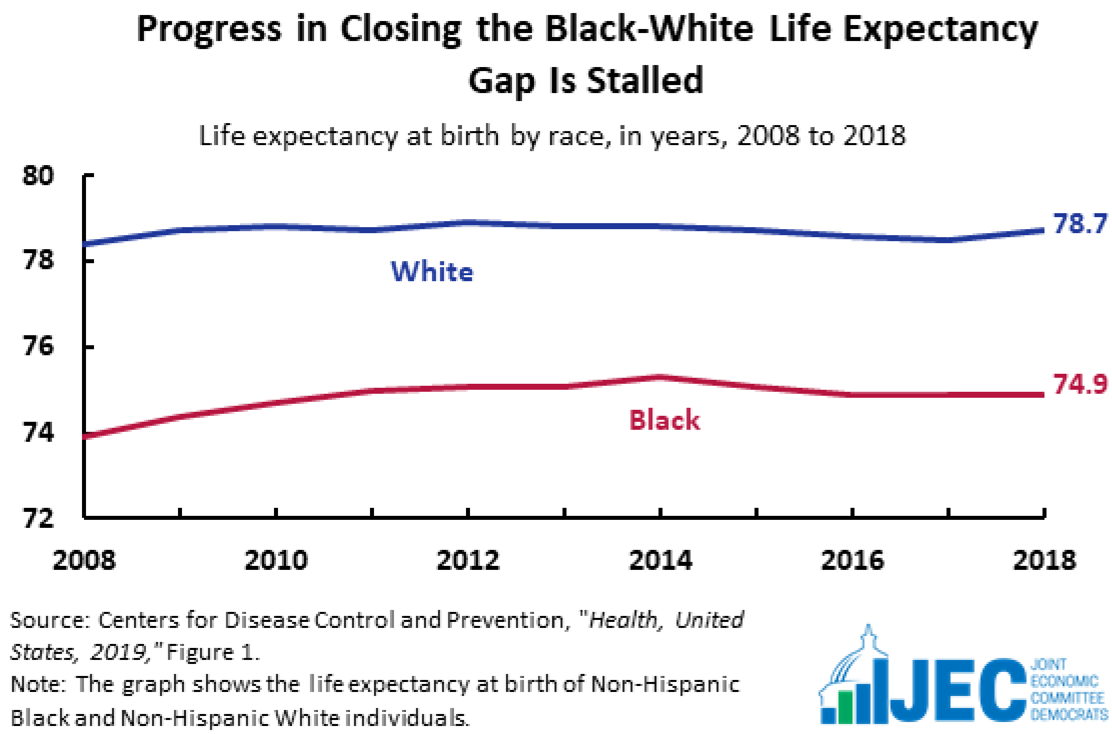

Although the share of Black adults with college degrees has more than doubled since 1990, the gap in the share of Black and white college graduates has remained mostly unchanged. This indicates that while we have seen progress in education outcomes for Black Americans, the pace and extent has failed to substantially reduce existing racial disparities in college graduation rates.

### *Health Insurance*




Black individuals are more likely to be uninsured than their white peers. They are also more likely to live in states that did not expand Medicaid under the Affordable Care Act. Non-expansion states left a coverage gap for those who are not eligible for Medicaid yet do not have high enough incomes to qualify for subsidized health insurance. While Black Americans make up 19% of the population in non-expansion states, they represent 28% of people in the Medicaid coverage gap. Closing the Medicaid coverage gap will continue to narrow racial disparities in coverage.

### *Life Expectancy*




The life expectancy at birth for Black Americans is 74.9 years—3.8 years lower than for white Americans. The disparity is worse for Black men, whose life expectancy is only 71.9 years—4.5 years lower than for white men.

## State Tables

The tables below track key state level data that show geographic variation in disparities in employment, income, poverty, health insurance and the impact of the coronavirus pandemic. Across all 50 states and the District of Columbia, Black workers and families have been disproportionately harmed by the pandemic.

Because of the frequency of data collection, the following tables primarily reflect data from 2019 (except where labeled differently), before the coronavirus pandemic and the resulting recession. These numbers should be used as a benchmark to compare to more current information, as well as the national trends reflected in the graphs above.

Below are the three categories of data:

- Employment
- Income and Poverty
- Health and COVID-19

## *Employment*

**Current and Pre-Pandemic Measures of Employment by Race**

| State | Current Unemployment Rate, All Races (%) | 2019 Average Black Unemployment Rate (%) | 2019 Average White Unemployment Rate (%) | 2019 Average Black Employment/ Population Ratio (%) | 2019 Average White Employment/ Population Ratio (%) | 2019 Average Black Labor Force Participation Rate (%) | 2019 Average White Labor Force Participation Rate (%) |
|---|---|---|---|---|---|---|---|
| Alabama | 3.1% | 7.5% | 3.8% | 54.5% | 54.2% | 59.3% | 56.8% |
| Alaska | 5.7% | 3.8% | 3.8% | 59.3% | 59.9% | 74.8% | 66.1% |
| Arizona | 4.1% | 7.4% | 4.2% | 62.3% | 53.7% | 68.0% | 56.5% |
| Arkansas | 3.1% | 7.4% | 4.2% | 53.1% | 54.4% | 57.8% | 57.0% |
| California | 6.5% | 8.3% | 4.3% | 53.9% | 57.9% | 59.9% | 61.2% |
| Colorado | 4.8% | 5.7% | 3.1% | 60.8% | 65.2% | 66.6% | 67.9% |
| Connecticut | 5.8% | 7.6% | 4.4% | 62.8% | 61.5% | 68.1% | 64.7% |
| Delaware | 5.0% | 6.0% | 3.8% | 62.1% | 56.9% | 66.7% | 59.8% |
| District of Columbia | 5.8% | 12.6% | 2.3% | 51.5% | 78.5% | 59.1% | 81.1% |
| Florida | 4.4% | 7.1% | 4.1% | 59.7% | 51.6% | 64.8% | 54.2% |
| Georgia | 2.6% | 6.9% | 3.8% | 59.7% | 58.2% | 64.6% | 61.1% |
| Hawaii | 5.7% | 6.5% | 3.7% | 37.3% | 53.2% | 77.5% | 64.2% |
| Idaho | 2.4% | * | 3.2% | * | 60.2% | * | 62.5% |
| Illinois | 5.3% | 10.6% | 3.7% | 53.9% | 61.8% | 60.6% | 64.4% |
| Indiana | 2.7% | 8.7% | 3.6% | 56.5% | 61.3% | 61.9% | 63.7% |
| Iowa | 3.5% | 10.1% | 3.2% | 64.5% | 63.7% | 71.9% | 65.9% |
| Kansas | 3.3% | 7.4% | 3.2% | 57.3% | 63.2% | 64.3% | 65.9% |
| Kentucky | 3.9% | 6.0% | 4.5% | 58.8% | 55.0% | 63.6% | 57.9% |
| Louisiana | 4.8% | 7.9% | 4.2% | 53.2% | 55.9% | 58.1% | 58.9% |
| Maine | 4.7% | 4.5% | 3.4% | 66.1% | 60.5% | 70.3% | 62.9% |
| Maryland | 5.0% | 6.9% | 3.3% | 62.4% | 62.6% | 67.3% | 65.6% |
| Massachusetts | 3.9% | 6.6% | 3.3% | 65.4% | 64.5% | 70.2% | 66.8% |
| Michigan | 5.6% | 10.3% | 4.0% | 54.0% | 59.0% | 60.2% | 61.5% |
| Minnesota | 3.1% | 6.1% | 2.5% | 68.1% | 66.9% | 72.5% | 68.7% |
| Mississippi | 4.5% | 10.3% | 4.4% | 50.5% | 53.7% | 56.8% | 56.7% |
| Missouri | 3.3% | 6.5% | 3.3% | 58.4% | 59.6% | 62.9% | 61.9% |
| Montana | 2.5% | * | 3.2% | * | 60.0% | * | 62.3% |
| Nebraska | 1.7% | 12.0% | 2.3% | 62.1% | 67.0% | 70.9% | 68.9% |
| Nevada | 6.4% | 7.9% | 4.7% | 57.2% | 56.2% | 62.6% | 59.4% |
| New Hampshire | 2.6% | 6.0% | 2.7% | 68.3% | 64.5% | 73.6% | 66.4% |
| New Jersey | 6.3% | 8.0% | 3.9% | 60.1% | 61.5% | 65.7% | 64.2% |
| New Mexico | 5.8% | 5.6% | 4.7% | 56.7% | 50.7% | 63.8% | 54.5% |
| New York | 6.2% | 6.9% | 3.3% | 56.6% | 60.9% | 61.0% | 63.2% |
| North Carolina | 3.7% | 7.3% | 3.7% | 57.9% | 57.4% | 63.2% | 60.7% |
| North Dakota | 3.1% | * | 1.7% | * | 67.3% | * | 69.6% |
| Ohio | 4.5% | 10.3% | 3.6% | 55.7% | 60.9% | 62.2% | 63.3% |
| Oklahoma | 2.3% | 7.9% | 3.7% | 53.9% | 56.7% | 60.2% | 59.6% |
| Oregon | 4.1% | 6.2% | 4.8% | 61.3% | 57.4% | 65.4% | 60.4% |
| Pennsylvania | 5.4% | 9.8% | 3.6% | 55.1% | 60.4% | 61.4% | 62.7% |
| Rhode Island | 4.8% | 10.8% | 3.3% | 61.3% | 61.8% | 68.8% | 64.2% |
| South Carolina | 3.5% | 6.9% | 3.9% | 56.1% | 56.2% | 60.9% | 59.3% |
| South Dakota | 2.6% | 2.8% | 1.9% | 70.3% | 67.1% | 73.0% | 68.7% |
| Tennessee | 3.8% | 7.4% | 3.9% | 59.0% | 57.8% | 64.0% | 60.4% |
| Texas | 5.0% | 6.9% | 3.7% | 61.5% | 59.9% | 66.8% | 62.7% |
| Utah | 1.9% | 5.3% | 2.8% | 67.8% | 66.3% | 72.7% | 68.5% |
| Vermont | 2.5% | * | 3.2% | * | 62.8% | * | 65.1% |
| Virginia | 3.2% | 6.3% | 3.2% | 60.6% | 59.9% | 66.3% | 63.8% |
| Washington | 4.5% | 6.0% | 4.4% | 62.8% | 59.3% | 70.5% | 62.8% |
| West Virginia | 3.7% | 10.7% | 5.9% | 45.0% | 50.6% | 50.5% | 53.9% |
| Wisconsin | 2.8% | 7.3% | 2.7% | 54.3% | 63.9% | 58.6% | 65.7% |
| Wyoming | 3.3% | * | 2.9% | * | 61.9% | * | 64.4% |
| **United States** | **3.9%** | **7.7%** | **3.7%** | **57.8%** | **59.4%** | **63.2%** | **62.1%** |

Notes: All measures reflect Americans ages 16 and above; Black refers to "Black or African American Alone" and White refers to "Non-Hispanic White Alone"; 2019 is the most recent data available at the state level; Asterisks represent missing data.
Sources: Bureau of Labor Statistics; Census Bureau 2019 ACS Employment Data

## *Income and Poverty*

| Pre-Pandemic Measures of Income and Poverty by Race | | | | | | | |
|---|---|---|---|---|---|---|---|
| State | 2019 Black Median Annual Household Income ($) | 2019 White Median Annual Household Income ($) | Black Share of the State Population (%) | 2019 Black Poverty Rate (%) | 2019 White Poverty Rate (%) | 2019 Black Child Poverty Rate (%) | 2019 White Child Poverty Rate (%) |
| Alabama | $35,774 | $59,966 | 26.3% | 23.6% | 11.5% | 35% | 13% |
| Alaska | $69,292 | $82,994 | 3.3% | * | 6.9% | * | 7% |
| Arizona | $51,643 | $67,821 | 4.5% | 17.5% | 9.2% | 29% | 9% |
| Arkansas | $33,625 | $52,788 | 15.1% | 28.9% | 13.4% | 39% | 16% |
| California | $55,140 | $92,154 | 5.9% | 19.3% | 8.4% | 26% | 7% |
| Colorado | $53,392 | $84,196 | 4.1% | 19.7% | 7.0% | * | 6% |
| Connecticut | $48,927 | $89,685 | 10.7% | 18.4% | 5.8% | 27% | 5% |
| Delaware | $51,074 | $77,441 | 21.8% | 17.3% | 7.3% | * | 10% |
| District of Columbia | $48,652 | $153,327 | 43.7% | 23.4% | 5.1% | 31% | * |
| Florida | $44,039 | $65,149 | 15.1% | 19.8% | 9.2% | 29% | 11% |
| Georgia | $47,096 | $71,790 | 31.5% | 19.1% | 9.1% | 28% | 9% |
| Hawaii | $70,048 | $86,471 | 1.9% | * | 10.1% | * | 7% |
| Idaho | $53,553 | $62,575 | * | * | 9.6% | * | 11% |
| Illinois | $39,815 | $76,426 | 13.9% | 24.1% | 7.9% | 34% | 9% |
| Indiana | $36,323 | $61,559 | 9.1% | 25.0% | 10.0% | 33% | 11% |
| Iowa | $35,548 | $64,403 | 3.7% | 30.5% | 9.9% | * | 10% |
| Kansas | $40,818 | $66,394 | 5.7% | 20.8% | 8.9% | * | 9% |
| Kentucky | $39,690 | $54,148 | 8.0% | 23.6% | 15.0% | 32% | 19% |
| Louisiana | $32,700 | $61,967 | 31.3% | 29.4% | 12.5% | 43% | 15% |
| Maine | $45,260 | $59,384 | 1.3% | 29.1% | 10.2% | * | 13% |
| Maryland | $68,377 | $97,500 | 30.1% | 12.8% | 6.2% | 19% | 6% |
| Massachusetts | $59,035 | $93,275 | 7.5% | 17.8% | 6.5% | 27% | 6% |
| Michigan | $36,833 | $63,704 | 13.2% | 26.7% | 9.9% | 36% | 12% |
| Minnesota | $41,570 | $77,843 | 5.7% | 26.9% | 6.6% | 37% | 6% |
| Mississippi | $31,067 | $57,553 | 36.8% | 30.5% | 11.7% | 43% | 14% |
| Missouri | $39,102 | $60,954 | 11.0% | 20.0% | 11.0% | 28% | 14% |
| Montana | $41,530 | $59,306 | * | * | 10.9% | * | 11% |
| Nebraska | $39,137 | $66,790 | 4.5% | 14.6% | 8.1% | * | 7% |
| Nevada | $43,976 | $70,293 | 9.2% | 21.2% | 9.9% | * | 11% |
| New Hampshire | $80,814 | $78,076 | 1.5% | * | 7.3% | * | 7% |
| New Jersey | $56,301 | $98,092 | 13.5% | 16.3% | 5.6% | 21% | 6% |
| New Mexico | $45,764 | $61,429 | 2.3% | 22.1% | 11.4% | * | 14% |
| New York | $51,146 | $81,997 | 15.6% | 19.1% | 9.1% | 28% | 12% |
| North Carolina | $41,177 | $65,244 | 21.2% | 21.1% | 9.5% | 32% | 10% |
| North Dakota | $34,101 | $69,025 | * | * | 8.3% | * | 6% |
| Ohio | $34,955 | $63,104 | 12.0% | 27.0% | 10.0% | 39% | 13% |
| Oklahoma | $36,234 | $59,370 | 7.1% | 28.2% | 12.4% | 38% | 14% |
| Oregon | $47,181 | $68,593 | 1.8% | 27.3% | 10.1% | * | 10% |
| Pennsylvania | $39,680 | $68,267 | 10.8% | 24.6% | 8.7% | 35% | 11% |
| Rhode Island | $46,398 | $76,544 | 7.1% | 24.3% | 7.1% | * | 5% |
| South Carolina | $37,327 | $66,035 | 25.9% | 23.2% | 9.2% | 35% | 10% |
| South Dakota | $52,246 | $62,384 | 2.2% | * | 7.7% | * | 8% |
| Tennessee | $40,768 | $60,678 | 16.3% | 21.3% | 11.2% | 31% | 14% |
| Texas | $47,428 | $78,905 | 12.3% | 18.4% | 7.9% | 26% | 8% |
| Utah | $38,021 | $79,843 | 1.1% | 43.8% | 7.4% | * | 6% |
| Vermont | $37,355 | $63,672 | * | 36.2% | 9.8% | * | 9% |
| Virginia | $53,896 | $82,612 | 19.2% | 16.1% | 7.7% | 26% | 8% |
| Washington | $56,250 | $80,952 | 3.9% | 15.7% | 8.1% | 20% | 9% |
| West Virginia | $32,029 | $49,272 | 3.8% | 27.4% | 15.0% | * | 18% |
| Wisconsin | $35,178 | $67,548 | 5.9% | 24.5% | 7.5% | 36% | 8% |
| Wyoming | $22,322 | $67,708 | * | * | 8.8% | * | 9% |
| **United States** | **$45,438** | **$76,057** | **12.5%** | **21.2%** | **9.0%** | **31%** | **10%** |

Notes: Black refers to "Black" or "Black or African American Alone" and White refers to "Non-Hispanic White Alone"; 2019 is the most recent data available at the state level; Asterisks represent missing data.
Sources: Census Bureau 2019 ACS Employment Data; Kaiser Family Foundation; Kidscount

## *Health and COVID-19*

**Pre-Pandemic Health Insurance Rates and Current COVID Death Rates**

| State | 2019 Black Uninsured, Nonelderly (%) | 2019 White Uninsured, Nonelderly (%) | 2019 Black Insured by Employer, Nonelderly (%) | 2019 White Insured by Employer, Nonelderly (%) | Black COVID Deaths Share, All Ages, Standardized (%) | Black Share of the State Population (%) | White COVID Deaths Share, All Ages, Standardized (%) | White Share of the State Population (%) |
|---|---|---|---|---|---|---|---|---|
| Alabama | 12.5% | 10.1% | 46.4% | 62.2% | 27.7% | 26.3% | 69.4% | 67.1% |
| Alaska | * | 9.0% | 51.5% | 63.8% | 2.3% | 3.3% | 51.8% | 63.4% |
| Arizona | 11.1% | 8.6% | 48.2% | 63.5% | 3.5% | 4.5% | 54.9% | 57.9% |
| Arkansas | 9.1% | 9.3% | 39.5% | 53.6% | 14.1% | 15.1% | 79.7% | 74.3% |
| California | 6.4% | 5.1% | 50.4% | 65.6% | 6.6% | 5.9% | 34.2% | 39.1% |
| Colorado | 8.6% | 6.8% | 49.0% | 67.8% | 4.3% | 4.1% | 66.3% | 70.3% |
| Connecticut | 7.0% | 4.8% | 51.5% | 71.1% | 12.6% | 10.7% | 74.4% | 68.5% |
| Delaware | 8.4% | 6.7% | 51.4% | 68.2% | 20.9% | 21.8% | 73.3% | 64.6% |
| District of Columbia | 5.5% | 1.4% | 40.3% | 87.1% | 71.4% | 43.7% | 13.3% | 40.0% |
| Florida | 17.3% | 13.3% | 43.9% | 56.6% | 17.6% | 15.1% | 57.4% | 55.6% |
| Georgia | 14.8% | 12.4% | 49.8% | 65.1% | 32.8% | 31.5% | 60.1% | 54.2% |
| Hawaii | * | 6.2% | 56.3% | 58.9% | * | 1.9% | 10.0% | 23.1% |
| Idaho | * | 10.9% | 54.6% | 59.6% | 0.4% | * | 87.0% | 83.6% |
| Illinois | 10.2% | 5.9% | 44.4% | 71.4% | 17.4% | 13.9% | 64.3% | 63.1% |
| Indiana | 11.5% | 9.3% | 45.7% | 66.3% | 9.6% | 9.1% | 85.4% | 80.4% |
| Iowa | 7.9% | 4.5% | 36.4% | 68.7% | 2.9% | 3.7% | 91.9% | 87.1% |
| Kansas | 17.7% | 7.9% | 43.2% | 69.3% | 6.1% | 5.7% | 81.5% | 77.9% |
| Kentucky | 8.6% | 6.9% | 43.7% | 57.7% | 7.5% | 8.0% | 90.3% | 85.8% |
| Louisiana | 9.9% | 8.7% | 36.5% | 57.7% | 35.6% | 31.3% | 60.1% | 60.3% |
| Maine | 10.5% | 9.8% | 33.5% | 58.7% | 0.8% | 1.3% | 97.0% | 93.7% |
| Maryland | 6.2% | 3.8% | 56.9% | 72.2% | 34.6% | 30.1% | 53.8% | 52.0% |
| Massachusetts | 5.5% | 3.0% | 52.3% | 72.5% | 7.5% | 7.5% | 79.6% | 72.7% |
| Michigan | 7.1% | 6.4% | 43.5% | 65.2% | 19.2% | 13.2% | 74.6% | 76.6% |
| Minnesota | 10.5% | 4.3% | 40.4% | 73.6% | 4.9% | 5.7% | 85.9% | 81.8% |
| Mississippi | 15.4% | 14.0% | 39.8% | 58.6% | 39.1% | 36.8% | 57.7% | 58.3% |
| Missouri | 13.2% | 11.4% | 48.2% | 64.7% | 11.7% | 11.0% | 83.9% | 80.9% |
| Montana | * | 8.6% | 56.5% | 56.2% | 0.5% | * | 82.6% | 87.5% |
| Nebraska | 18.9% | 6.4% | 47.7% | 71.8% | 3.8% | 4.5% | 87.4% | 81.2% |
| Nevada | 8.6% | 9.3% | 47.4% | 64.6% | 10.2% | 9.2% | 54.3% | 51.3% |
| New Hampshire | 15.6% | 6.9% | 53.2% | 69.0% | 0.8% | 1.5% | 95.5% | 90.9% |
| New Jersey | 10.4% | 4.9% | 55.4% | 73.7% | 16.5% | 13.5% | 58.1% | 56.6% |
| New Mexico | * | 7.9% | 42.7% | 55.7% | 1.3% | 2.3% | 31.2% | 40.0% |
| New York | 6.5% | 3.9% | 49.0% | 68.5% | 11.8% | 15.6% | 74.3% | 56.8% |
| North Carolina | 13.6% | 10.5% | 45.9% | 62.3% | 23.7% | 21.2% | 68.9% | 65.2% |
| North Dakota | * | 6.3% | 36.3% | 70.5% | 0.6% | * | 87.1% | 85.5% |
| Ohio | 9.5% | 7.3% | 41.8% | 67.2% | 11.8% | 12.0% | 85.4% | 80.3% |
| Oklahoma | 17.3% | 14.2% | 42.6% | 59.6% | 6.8% | 7.1% | 72.9% | 68.3% |
| Oregon | 9.0% | 7.0% | 46.7% | 62.2% | 2.0% | 1.8% | 82.4% | 77.4% |
| Pennsylvania | 7.2% | 6.2% | 45.0% | 68.1% | 11.0% | 10.8% | 83.2% | 77.8% |
| Rhode Island | 6.1% | 3.4% | 48.3% | 72.0% | 4.8% | 7.1% | 85.0% | 74.0% |
| South Carolina | 13.4% | 11.1% | 44.2% | 61.9% | 30.3% | 25.9% | 65.8% | 65.8% |
| South Dakota | * | 8.5% | 54.4% | 67.8% | 0.6% | 2.2% | 85.0% | 84.3% |
| Tennessee | 12.3% | 10.0% | 49.2% | 61.0% | 17.1% | 16.3% | 79.0% | 75.5% |
| Texas | 16.4% | 13.0% | 52.1% | 66.2% | 10.8% | 12.3% | 44.7% | 44.1% |
| Utah | 26.1% | 7.7% | 35.5% | 71.0% | 0.8% | 1.1% | 76.3% | 79.2% |
| Vermont | * | 5.0% | 40.7% | 59.2% | * | * | 97.4% | 93.0% |
| Virginia | 9.6% | 6.7% | 53.1% | 69.0% | 23.5% | 19.2% | 66.9% | 63.1% |
| Washington | 9.0% | 5.5% | 48.9% | 66.5% | 3.4% | 3.9% | 74.8% | 70.2% |
| West Virginia | 10.1% | 8.1% | 38.6% | 54.9% | 2.9% | 3.8% | 96.2% | 92.7% |
| Wisconsin | 8.9% | 5.1% | 40.2% | 72.7% | 6.6% | 5.9% | 85.7% | 83.4% |
| Wyoming | * | 12.5% | 50.5% | 64.0% | * | * | 84.3% | 85.7% |
| **United States** | **11.4%** | **7.8%** | **47.2%** | **65.8%** | **14.4%** | **12.5%** | **63.7%** | **62.5%** |

Notes: Black refers to "Black" or "Black or African American Alone" and White refers to "Non-Hispanic White Alone"; COVID-19 mortality data in table was last updated 1/31/2022; Asterisks represent missing data or very small sample sizes.
Sources: Census Bureau 2019 ACS Data; Kaiser Family Foundation; CDC/NCHS Analysis of State-Level COVID Mortality

## DRUG USE STILL NATIONAL CRISIS

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, a new survey released by the Department of Health and Human Services of 51,000 high school students and eighth-graders shows drug use on the rise for the first time in over a decade. The Clinton administration has sent a confusing message about drugs, and our Nation's teenagers are paying the price. The administration must make it clear that drug use is dangerous and Congress needs to back that message up with tough legislation.

During the past year, through letters to drug czar Lee Brown and to President Clinton, and through House Government Operations Committee hearings on crime, I have urged the administration to commit greater resources to fighting the war on drugs.

The priorities of the Clinton administration unfortunately do not include promoting a tough, active antidrug strategy—the administration did not even appoint a drug czar until July last year and cut staffing for ONDCP by 80 percent.

The administration is trying to cut back on drug interdiction—last year it proposed cutting $200 million for Department of Defense drug interdiction efforts—particularly efforts to catch cocaine smuggled into this country from South America. This also sends the wrong message and places undue burden on State and local police who are trying to wage a war on drugs with scarce resources.

Meanwhile, hardcore drug use is up and cocaine and other drugs continue to flow across our borders. Instead of sending a message of retreat, our Nation needs to reinvigorate our war against drugs. Along with other Republicans, I have introduced the Crime Control Act, which, among other anticrime initiatives, enhances sentences for drug-related crimes, will help keep drug dealers off the street and will impose the death penalty for drug kingpins. We owe our Nation's youngsters no less.

## AMERICA'S GOAL IN HEALTH CARE REFORM: TO PROVIDE SECURITY FOR AMERICAN FAMILIES

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, a constituent of mine from Santa Fe recently wrote to me that she was working full time, but her employer considers her part time, to avoid paying health insurance.

Health care reform is about finding a way for employees to receive health benefits and enjoy the security of knowing that he or she and their family always will have health coverage in all circumstances.

Mr. Speaker, Republicans are saying that health care reform is not a problem. First they said there was no crisis. Now they are saying maybe they want to work with us on health care reform. Now they are politicizing the survey about drug use among adolescents, a survey that basically was completed early on in the Clinton administration.

Mr. Speaker, it does not help to politicize our antidrug efforts. It does not help to politicize the health care issue. Let us get on with health care reform and keep the politics out of it.

The debate on health care reform must not stumble on how we get to reform but what we have when we get there. We must remember that people should not have to suffer from ridiculous concerns such as whether they are considered part-time or full-time. Without health care reform, American families will still have some fear of an avoidable health crisis. Our underlying goal in health care reform should be to eliminate that fear.

## TRIBUTE TO 1ST LT. JOHN VINCENT POWER

(Mr. BLUTE asked and was given permission to address the House for one minute and to revise and extend his remarks and include extraneous matter.)

Mr. BLUTE. Mr. Speaker, I rise today to pay tribute to an outstanding American who made the supreme sacrifice for his country during World War II.

Fifty years ago today, as a platoon leader attached to the Fourth Marine Division during the landing and Battle of Namur Island, Kwajalein Atoll, Marshall Islands, 1st Lt. John Vincent Power gave his life in an unselfish act of gallantry and valor above and beyond the call of duty.

While attempting to disable an enemy position, Lieutenant Power was severely wounded. Despite his wounds he continued the effort, fiercely and courageously charging the position until felled by enemy fire.

For his valiant and brave efforts, Lieutenant Power received the Congressional Medal of Honor posthumously.

Mr. Speaker, this fine American was born and raised in Worcester, MA, the seat of my congressional district. He attended the College of the Holy Cross and joined the Marine Corps after the attack on Pearl Harbor.

This Saturday, Lieutenant Power's sisters, Mary Chandley and Patricia Rose, will gather with friends and comrades at Holy Cross for a memorial mass and to present his Medal of Honor and citation to the College of the Holy Cross for display so that others may honor his loyalty and commitment to the United States of America.

Mr. Speaker, with great respect and deepest sincerity, I humbly honor Lt. John Vincent Power, Congressional Medal of Honor recipient, on the 50th anniversary of his heroic deeds.

Mr. Speaker, for the record I include a citation commending First Lieutenant Power for his actions:

CITATION FOR 1ST LT. JOHN V. POWER

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as platoon leader attached to the Fourth Marine Division during the landing and the battle of Namur Island, Kwajalien Atoll, Marshall Islands, February 1, 1944. Severely wounded in the stomach while setting a demolition charge on a Japanese pillbox, First Lieutenant Power was steadfast in his determination to remain in action. Protecting his wound with his left hand and firing with his right, he courageously advanced as another hostile position was taken under attack, fiercely charging the opening made by the explosion and emptying his carbine into the pillbox. While attempting to reload and continue the attack, First Lieutenant Power was shot again in the stomach and head and collapsed in the doorway. His exceptional valor, fortitude, and indomitable fighting spirit in the face of withering enemy fire were in keeping with the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

## TRIBUTE TO MR. RALPH McCARTNEY

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, I rise to pay tribute to Mr. Ralph McCartney, who resides in Overtown, FL in the 17th Congressional District of Florida. Mr. McCartney, a community activist, is the last of eight children born to Lillian and Leon McCartney. He has been and is a major contributor to the community of Overtown. Mr. McCartney may be best known for his eloquence in reciting great works of literature, however, his most outstanding contributions are from working behind the scenes. Of the many contributions that he has made to greater Miami, three McCartney activities have had, and will continue to have positive impacts on the people for years to come.

First, there is the Edison Park Elementary I–95 Overpass. As a result of the relentless efforts of Mr. McCartney, the Edison Park Elementary I–95 Overpass was constructed. Young children no longer have to face the death-defying temptations of taking a short-cut across I–95 to get to school.

Second, the U.S. Department of Defense Race Relations Institute. Because of the success of this program, those individuals who came through the Miami experience have a much more significant appreciation and understanding of their role in making America and the military a better place for all.

And third, the rebuilding of the Booker T. Washington School. The tireless work of Mr. McCartney, the late Dr. Johnny Jones, the school board, and the community, led to the successful rebuilding of the school.

There is so much more that I can say about Mr. Ralph McCartney; however, his untiring drive to make our community a better place speaks volumes. When asked how he wants to be remembered, he replies, "That I was a McCartney."

## URGING DEFEAT OF THE RULE ON DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, tomorrow the House of Representatives will have the opportunity to consider the most important regulatory reform issue facing the 103d Congress. As we debate the elevation of EPA to a Cabinet level status, Congress has an opportunity to make some sense of the tidal wave of regulations that are bankrupting our State and local governments and putting commerce, industry, and agriculture out of business.

Tomorrow we will only have one opportunity to allow risk assessment to be debated by the House. We must defeat the rule which has banned our consideration of this last chance for regulatory reform. We must defeat the rule if we want the voices of our Governors, mayors, and local elected officials to be heard.

We must defeat the rule if we want American businesses, factories, and farms to be able to compete in domestic and international markets.

I urge my colleagues to give risk assessment a chance. Defeat the rule and say "no" to unfunded Federal mandates. This may be our last chance in this decade.

□ 1240

## SUBSIDIES IN THE GATT PACT

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, The GATT Pact provisions set a new and unnecessary standard for industrial policy which is troubling to many Members. The GATT Pact, as approved by the Clinton administration, will increase Government subsidies by the European Common Market and by Pacific rim countries to the detriment of our own U.S. Government. We must either match these subsidies, putting pressure on our budget, already terribly overpressured, or we must duck the issue and make American industries less than competitive because of these subsidies with their overseas firms.

Ladies and gentlemen, we fought hard to take subsidies out of the GATT negotiations as far as agriculture. It appears to me it is very unwise that the Clinton administration has given in on this issue.

I say to President Clinton, 44 Senators are right. Back off or risk losing support for the ratification of GATT.

## UNFUNDED MANDATES

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, the U.S. Conference of Mayors was here last week. Do Members know what their No. 1 concern was? It was unfunded mandates. This week the National Governors Association is in town, and what is their No. 1 concern? Unfunded mandates.

When I go home and talk to small business owners, go home and talk to the people who live in my district, do Members know what their No. 1 concern is? It is the unending river of unfunded mandates and regulations coming out of Washington, DC.

Many of these come from the EPA. This week Congress will consider whether we should elevate the EPA to Cabinet level status. Think about it, the Clean Air Act, underground storage tank regulations, the Safe Drinking Water Act, the Clean Water Act, all of these coming from the EPA, well-intentioned, well-meaning, but many of them have many unfunded mandates.

Some of us here in Congress on both sides of the aisle want to offer an amendment this week that will require risk/benefit analysis to stop this silliness. But no, the leaders in Congress are saying we are not allowed to offer the amendment. There is going to be no consideration.

There is more democracy today, ladies and gentlemen, in the Moscow City Council than there is here in the Halls of Congress. What do we have to fear by debating and voting on an amendment that the majority of the Members of this Congress want?

Mr. Speaker, it is time to take off the muzzle. It is time to have full and open debate about stopping unfunded mandates.

## UNION COUNTY'S RESPONSE TO CRIME

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, in my State of Florida there is a desperate need for prison space and the funds to build correctional facilities. President Clinton called for a renewed effort to fight crime by focusing, in part, on the criminal and incarceration. Today, I want to bring to his attention an innovative idea Union County, FL, has that has been ignored by the Justice Department.

The Union County community has banded together to build, with no taxpayer moneys, a prison. The county has donated the land for the prison and will build to the specifications and requirements of the Federal prison system. The only ingredient missing is the Federal Government's commitment that they will use the prison. Incredibly the Justice Department says it is not interested.

This prison means jobs for this community, costs the Federal Government nothing and will help keep criminals off the streets. It is exactly the kind of community response we need in this country but, Mr. Speaker, the Justice Department just is not interested.

## SPECIAL ORDERS GRANTED

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that today, following legislative business and any special orders heretofore entered into, the following Members may be permitted to address the House, revise and extend their remarks, and include therein extraneous material:

Mr. GONZALEZ, for 5 minutes;

Ms. McKINNEY, for 5 minutes;

Mr. GONZALEZ on February 2 and 3, for 5 minutes;

Mr. McCLOSKEY, on February 2, for 60 minutes;

Mr. KOPETSKI, on February 2, 9, 23, and March 2, 9, 16, and 23, for 60 minutes each day;

Mr. OWENS, on every legislative day of the second session of the 103d Congress, 60 minutes each day.

Mr. SPEAKER pro tempore (Mr. VOLKMER). Without objection, so ordered.

Mr. WALKER. Reserving the right to object, Mr. Speaker, and I shall not object, but I just wanted to ask the gentleman from Texas a question regarding a matter of his committee. I am wondering why his committee has not yet indicated that they are going to schedule hearings into the Whitewater matter, which seems to a number of Members on our side of the aisle as being a subject matter that is going to be extremely important in understanding the savings and loan scandal. I know the gentleman has been always very interested in looking into that matter, has scheduled hearings on a number of aspects of that matter over the years, and has looked at times as closely at members of the President's family that were involved in this matter, and it strikes us as somewhat puzzling that those kinds of hearings have not been held. I wonder if the gentleman can tell us whether he is going to schedule such things, and whether there will be meetings?

Sheriffs Association, as well as the past chairman of the San Bernardino County Criminal Justice Administrators Association and the Southern California Police Legal Advisors Committee.

Mr. Speaker, I ask that you join me, our colleagues, Ed's wife Kathryn, their four children, and their many friends in wishing Ed the very best in his retirement. In his many years of devoted service, Ed Stout has touched the lives of many people in our community and it is only fitting that the House recognize him today.

## HISTORIC DISCOVERY OF DNA

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 1, 1994*

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues that February 1 marks the 50th anniversary of the discovery that genes are composed of DNA. This important discovery was made by Oswald Avery, Colin MacLeod, and Maclyn McCarty at the Rockefeller University, then known as the Rockefeller Institute for Medical Research, located in my district.

The discovery that genes are made up of DNA was considered by many to be the most important scientific finding in biology during the 20th century. The late Lewis Thomas said, "This single discovery opened the way into the biological revolution which continues to transform our view of nature in the most intimate details, and continues as well to cast up, in its wake, one biotechnology after another for the comprehension and, it can be hoped, the reversal of human disease processes."

Dr. Avery and his two young colleagues were researching pneumonia, a dreaded disease in New York City during the early years of the 20th century and the leading killer worldwide. They were looking for the mysterious genetic transformation that turned one type of bacteria into another when they published their revolutionary finding in "The Journal of Experimental Medicine" on February 1, 1944.

The paper revealed the hidden hereditary nature of the thread-like DNA fibers present in all cells, and proved that it was DNA, not protein or any other substance, that was the carrier of hereditary information. The discovery has been likened in its revolutionary impact to the work of Mendel and Darwin, and it has laid the foundations for the more well publicized discovery of the double helical structure of DNA, by Drs. James Watson and Francis Crick.

Dr. Maclyn McCarty, the coauthor of the historic paper, and the only living member of the original team, continues his research work as professor emeritus at the Rockefeller University Hospital. Dr. McCarty remains a world-renowned leader in research on the transformation of pneumococcal types, the biology and immunochemistry of streptococci, and rheumatic fever.

Dr. Torsten Wiesel, the Rockefeller University president and Nobel Laureate, has noted that despite the revolutionary importance of their work on DNA, Drs. Avery, MacLeod, and McCarty were never awarded a Nobel Prize. Therefore, in addition to commemorating their achievements, the Rockefeller University is also celebrating its enduring mission of diagnosing and curing sickness by uncovering the inner secrets of life.

Because of the tremendous contribution this discovery has made to the scientific community, I would like my colleagues to join me in celebrating this historic achievement that opened the gateway to the modern era of biology and medicine with the Rockefeller University.

## TRIBUTE TO RALPH McCARTNEY

### HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 1, 1994*

Mrs. MEEK. Mr. Speaker, I rise to pay tribute to one of my constituents, Mr. Ralph McCartney.

Ralph McCartney was born on March 11, 1934, the last of eight children, to Leon and Lillian McCartney of Miami, FL. Mr. McCartney's early life was influenced by the richness of his family and the community environment in which he resided. That community was Overtown.

A major contributor to the deep sense of community to which he has so strongly been identified was derived from the community of Overtown. The beacon light of the community was Booker T. Washington Senior High School, subsequently victimized by desegregation. It was not only Ralph and the other McCartney siblings who were to attend this center of inspiration, but all the children of color who resided within the central portion of the city of Miami. It was from this Booker T. Washington experience that the spirit of community activism on behalf of the people of color, and the downtrodden was launched.

Mr. McCartney's career took him to New York City where he became involved in the political and civil rights campaigns of those wanting to better their communities, joining the efforts of Dr. Martin Luther King, Jr. He returned to his native Miami in 1965, after realizing that his energies were needed in his home town—Miami. He later encouraged the director of the Dade County antipoverty program to keep the community centers open following the assassination of Dr. King, because he realized that residents would need assistance in processing their feelings.

While Mr. McCartney may be best known for his fiery oratory and/or his eloquence in reciting great works of literature, his most outstanding contributions, derived by working behind the scenes, have gone unheralded. Of the many contributions that he has made to Greater Miami, there are three McCartney activities that have had and will continue to have positive impacts on people for years to come. They are:

The Edison Park Elementary—I-95 Overpass: It was through Mr. McCartney's relentless effort that this overpass was constructed. Young children no longer have to face the death-defying temptation of taking a short-cut across I-95 to get to school.

U.S. Department of Defense Race Relations Institute: Mr. McCartney's involvement became legendary to the thousands of military personnel that came through the Miami Inner City Minority Experience conducted by Robert H. Simms & Associates, Inc. from 1973–76. Because of the success of this program, those personnel who came through the Miami Experience have a significant appreciation and understanding of their role in making America and the military a better place for all.

Rebuilding of the Booker T. Washington School: The tireless drive of Mr. McCartney with the superintendent of Dade County Public Schools, the late Dr. Johnny Jones, the school board, and the community led to the successful rebuilding of Booker T. Washington.

There is so much more that one can say about the contributions of Mr. Ralph McCartney. He worked with the Urban League of Greater Miami, Inc. and the Dade County Community Relations Board. His early involvement with the Economic Opportunity Program, Inc. of Dade County; his tenure as the director of Neighbor Center of the South Miami Center; and his work with the Rev. Leon Sullivan's Opportunity Industrialization Center of Dade County brought the unique qualities of Ralph McCartney to thousands.

When asked how he wants to be remembered, he replied, "That I was a McCartney."

## HONORING CO-OP CITY

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 1, 1994*

Mr. ENGEL. Mr. Speaker, it is with great pleasure that I recognize the 25th anniversary of the opening of Co-op City, a community which I have called home for more than two decades.

As one of the original residents of Co-Op City, this anniversary has special meaning to me. I remember working as a youth at Freedomland Amusement Park, which once stood on the site where Co-op City was built, and watching as the complex grew out of the marshlands of the Northeast Bronx to become a beacon for families seeking a special place to live. Over the years, residents have come from places as close as local Bronx and Queens neighborhoods, and from as far away as Puerto Rico, Jamaica, and Russia.

The word that best describes Co-op City is unique. The size of Co-op City and the diversity of its people set it apart from any other neighborhood in New York City. At a time when we hear so much about racial and religious intolerance, the people of Co-op City live and work together in harmony. The residents of Co-op City have always been politically active and involved in their community. They care about the place they live and are willing to fight for their rights.

In my travels around the United States and in other countries, I have frequently met people who live in Co-op City or have relatives and friends who reside in the community. The legend of Co-op City, the largest housing development in the world, is truly global.

I was proud to be the first elected official to open a district office in Co-op City, which

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# The Cumulative Costs of Racism and the Bill for Black Reparations

William Darity Jr., A. Kirsten Mullen, and Marvin Slaughter

A core contribution of economic historians is to bring quantitative estimates to their topics. With respect to American slavery and its ongoing legacy of racial oppression, the concreteness of numerical estimates plays an additional role. The arguments over payment of reparations to Black descendants of American slaves have many dimensions, but one key requirement of any plan for reparative justice is determination of an appropriate dollar amount. Measures can be partitioned into two broad categories: 1) those based upon itemization of the costs to the victims or gains to the perpetrators from specific atrocities; and 2) those based upon estimates of the combined global effects of the atrocities on living descendants of those persons enslaved in the United States.

The first approach requires identification of a comprehensive list of relevant atrocities and injustices, assigning a dollar value to each, and adding them to arrive at an amount for the reparations bill. In the first main section of the paper, we provide examples of the itemization strategy: the wage costs to the enslaved of bondage; the gains to the perpetrators of slavery; the lives taken by White terrorists in post-Civil War massacres and lynching during Reconstruction and legal segregation; the

■ *William Darity Jr. is the Samuel DuBois Cook Distinguished Professor of Public Policy, Sanford School of Public Policy, Duke University, Durham, North Carolina. A. Kirsten Mullen is a folklorist and the founder of Artefactual, an arts-consulting practice, and Carolina Circuit Writers, a literary consortium that brings expressive writers of color to the Carolinas. Marvin Slaughter is the Interim Director of the African American Leadership and Policy Institute, a community-based research and advocacy organization concerned with collective uplift of Black communities. Darity is the corresponding author at william.darity@duke.edu.*

For supplementary materials such as appendices, datasets, and author disclosure statements, see the article page at https://doi.org/10.1257/jep.36.2.99.

property destroyed and seized by White terrorists during the massacres; discrimination in the provision of the homebuying supports from the Federal Housing Administration and the Servicemen's Readjustment Bill of 1944 (commonly known as "the G.I. Bill"); and racial discrimination in employment.

The second approach, to which we turn in the next main section of the paper, requires use of quantitative indicators of the global effects of the impact on the victimized community of a trajectory of injustices. We focus on two global indicators: the present value of providing 40 acres of land to freed slaves in 1865 and the current wealth gap between Black and White Americans.

At the outset, we must say we prefer the second approach, specifically using the Black–White wealth gap as the appropriate gauge for the size of the reparations bill. Not only is full enumeration of all the pertinent atrocities a major challenge, marshalling the data needed to assign a numerical value to each is daunting at best and impossible at worst. A more efficient method is to use a summary measure, like the racial wealth gap, to arrive at the total due.

Moreover, although the amount associated with the itemization method likely will be greater than the bill for reparations based upon the current Black–White wealth gap, all atrocities on an itemized ledger are not applicable to living descendants of the enslaved. In fact, it is hard to justify paying those living today for the harms directly inflicted upon their ancestors, particularly enslavement itself. It is legitimate to pay them for ongoing consequences of the harms that limit their lives in the present moment.

In what follows, at several points, we will make compound interest calculations to generate present value estimates of the costs imposed on African Americans by slavery and subsequent acts of oppression. The choice of interest rate for compounding exercises is somewhat arbitrary. In this essay, we opt to use the two interest rates utilized in Craemer et al.'s (2020) extended analysis of the costs of slavery to the enslaved (discussed further in the next section): 3 and 6 percent. A 3 percent nominal rate approximates a risk-free rate over time; a 6 percent rate can be considered an adjustment that takes into account nominal growth in GDP over time. In addition, the 6 percent rate has historical resonance: it was the "interest rate specified in the sales contract between Georgetown University and the Louisiana purchaser of 272 enslaved people in 1838" (Craemer et al. 2020, p. 219).[1]

For those interested in a full presentation of the arguments for a policy of paying reparations to the Black descendants of African slaves, two of the authors of the article have published *From Here to Equality: Reparations for Black Americans in the Twenty-First Century* (Darity and Mullen 2020). Indeed, the final chapter of that book presents a detailed plan of redress for the 40 million Black American descendants

[1] Some studies in this literature also include estimates using a 9 percent interest rate, which corresponds roughly to the average nominal rate of return on financial assets on the Standard & Poor's 500 from 1880 to the present (Webster 2021). Use of the 6 percent rate compounded over long spans, compared to a 3 percent rate, leads to explosive increases in present value estimates. We do not report the results of using a 9 percent rate, which leads to even more enormous estimates.

of slavery in the United States. However, whether one agrees with a policy of reparations or not, concrete quantitative estimates of the costs of American slavery and racial suppression to those who were enslaved and oppressed should be a central part of our understanding of US history.

## Itemizing Some Costs of Slavery and Racial Oppression

### Measuring Costs of Slavery

Enslavement of Africans—both those who were brought here by absolute coercion and their descendants born into slavery—was an organic part of the American republic inaugurated with the Declaration of Independence in 1776. In this subsection, we present four different routes for measurement of the costs of American slavery: unpaid wages to the enslaved, financial gains to the slaveholders, the monetary price the enslaved had to pay to purchase their own freedom, and the contribution of American slavery to the nation's economic development. Table 1 provides a summary of the present value estimates calculated at each of the interest rates.

The first procedure considered for calculating the cost of enslavement to those held in bondage is to use the wage rates paid to free laborers at the time. Of course, because the enslaved population was forced to migrate, in the absence of slavery they would not have been present in the United States in the same numbers. Therefore, in the absence of slavery, the wage rate for free labor, presumably, would have been higher (Darity 1990). However, in lieu of an estimated shadow wage in a hypothetical America *without* slavery, use of the actual prevailing wage rate for hired labor during the same interval provides a cautious estimate of the wage costs of slavery to the enslaved.[2]

Craemer (2015) uses this approach: that is, based on estimates of the hourly wage rate in each of the years 1776–1860 and estimates of the hours worked by enslaved people, he calculates total wages lost over the interval. Thus, the implicit counterfactual here is that slavery would have been abolished as part of the formation of the United States in 1776, so that slaves and their descendants would have become free labor. Due to uncertainty over the exact size of the enslaved population during the course of the Civil War—it was customary for the enslaved to liberate themselves from the plantations and farms and to join the Union army when it passed through

[2] Craemer et al. (2020, p. 229–30) point out that had slavery been abolished in 1776, perhaps wages of free labor would not have shifted much: "At least in theory, the addition of freed enslaved laborers might not have exerted a net effect on wages, as it would have increased not only the supply of labor but also, in rough proportion, the demand for free labor by former slave owners." They conclude, "These countervailing forces might have left the prices for labor in the free labor market roughly unaffected justifying the use of free market hourly compensation records to estimate the earning potential of the enslaved, had they been free laborers at the time." Nevertheless, they view the superior "counterfactual [as] what the wage rate would have been for an African who migrated freely to the American colonies in a world without American slavery. In that world, voluntary African immigrants would have found higher wages due to a greater labor shortage." With this counterfactual, using the prevailing wage for free labor is, necessarily, a "conservative" strategy.

*Table 1*
**Comparison of the Measures of the Cost of Slavery**

| *Measure* | *3 percent interest compounded to the present (2021 dollars)* | *6 percent interest compounded to the present (2021 dollars)* |
|---|---|---|
| Missing wages 12-hour estimate | $8.46 trillion | $860.2 trillion |
| Missing wages 24-hour estimate | $14.2 trillion | $7 quadrillion |
| Asset value of the enslaved | $466.5 billion | $47.5 trillion |
| Expense of self-purchase (price of freedom) | $559 billion | $56.9 trillion |
| Contribution to American economic development (1839) | $33.4 billion | $6.2 trillion |
| Contribution to American economic development (1859) | $72.9 billion | $105 trillion |

*Source:* Various studies discussed in the text.

their area (Du Bois 1935, p. 55–83)—Craemer (2015) stops the calculation in 1860 rather than 1865, which means that his estimate is biased downward.

Under Craemer's (2015) first scenario, missing wages are computed on the basis of a 12-hour work day, putting to work all enslaved persons five years of age or older. In his initial work of gathering historical data for wages for free labor, drawn primarily from Officer and Williamson (2022), Craemer uses a 3 percent interest rate to estimate the bill for outstanding wages projected up through 2009. Calculating the sum of the present value of each year's unpaid labor at 3 percent interest rate yields an estimate of $8.46 trillion by 2021. At 6 percent, the present value exceeds $860 trillion.

Craemer's (2015) second scenario is based upon recognition that the entire day of every day of the week for the enslaved, regardless of their age, constituted theft of their time. Here, Craemer estimates the bill for outstanding wages by imputing the free labor market wage to the full 24 hour day, 365 days a year, for all persons enslaved. The 2009 present value Craemer computes, at a 3 percent interest rate, is $14.2 trillion. Use of a 6 percent interest rate for calculation of the present value yields a stunning total of $7 *quadrillion*.

An alternative to the wage-based strategy is to estimate benefits to the slaveholders of the ownership of human property. A monetary value of Black subjugation can be calculated by treating prevailing sales prices for enslaved human beings as capturing the discounted present value of the net expected stream of income generated for the slave owner. This strategy was undertaken by Ransom and Sutch (1990), Neal (1990), and Marketti (1990) in putting forward their respective calculations of "the present value of past exploitation." Their estimates range from a low of $17.4 billion (Ransom and Sutch 1990) to a high of $4.7 trillion in 1983 US dollars.

A second approach is to calculate the asset value of the enslaved population to the slaveholders. On December 31, 1860, upon his exit from Congress in anticipation of his state's secession from the Union, Louisiana Senator Judah P. Benjamin (1860) estimated that enslaved people had a value of $4 billion to their owners.[3] The present value of that sum is $466.5 billion at 3 percent interest and $47.5 trillion at 6 percent interest.

Given the presence of 4 million enslaved persons, Benjamin's estimate corresponds to an average valuation in 1860 of $1,000. This estimate enables us to us a third approach, calculating the price an individual had to pay to obtain freedom in 1860 dollars.

Prior to the Civil War, the most common way for a slave to obtain freedom was by self-purchase—buying one's way to emancipation (Alchin 2018). While many enslaved people sought to run away, *successful* escape was difficult because of the specialized teams of "slave catchers" and the presence of federal laws requiring the return of enslaved people to their owners.[4] Owner-based manumission or legal manumission was quite rare. With the arrival of the Civil War, contributing directly to the Union war effort became an effective way of gaining mass emancipation. By the end of the Civil War, 180,000 Black men served in the Union army—about 10 percent of the military personnel.

Enslaved persons did have a variety of ways to accumulate the funds to buy freedom (Alchin 2018). There were sometimes opportunities to work for pay for the owner or for someone else on Sundays, the ostensible day of rest. In some sectors, forestry and mining in particular, there may have been opportunities for piece rate compensation if the enslaved person met more than their quota. Occasionally there were bonuses at harvest time. If an enslaved person had a garden plot, there might be opportunities to sell some of their produce.

The most important avenue for obtaining the funds to buy freedom was the leasing or "hiring out system," where an enslaved person might be permitted to keep a portion of the money. This was more of an option for enslaved persons who were skilled craftsmen. At times, they might even have had the "privilege" of hiring themselves out, depending upon the degree of leverage their unique skills afforded. Of course, because of the imbalance in power, the enslaved person seeking to buy freedom was reliant on the owner to honor the deal.

The price of freedom generally was 20 percent greater than the market price for an enslaved person (Cole 2005). Therefore, in 1860 an enslaved person would have had to meet an average price of $1,200. The emancipation value of the 4 million persons enslaved in 1860 would have been $4.8 billion at the going rate for buying freedom. The present value would amount to $559 billion at 3 percent and $56.9 trillion at 6 percent.

A final way of measuring the cost of the atrocity of slavery is to estimate the contribution that enslaved labor made to American economic development. Stelzner and Beckert (2021) offer a comprehensive attempt to arrive at such a calculation. Due to

[3] Benjamin (1860), who served in three different capacities in Confederate cabinet, including Secretary of War, said "our slaves … directly and indirectly involve a value of four thousand million dollars." Louisiana's official secession from the United States took place on January 26, 1861.

[4] Nordmann, Christopher A. 2009. "Runaway Slaves." Encyclopedia of Alabama. http://encyclopediaofalabama.org/article/h-2125.

data limitations, the authors only are able to calculate the contribution of enslaved labor to national output in two specific years: 1839 and 1859. By totaling the effect of slave production at the regional level, Stelzner and Beckert (2021, p. 19, table 2) arrive at measures of the contribution to national output. Slave-grown cotton in the Southern states was so dominant that the produce of enslaved laborers generated about half of the output in the region.

Stelzner and Becker (2021) conclude that enslaved labor in the United States was responsible for 18.7 to 24.3 percent of commodity output growth during the two-decade interval between 1839 and 1859. In both years, slave production contributed to at least 15 percent of total national output. Present value calculations using the lower bounds on Stelzner and Becket's estimates of the contribution to national output by enslaved persons place the numbers at $33.4 billion (using a 3 percent rate) and $6.2 trillion (6 percent) for 1839. A similar calculation for 1859 results in estimates of $72.9 billion (3 percent) and $105 trillion (6 percent). Again, these estimates account for only *two years* out of the full span of American slavery.[5]

However, by deriving only the *direct* effects of reliance on slave labor in each region, the authors undervalue the full contribution made by enslaved workers. For example, they assign a value of zero to output attributable to slave labor in New England because there were no enslaved workers in those states in 1839 and 1859. However, the textile sector in New England produced 70–75 percent of the nation's cloth between 1831 and 1860 (Temin 1999, p. 50), and its critical raw material was slave-grown cotton from the US South. The Stelzner-Beckert approach does not take into account extra-regional backward nor forward linkages (Hirschman 1958).

All of the methods discussed here share a common shortcoming: by focusing on lost wages, values from a slaveholder's perspective, or output produced by slave labor, none of them consider in a direct way the full costs of conditions of enslavement, like suffering violence, brutality, and loss of freedom.[6] In that sense, all of these methods result in downward-biased estimates of the costs of slavery to the enslaved.

**Measuring Costs of Post–Civil War Massacres, Murders, and Excess Mortality**

Between the end of the Civil War and the 1940s, approximately 100 White massacres directed against Black communities took place (for a list, see Table 2). In 1919 alone, for example, upwards of 35 of these assaults took place in locations

[5] Gavin Wright's contribution to this symposium minimizes the impact of slavery on American economic development. However, he does not directly address Stelzner and Beckert's (2021) analysis, nor does he consider Hirschman's (1958) "backward and forward linkages" extending from the slave plantation sector. Wright does say explicitly that his conclusion does not affect the case for Black reparations.

[6] Craemer et al. (2020) offer illustrations of the monetary costs of the denial of freedom based on compensation awarded to Japanese-Americans subjected to mass incarceration during World War II and for the Americans held hostage in Iran for 444 days starting in November 1979. These estimates are extremely different. Under the Civil Liberties Act of 1988, each survivor of the "internment" was given a letter of apology and $20,000, which amounted to 76 cents per hour of confinement (in 1988 currency). In contrast, the Justice for United States Victims of State Sponsored Terrorism Act of 2015, amended in 2021, specifies $10,000 per day of captivity for the hostages, which implies an hourly rate of approximately *$416 per hour* in 2021 dollars.

*Table 2*
**List of Documented Massacres and Instances of Mob Violence Perpetrated Against Black Individuals, 1863–1950**

| *Year* | *Locations* | *Year* | *Locations* | *Year* | *Locations* |
|---|---|---|---|---|---|
| 1863 | Detroit, MI | | Shreveport, LA | | New London, CT |
| | New York, NY | | Slocum, TX | | Norfolk, VA |
| 1866 | Memphis, TN | | Uvalda, GA | | Orono, ME |
| | New Orleans, LA | 1912 | Forsyth County, GA | | Omaha, NE |
| 1868 | St. Bernard Parish, LA | | Oscarville, GA | | Philadelphia, PA |
| | Opolousas, LA | 1917 | Chester, PA | | Putnam County, GA |
| | Albany, GA | | East St. Louis, IL | | Syracuse, NY |
| 1870 | Eutaw, AL | | Houston, TX | | Texarkana, TX |
| 1871 | Meridian, MS | 1919 | Austin, TX | | Vicksburg, MS |
| 1873 | Colfax, LA | | Baltimore, MD | | Washington, DC |
| 1874 | Coushatta, LA | | Bisbee, AZ | | Wilmington, DE |
| | Vicksburg, MS | | Blakeley, GA | 1920 | Hurtsboro, AL |
| | Barbour County, AL | | Bogalusa, LA | | Ocoee, FL |
| 1875 | Clinton, MS | | Cadwell, GA | 1921 | Denton, TX |
| 1876 | Charleston, SC | | Charleston, SC | | Tulsa, OK |
| | Ellenton, SC | | Chicago, IL | 1922 | Perry, FL |
| | Hamburg, SC | | Corbin, KY | 1923 | Catcher, AK |
| 1887 | Thibodeaux, LA | | Dublin, GA | | Rosewood, FL |
| 1888 | Danville, VA | | Elaine, AK | 1926 | Benson, AL |
| | Fort Bend, TX | | Ellisville, MS | | Susanna, AL |
| 1891 | Omaha, NB | | Garfield Park, IN | 1943 | Beaumont, TX |
| 1896 | Polk County, AR | | Hattiesburg, MS | | Detroit, MI |
| 1898 | Phoenix, SC | | Hubbard, OH | | Los Angeles, CA |
| | Wilmington, NC | | Jacksonville, FL | | Mobile, AL |
| 1900 | New Orleans, LA | | Jenkins County, GA | 1946 | Chicago, IL |
| 1901 | Pierce City, MO | | Knoxville, TN | | Columbia, TN |
| 1903 | Evansville, IL | | Lexington, NE | 1947 | Chicago, IL |
| | Whitesboro, TX | | Longview, TX | 1948 | Vanport, OR |
| 1908 | Springfield, IL | | Memphis, TN | 1949 | Peekskill, NY |
| 1910 | Little Rock, AK | | Millen, GA | | Washington, DC |
| | New York, NY | | Montgomery, AL | | |
| | Norfolk, VA | | Morgan County, WV | | |

*Sources:* Compiled by the authors as noted in Darity and Mullen (2020, p. 216–17, 374–75 n. 37–42); Haynes (1919); Black Past (2022); Rucker and Upton (2006); Voogd (2008).

as far-flung as Omaha, Nebraska; Chicago, Illinois; Elaine, Arkansas; Austin, Texas; Wilmington, Delaware; and Bisbee, Arizona. The bloodshed of that year was so extensive that civil rights activist and composer James Weldon Johnson dubbed the period the Red Summer.[7] In these riots and massacres, Black people often were murdered or injured and their property routinely was taken by the White attackers.

Due to the general devaluation of Black lives and the political and financial objectives of the White mobs, there was little concern with establishing precise numbers of Blacks killed during the course of the massacres. In the White riot in Atlanta in 1906, for example, estimates of the number of Black deaths range from 10 to 100; the estimates for the 1917 East St. Louis massacre range wildly from 40 to 200 deaths; and to

[7] Sources Select Resources. "Red Summer of 1919." SOURCES. https://www.sources.com/SSR/Docs/SSRW-Red_Summer_of_1919.htm.

this day the total number of Black deaths at the notorious 1921 massacre in Tulsa, Oklahoma, sometimes estimated at 300, remains unknown (Bentley-Edwards et al. 2018).

Robert Smalls, a Black Civil War hero and South Carolina congressman (from 1875 to 1887), asserted that 53,000 Blacks had been killed by White terrorists from the end of the Civil War through the rest of the nineteenth century. For many years this figure was viewed as exaggerated, but more recent scholarship suggests that Smalls was roughly correct (Egerton 2018). This would have meant about 1,750 murders per annum in the late nineteenth century, or about five Blacks killed by Whites on a daily basis (Darity and Mullen 2020, p. 166). The most recent estimates of Black deaths on the twentieth century lynching trail amount to about 1,500 (Cook, Logan, and Parman 2018; Fox 2020).

A more comprehensive measure of Black deaths is provided by the estimates of excess all-causes Black mortality generated by public health demographers. Benjamins et al. (2021) find between 2016 and 2018, the all-causes Black death rate was 24 percent higher than the White death rate in the nation's 30 largest cities by population size. This implies 74,402 excess Black deaths in those metropolitan areas during that period alone. Their procedure could be extended nationwide for all years in which vital statistics of a reasonable quality are available.[8]

In placing a monetary value on lives lost, a common approach is to compute what is known as the "value of a statistical life." The value of a statistical life seeks to establish the monetary value of incremental reductions in the likelihood of personal safety risk, in particular premature death, based on empirical estimates of how people actually react when confronted with consumer or workplace choices that involve different levels of risk of death. The value of a statistical life has become a widely used instrument in cost-benefit analyses of proposed government regulations by the Environment Protection Agency, the US Department of Transportation, and other agencies. Today the value used by a number of public agencies approaches $10 million per person (Kniesner and Viscusi 2019).

Using only the Black excess mortality figure for larger metropolitan areas for 2016–2018, multiplied by the current value of a statistical life, yields a total of $724 billion. In theory, such a calculation could be extended back in time. But there are data limitations blocking sound estimates of total Black mortality, a necessary prelude to calculation of excess Black mortality, especially prior to the 1940s. As Ewbank (1987) writes:

[8] Wrigley-Field (2020) turns the excess mortality computation on its head and asks how many more White deaths would have to occur to reach the *lowest* recorded incidence of deaths among Black Americans. She concludes: "For hypothetical White age-adjusted mortality to equal the lowest recorded Black age-adjusted mortality, about 400,000 to 420,000 excess White deaths are needed [per annum]. For White life expectancy in 2020 [the pandemic year alone] to fall to the level of the best-recorded Black life expectancy would require an estimated 700,000 to 1 million excess White deaths … The low-end estimate of about 400,000 excess White deaths is about 5.7 times the current confirmed COVID-19 deaths among Whites, representing an 18 percent increase in White mortality from prepandemic levels. For comparison, this estimate implies that, to reach the best-ever prepandemic Black mortality rates, the full US White population would need to experience a level of excess mortality comparable to 90 percent of the official COVID-19 death rate (for all racial groups) in New York City to date."

> There are several reasons why it is difficult to document mortality trends among American Blacks. First, registration of deaths did not begin in the United States until late in the nineteenth century and even then it was limited to a few states. It was not until 1933 that the whole of the continental United States was included in the national Death Registration Area (DRA). Second, the states which started registration systems first were northeastern states. The data on the White population in these states has often been used as a rough approximation of the whole country, but the Blacks in these states are not representative of all Blacks. In 1900 the death registration area included 26 percent of the total population, but only 4.4 percent of the Black population. More than 90 percent of the Blacks in the DRA lived in urban areas while only 23 percent of all Blacks were urban. Third, although Blacks and Whites were theoretically covered by the same data collection systems after the Civil War, the data for Blacks were generally less reliable than those for Whites.

Although vital statistics data on mortality by race for the period before World War II are not fully reliable, the existing numbers can be used to develop rough estimates of excess mortality. A reasonable—and conservative—measure of the Black death rate during this period is 1.6 times the White rate (SoRelle 2000). In 1930, the total US Black population was about 12 million people; the corresponding number of excess deaths would have been about 72,000, or a monetary equivalent of $720 billion in present value. A similar calculation would have to be performed year by year and the estimates summed to arrive at an approximation of the total monetary value of Black excess mortality.

**Measuring Costs of Stolen Property**

White terrorist attacks on Black communities in the closing decades of the nineteenth century and the opening decades of the twentieth century were often accompanied by destruction and appropriation of Black property by the mobsters. For many of the White riots, it is very difficult to estimate these costs of property damage.

However, the survivors of the 1921 Tulsa massacre did file insurance claims—albeit unsuccessfully—making it possible to construct a rough estimate of property lost due to the destruction of the Greenwood area of that city (Messer, Shriver, and Adams 2018; Canales and Elder 2021). The sum of the insurance claims filed immediately after the massacre amounted to $1.8 million. Compounding the present at 3 and 6 percent leads to present value estimates of the damages of $34.6 million and $611 million respectively. But Tulsa is an unusual case where researchers can access the insurance claims.[9]

By using data collected on site soon after the event by the courageous anti-lynching activist, Ida B. Wells-Barnett (1920), Logan and Darity (2020) were able

[9] Buck Colbert Franklin (1997), the attorney who narrowly survived the massacre and filed insurance claims and lawsuits on behalf of Black Tulsans, was the father of John Hope Franklin, the famed late African American historian.

to calculate a present value estimate of property losses for Black residents of tiny Elaine, Arkansas. In a massacre where an estimated 300 Black people were killed, Logan and Darity (2020) conclude that about $10 million in property was taken from the town's Black citizens.

Approximately 1,000 Black people were rendered homeless by the 1919 Chicago massacre (Mitchell 2019), data that affords a lower bound estimate of property lost during that White riot. If six persons lived in the average home, then about 165 homes were destroyed. If the average price of a home in Chicago was $5,000 at the time, lost Black property amounted to about $830,000 in value. Compounded to the present, at 3 percent the value destroyed would amount to $16.9 million; at 6 percent, $316 million.

In cases where Whites appropriated Black-owned properties, arriving at proper estimates of lost wealth requires access to detailed information about deeds of sale and transfer of ownership as well as information about the race of the buyer and seller. This task is demanding. Even with good access to official records of property sales, severe difficulties can arise, including the trustworthiness of the documents. The example of property sales after the massacre that took place in Ocoee, Florida, in 1920 illustrates the scope of the challenge.

The state of Florida was the site of a series of the most violent reactions of white supremacists to efforts of Black citizens to participate in the electoral process and to evidence of Black economic prosperity (Ortiz 2006; Dunn 2013). Perhaps the most brutal of the assaults took place in Ocoee, Florida, on Election Day, November 2, 1920, after Black residents attempted to vote. Like virtually all White massacres, the exact number of Black people killed is not known, but estimates generally run in the vicinity of 50 deaths.

The trigger for the White riot in Ocoee was the particular efforts of Moses (Mose) Norman to cast his ballot. Rebuffed at the polling place, he and other Black voters were told to get documentation of their eligibility to vote from notary public, R.C. Bigelow, who just happened to be out of town on election day, "on a fishing trip" (Zinn Education Project). Bigelow later figured prominently as the individual who notarized a number of the deeds transferring Black properties to Whites, after the massacre, at fire sale prices. Norman was persistent (as described by the Zinn Education Project):

> With little other option, most [Blacks seeking to vote] returned to their homes without casting their ballots. Mose Norman would not be so easily deterred. After being turned away that morning in his Ocoee precinct, he rode to Orlando to seek the council of Judge Cheney. The attorney instructed him to write down the names of any African-Americans who were not permitted to vote and also the names of the poll workers who had denied their Constitutional right. Cheney said a lawsuit against the County could be brought to contest this violation.
>
> Norman returned to Ocoee with these instructions, along with a handful of Black citizens again seeking to vote; as you can imagine, things did not go well.

> After again being forcibly turned away, he demanded the poll workers names and exclaimed: "We will vote, by God!"
>
> The response by the Klan was a massacre.

July Perry's home was the site where the White mob believed Moses Norman had sought refuge after recognizing his life was in danger. Perry, "a farmer and labor broker who dared register fellow Blacks to vote" (Hudek 2020), "lived [with his family] on a large estate that included their home and several barns and outbuildings" (Byrne 2014). Norman and his wife, Elisa, were described as "[living] a little more lavishly, enjoying the fruits of the years of hard work farming the 100-acre family orange grove. He drove around the brick-paved streets of downtown in a fancy six-cylinder Columbia convertible with white sidewall tires, silver spokes, and elegant 'storm curtains' instead of side windows" (Byrne 2014). Folk history has it that at one point, before the massacre, Norman was offered $10,000 for his orange groves, an offer he declined (Byrne 2014).

A third wheel among prominent and prosperous Black residents of Ocoee was Valentine Hightower, also the owner of substantial tracts of land, who apparently was less demonstrative about his economic success (Byrne 2014):

> Unlike his two friends, Valentine Hightower had a much more low-key personality. He knew well the dangers "negroes" opened up for themselves when they got too "uppity" in the still very white supremacist society of the time. He and his wife Jane lived a modest lifestyle and raised their kids to mainly keep to themselves. They answered politely when spoken to and preferred not to draw too much attention to themselves.
>
> "My father was kind of humble," Hightower's son Armstrong recalled many decades later, "He didn't take no chances on nothing."

July Perry was the first victim of the mob, captured and lynched after the terrorists were unable to find Moses Norman on Perry's property. Norman, himself, fled Ocoee and may have left the state of Florida, ultimately settling in New York. Valentine Hightower and his family "relocated" to Florida's Dade County.

What happened to their property was representative of the aftermath of many white supremacist uprisings. Bluford Sims, a former Confederate officer from Tennessee and one of the major actors in the riot, arranged to be named executor of Perry's estate and sold off the property at a significant economic gain with the provision that the property never be sold to another Black person (Fussell 2016; Bracy 2019).[10] A search of the records of deeds for Orange County, Florida, where

[10] There has been a movement to change the name of Bluford Avenue in Ocoee, named after Sims, to July Perry Avenue.

Ocoee is located, does not provide evidence that Sims purchased the properties from Perry's survivors, who were driven out of the town.[11]

On the other hand, there is evidence of a formal transfer of property from Norman and Hightower to White ownership. On February 28, 1923, the records indicate that Moses Norman and his wife Eliza, in conjunction with Valentine Hightower and his wife Jane, sold a property to I.C. Bobo for $10. On the deed of sale, Moses Norman's attestation to his agreement to the sale was verified by a notary public in New York, Joseph L. Pritchard, where Norman, presumably, had taken refuge. The Hightowers sold another property to I.C. Bobo for only $1 on January 26, 1923. We were unable to find any additional evidence confirming Norman's presence in the state of New York after the massacre. We even remain uncertain about the validity of the signatures of the Black property sellers on the deeds of sale, particularly since it may have been quite dangerous for them to return to Orange County to sign over the properties in person.

Using the census records of Black ("negro" or "colored") residents of Ocoee in 1920 provided in Appendix A of a report by the Office of Program Policy Analysis and Government Accountability (2019) of the state of Florida, it is possible to identify cases where a Black owner is making a "sale" to a White buyer. The property transfers accompanied the permanent exit from Ocoee of many Black survivors of the White terrorist attack. After the massacre, in the climate of coerced sales, our search of the property deeds from that time find that the going price seems to have been $10, regardless of the size and the structures on the property, as shown in Table 3.

As one example, Jackson and Annie Hamiter appear to have received a more reasonable price of $200 from notary R.E. Bigelow for a property sold on April 20, 1925, but they also had a succession of four sales between 1922 and 1925 at the $10 rate. Mrs. Hamiter penned a letter that set the context for the property sales that followed at injuriously low prices (as quoted in McLeod and Dickinson 2001):

> On the north side of town all the homes and some of the people were burned, one man was shot and killed and carried to the county seat and hung up as lynched. … The people on the south of town are being threatened that they must sell out and leave or they will be shot and burned as the others have been. … It seems to have been a prearranged affair to kill and drive the colored people from their homes as they were getting more prosperous than the White folks.

According to the 1920 US Census, 255 Blacks lived in Ocoee, Florida. The US Census of 1930 counted two remaining Blacks in Ocoee in that year, with the number decreasing to zero between 1940 and 1970.

[11] The authors want to express their gratitude to Pamela Schwartz at the Orange County Regional History Center and Paul Ortiz, professor of history at the University of Florida, for clarifications about the information contained in the records of deeds.

*Table 3*

**Cross-Referenced List of Black Landowners in Ocoee, FL, Approximate Property Size, and Valuation**

| *Last Name (Alternate Spelling)* | *First Name (Alternate Spelling)* | *Property Size (Acres Rounded to Nearest Whole Number)* | *Purchase Value (Year)* | *Sale Value (Year)* |
|---|---|---|---|---|
| Anderson | Garfield | 79 | Federal Land Grant | $100 (1922) |
| Battsey(Betsey) | Randolph (Randall D, R.D.) | 1 | $25 (1899) | * All holdings sold together for $10 |
| Battsey(Betsey) | Randolph (Randall D, R.D.) | 3 | $60 (1906) | * All holdings sold together for $10 |
| Battsey(Betsey) | Annie | 1 | $25 (1908) | * All holdings sold together for $10 |
| Blackshear | Martin | 1 | $10 (1908) | $10 (1921) |
| Blackshear | Martin | 6 | $50 (1915) | $25 (1920) |
| Blue | Sanborn (Sanders, Sanderson, Sanborri Blue) | 3 | $250 (1920) | $750 (1920) |
| Thomas | Dennis | 5 | $100 (1897) | $1,000 (1920) |
| Dighs | Edward | 79 | $500 (1919) | No recorded deed of sale |
| Edwards | John (Joe) | 5 | $150 (1914) | $10 (1921) |
| Frank(s) | Daniel (D.R.) | 20 | $50 (1911) | No recorded deed of sale |
| Green | Sally (Sallie) | 3 | $54 (1916) | $10 (1923) |
| Hamriton (Hamiter) | Jackson (Jack, J.H.) | 1 | $25 (1905) | $10 (1924) |
| Hamriton (Hamiter) | Jackson (Jack, J.H.) | 1 | $450 (1920) | $10 (1925) |
| Hightower | Valentine (V.T.) | 52 | unknown** | $10 (1926) |
| Hightower | Valentine (V.T.) | 2 | $50 (1912) | $1 (1923) |
| Johnson (Sr.) | Stephen (Steve) | 6 | $50 (1913) | $10 (1922) |
| Lynch | Richard | 3 | $90 (1898) | $1 (1921) |
| Lynch | Richard | 1 | $25 (1905) | $10 (1925) |
| Mcras (McRhea, McRae) | William (W.M.) | 1 | $75 (1919) | $450 (1920) |
| Moore | Rocky | X | X | X |
| Nelson | Stephen | X | X | X |
| Penger (Penzer) | Perry F (Kerry) | X | X | X |
| Perry | Julius (July, J.P.) | 5 | $100 (1890) | No recorded deed of sale |
| Perry | Julius (July, J.P.) | 1 | $125 (1907) | No recorded deed of sale |
| Stater | Victoria | X | X | X |
| Surrency | Jessie (J.C.) | 3 | $45 (1915) | $100 (1920) |
| Warren (Warron) | Wade | X | X | X |

*Source:* Compiled by the authors from data obtained from Office of the Comptroller, Orange County, Florida (https://or.occompt.com/recorder/eagleweb/docSearch.jsp).

Despite having access to records of ownership changes that took place in Ocoee, Florida, after the White riot, it remains difficult to gauge the full loss in wealth to Black residents. It is difficult to determine what the properties were worth at the times of the post-massacre sales. Tax appraisals do not correspond neatly to the sizes of the lots that were purchased for $1 and $10 by Whites. However, Table 1 shows that in those instances where there were recorded deeds of sale, sales prices for Black-owned properties were generally far below the earlier purchase price, regardless of the size of the lot.

The partial evidence that is available makes clear that property losses and forced sales were common results of the approximately 100 massacres, but, for most, systematic records are not available. This is another instance in which calculation of the total cost for a particular item on the redress docket may be intractable.

**Measuring Redress for Twentieth-Century Discrimination in Homeownership**

Today, there is both a racial gap in rates of homeownership—73 percent for Whites versus 45 percent for Blacks—and also a racial gap in the equity values associated with White- and Black-owned homes. Zillow listing prices indicate that a home in a neighborhood with no Black residents has a median value of $341,000. In contrast, homes in neighborhoods with a majority of Black residents have a median value of $184,000; these differences persist independent of the structural characteristics of the home (Perry, Rothwell, and Harshberger 2018). The average level of equity Whites hold in their homes is $216,000; for Blacks, the average level is $94,000 (Ross 2020).

Several mechanisms denied Blacks access to home ownership in the early part of the twentieth century, which, in turn, denied Blacks access to the benefits of appreciation in home equity gained by Whites throughout the latter half of the twentieth century. Restrictive covenants in property deeds blocked the sale of property to Blacks (and others). The Federal Housing Administration, established in 1934, formed a public-private partnership with local bank mortgage lending and openly practiced "redlining," which involved not supporting loans to geographic areas with minority population, thus limiting Black homebuying opportunities (Rothstein 2017). Nevertheless, perhaps the single biggest factor leading to the sharp divide in Black and White wealth associated with homeownership was the Servicemen's Readjustment Act of 1944, commonly known as the G.I. Bill.

The G.I. Bill may have been the most powerful twentieth century vehicle for upward mobility enacted by the US government (Blakemore 2021). The legislation provided support for veterans seeking higher education and vocational training, to purchase farms or start businesses, and unemployment relief. The most important element of the G.I. Bill for wealth-building and entry into the middle class were the homebuying subsidies and low- to zero-interest mortgage loans (Thompson 2019).

But the application of the law was decidedly inequitable, lifting millions of White World War II veterans to the "middle class," while leaving many Black veterans behind (Katznelson 2005). Government sanctioned residential segregation limited the locations where Black veterans could buy homes—most notorious, perhaps, was their exclusion from multiple Levittown developments (Rothstein 2017).

In addition to restrictions on their ability to use mortgage support from the federal government, Black veterans had limited access to the homeownership benefits of the G.I. Bill in the first place. In 1947, only two of the 3,200 Veterans Administration guaranteed home loans for veterans in 13 Mississippi towns and cities went to Black veterans, in a state where close to 40 percent of the returning veterans were Black; in New York and New Jersey, less than 100 out of 67,000 mortgage loans went to Black veterans (Levinson 2020). By 1956, the final year of the first G.I. Bill, 4.3 million home loans amounting to $33 billion had been distributed to World War II veterans, overwhelmingly and disproportionately White (Blakemore 2021).[12]

Although the administration of G.I. Bill educational benefits does not appear to have been as inequitable as the provision of the homeownership benefits, discriminatory disparities also were associated with this component of the legislation (Turner and Bound 2003).

The language of the G.I. Bill was race-neutral, but its execution was not. To gain support for the legislation from Southern Democrats, the administration of the G.I. Bill had to be conducted on a decentralized basis by placing control over the program in the hands of state and local authorities. To construct a measure of the magnitude of resources denied Black veterans, it would be necessary to model not just Black veterans who were denied benefits, but also those who did not apply in the expectation of being rejected. Thus, estimates could be generated of the lost income due to the inability of Black veterans to pursue the full range of educational opportunities promised by the law and wealth lost due to exclusion from buying homes in neighborhoods where properties underwent markedly greater appreciation rates than those in predominantly Black neighborhoods.

**Measuring the Black–White Gap in Wage Costs**

In a contribution to Richard America's edited volume, *The Wealth of Races*, Chachere and Udinsky (1990) provided a method for calculating the costs to Black Americans of labor market discrimination from employment discrimination during the 40-year interval 1929–1969. They worked with the assumption that 40 percent of the racial income differential was attributable to labor market discrimination and reached a calculation of the accumulated benefits to Whites of $1.6 trillion by the mid-1980s. Projecting their estimate forward in the decades since then, the corresponding value would be $4.6 trillion (using a 3 percent interest rate) or $13 trillion (6 percent).[13]

[12] Eden (2021) argues that the difference in nominal monetary outlays per Black and White veteran was not significant, but the use of a cash-equivalent measure of their impact indicates substantial discriminatory effects to the disadvantage of Black veterans.

[13] Swinton (1990) modified the Chachere and Udinsky (1990) estimate by subtracting total government expenditures on social safety net programs, including Social Security, Medicare, Medicaid, and unemployment insurance. Swinton's calculation was a response to the claim often made by anti-reparationists that Blacks already have received restitution in the form of social transfer programs. This claim seems shaky. After all, the majority of funds from social transfer programs since the 1960s did not go exclusively to Black Americans; indeed, for a full 30 years after the onset of the New Deal project, Black Americans,

In what follows, we sketch an alternative strategy for calculating the wage loss to Black Americans from the inherited legacy of past racial discrimination, including not just discrimination by employers but also the broader forms of structural racism that have constrained educational and occupational choices for Blacks. Our estimate consists of two major components: a reduction in wages and a greater likelihood of being unemployed for Black workers. We apply this approach to 2019 data to arrive at a rough estimate of the impact of labor market discrimination on lost income for Black employees and potential employees.

The median hourly wage for White workers was $21.32 in 2019 (Gould 2020, table 3). The full difference in median Black and White hourly wages was $5.20: $21.32 minus $16.12. Suppose Black workers are assumed to have lost, conservatively, 5 percent of their earnings due to employment discrimination. Then the hourly wage loss for each Black worker was $1.06.

If we assume the typical full-time worker was paid for 48 weeks, five days a week, for an eight-hour workday, total annual hours would have been 1,920. If there were about 20 million Black labor force participants with a 6.1 percent annual unemployment rate, 18.6 million Black Americans received pay over the course of the year for 35.7 billion hours of work. The difference in the Black and White unemployment rates in 2019 can provide one gauge of the number of Black hours of work lost due to discrimination. The unemployment rate for Whites in 2019 was 3.3 percent. Subtracting 3.3 percent from 6.1 percent leaves a gap of 2.8 percent. Multiplying 20 million by 2.8 percent yields 360,000 Black Americans subjected to *excess unemployment*. Then, multiplying 360,000 persons by 1,920 annual hours leads to a total of 691.2 million hours of work lost due to structural racism.

Combining both the lower wage for employed Blacks and the loss of hours due to the higher unemployment rate for Blacks leads to an estimate of an aggregate loss of $38.6 billion in earnings in 2019 for Black workers. This would amount to an average loss of $1,930 per Black labor force participant in 2019 alone.

This estimate is necessarily very rough: for example, it ignores racial differences in discouraged unemployment, typically more of a burden for Black workers. This estimation procedure also does not adjust for racial differences in part-time work when the employee desires longer hours. Still, to the extent that annual calculations of this type can be made for each year from the end of slavery to the present, and then compounding past dollar values to the present, this estimation provides an avenue to arrive at an extensive measure of the cost in wages of structural racism to its victims. However, the data issues here are substantial: for example, 1948 was the first year that the US Bureau of Labor Statistics collected data by race on unemployment.

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de facto, were excluded from most benefits of social transfer programs (Katznelson 2005). Nevertheless, Swinton deducted the total cost of social safety net funding between 1929 and 1969 from the Chachere and Undinsky and still arrived at a net $500 billion gain for Whites from labor market discrimination against Blacks measured in 1985 dollars. This, in turn, would amount to $1.4 trillion (using a 3 percent rate) or $4.1 trillion (6 percent) by 2021.

## Unified Measures of the Costs of Slavery and Oppression

The itemization approach has the advantage of making the atrocities committed against African Americans concrete. But in many cases, the information simply is not available to construct all of these measures; in others, there will be overlap between different measures. Here we propose a more compact and efficient method for estimation of the invoice for reparations. We discuss two approaches: 1) calculate the present value of a debt that has remained unpaid for more than 155 years, and 2) utilize the Black–White wealth gap as an indicator of the long-term effects of racial injustices.

**The Unpaid Debt**

Even prior to the end of the Civil War, a series of "experiments" had been conducted with land settlement and independent farming among the formerly enslaved who joined the Union forces as they moved through the south. These experiments had been highly successful in demonstrating the freedmen's skill and productivity in agriculture; after all, they had been the direct producers of the crops of plantation-based agriculture. The most notable of these was the project undertaken at Port Royal, South Carolina. However, via a variety of machinations, the land was procured by Northern speculators by outbidding the freedmen at auctions with their far greater resources (Franke 2019).

In January 1865, General William T. Sherman issued Special Field Orders No. 15, designating 5.3 million acres stretching from the Sea Islands of South Carolina to northern Florida bordered by the St. Johns River, to be settled by land grants of 40 acres to freed slaves. However, after 40,000 of the formerly enslaved had settled on 400,000 acres allotted under Sherman's order, President Andrew Johnson ended the project and restored the land to the former slaveholders (Darity and Mullen 2020, p. 156–59).

The Freedmen's Bureau Acts of 1865 and 1866 also included provisions for land distribution to the formerly enslaved, but these provisions were implemented tepidly at best. The Southern Homestead Act enacted in 1866 explicitly designated the freedmen as beneficiaries of the land patents allotted under the legislation, but the law, which specified 46 million acres of land in Alabama, Arkansas, Florida, Louisiana, and Mississippi be distributed to the freedmen and White Unionists at below market prices, was left to local administration, largely managed by the former Confederates. The law was terminated in 1876. An estimated 4,000 to 5,500 Blacks received federal patents from the Southern Homestead Act before its close, out of four million freedmen (Darity and Mullen 2020, p. 37). Southern historian Walter Fleming (1906), who can reasonably be treated as a hostile commentator on the merits of Black Reconstruction, nevertheless concluded that Black "expectations" of land grants "were justified by the policies of the government and the actions of its agents" (p. 721). But the promise was unfulfilled.

What would have been the value of such land? Consider a back-of-the-envelope estimate predicated on the 40-acre allotments being made, on average, to four-person households. Since there were 4 million freedmen, the total promised allocation would have been about 40 million acres. An average land price of $10 per acre in 1865 (Mittal and Power 2000) implies that the projected land distribution would have been worth $400 million—for perspective, about 10 percent of the value that these human beings were worth to their owners during the period of slavery. The present value of $400 million in 1865 compounded to the present at 3 percent interest is $40.2 billion and at 6 percent interest is $3.5 trillion. Under the conditions of the Homestead Act of 1862, 1.5 million White families ultimately each received 160-acre land grants in the western territories—four times the size of what was promised but not delivered to Black families.

While the average annual rate of real estate appreciation runs in the zone of 3 to 5 percent (Yale 2021), many of the Sea Island properties in the South Carolina that were to have gone to the freedman have experienced appreciation rates in the vicinity of 5 and 6 percent. White land speculators bought many of these properties in the 1860s at less than $1 per acre.

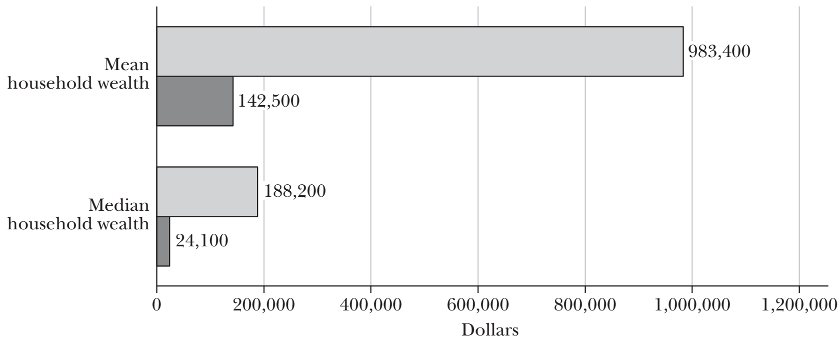
In 2011, former South Carolina governor and Senator Mark Sanford, whose family had been the most recent buyers of a certain plantation, placed it under a conservation easement valued at $2.5 million (Franke 2019, p. 74–76). Sanford described the property as having been restored to its original status as a "family farm," eliciting the following stinging comment from Katherine Franke (2019, p. 76): "Mark Sanford's use of the term 'family farm' has such a quaint ring to it, erasing entirely the history of enslavement and failure to make good on the promise of land-based reparations for the people who had been enslaved by the Chisolm family." Franke describes a number of other properties that were originally designated for freedman, then scooped up by Northern investors, and eventually became estates bought and sold by the rich. Black Americans were deprived of a possible avenue to intergenerational wealth when they were denied the 40-acre land grants.

## The Modern Racial Wealth Gap

In discussions of paying reparations, a common question is the extent to which it is appropriate to compensate living African Americans for long-ago harms inflicted upon their ancestors. To assess the contemporary consequences for living African Americans of the atrocities experienced by their ancestors, we believe that the current Black–White disparity in wealth is the best single economic indicator of the *cumulative, intergenerational* impact of White racism over time. Blocked opportunities for Black wealth accumulation are transmitted to current generations via sharply reduced transfers of resources from parents and grandparents to children and grandchildren relative to the transfers made in White families (Darity and Mullen 2020, p. 30–37).

According to the 2019 Survey of Consumer Finances conducted by the Federal Reserve, the Black–White difference in household net worth at $164,100 at the median and at $840,900 at the mean, as shown in Figure 1 (Bhutta et al. 2020). The average White household consists of 2.36 persons while the average Black household consists of 2.46 persons; the per capita difference is about $67,200 at

*Figure 1*
**Two Views of the Black–White Wealth Gap**




*Source:* Bhutta et al. (2020).

the median and about $358,300 at the mean. There are approximately 40 million African Americans who are descendants of persons enslaved in the United States (or descendants of the freedmen), out of a total of 45 million Black Americans. Therefore, the sum of the Black–White wealth gap across households would be $2.7 trillion if evaluated at the median, and $14.3 trillion if evaluated at the mean.

Most discussions of economic inequality tend to focus on the median, because the middle values in a distribution, uncontaminated by outliers, are assumed to be more representative of the typical experience of members of each group. But in this case, we contend that the mean gap is more relevant. The ferocious degree of concentration of wealth in the United States means that 97 percent of the wealth held by all White Americans is possessed by White households with a net worth greater than the median White household. Thus, a focus on the median, rather than the mean, takes virtually all White wealth out of consideration for equality (Darity, Addo, and Smith 2020, p. 499).[14]

However, while we view the $14.3 trillion estimate of what is required to close the Black–White wealth gap at the mean as the single-most appropriate measure of the cumulative and intergenerational impact of White racism on current descendants of slaves, we also view it as a minimum estimate.[15] After all, the Black–White wealth gap results from past experience, but living Black Americans continue to experience

[14] Furthermore, the gap at the mean is not solely due to the presence of a small number of extraordinarily rich White billionaires. One-quarter of White households have a median net worth in excess of $1 million, a circumstance that is true for only 4 percent of Black households (Darity, Addo, and Smith 2020, p. 498). In addition, members of the White working class have two to three times the wealth than members of the Black professional managerial class (Addo and Darity 2021, p. 182).

[15] For example, Tasseli McKay (forthcoming) constructs specific estimates of the costs of excess incarceration on Black Americans, costs that may be added above and beyond closing the racial wealth gap. However, the financial effects of past over-incarceration also may be embedded, in part, in the Black–White wealth differential itself.

excess mortality, as well as discrimination in employment, credit markets, and the criminal justice system.

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# Education, Age, Race, and Income in the United States

*Exploring how demographic and educational factors shape economic outcomes*

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**Abstract**

*This study examines the relationship between education, age, and income using data from the 2022 General Social Survey. Ordinary least squares regression models were used to assess whether the association between education and income varies across the life course, while accounting for degree attainment, sex, race, and region. Results indicate that degree attainment is a strong and consistent predictor of income, with higher levels of credential completion associated with substantially higher income. In contrast, years of education alone was not a statistically significant predictor once degree attainment was included, suggesting that formal credentials play a more central role in shaping income differences than incremental schooling. Age was positively associated with income, though the interaction between education and age was not statistically significant, indicating that the returns to education do not vary meaningfully across age groups. Sex-based income disparities remained pronounced, while racial differences were smaller and region was not significantly associated with income after controls. These findings highlight the importance of credentialism and structural factors in shaping income inequality.*

# INTRODUCTION

## *Background*

Income inequality remains a persistent structural feature of the U.S. economy. Although education is widely promoted as the primary pathway to upward mobility, decades of economic and sociological research demonstrate that educational attainment does not translate into equal economic returns for all individuals. Earnings trajectories are shaped not only by years of schooling, but also by degree credentials, labor-market timing, demographic characteristics, and broader structural conditions. As a result, individuals with similar educational backgrounds may experience markedly different income outcomes across the life course.

Prior research consistently finds a positive association between education and earnings, forming the foundation of human capital theory (Mincer 1974). However, more recent work suggests that the returns to education are neither uniform nor stable over time. Changes in labor-market structure, technological demand, and credential inflation have altered how education is rewarded, particularly across age cohorts (Autor 2019). These dynamics raise important questions about whether education functions as an equalizer or instead reproduces existing inequalities.

## Literature Review

Classic human capital models argue that additional years of schooling increase productivity and earnings by enhancing workers' skills (Mincer 1974). Empirical evidence supports a strong relationship between educational attainment and income, particularly when education is measured through degree completion rather than years of schooling alone. Credential-based analyses show substantial income premiums associated with high school completion, college degrees, and postgraduate education (Baum, Ma, and Payea 2013). At the same time, research on rates of return demonstrates that the economic payoff to education varies nonlinearly by schooling level and experience, challenging the assumption of constant returns across the life course (Heckman, Lochner, and Todd 2008).

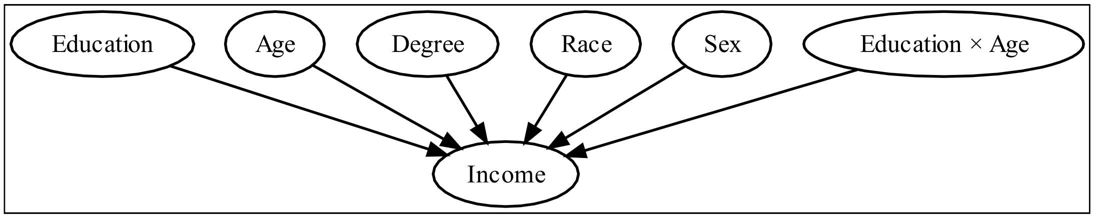
Life-course perspectives further complicate the education–income relationship. Evidence suggests that younger workers often experience higher marginal returns to education than older workers, reflecting cohort effects, changing labor-market conditions, and the declining relevance of credentials later in one's career (Autor 2019). These findings imply that the timing of educational investment matters, and that age may moderate the association between education and income.

In addition to education and age, persistent income disparities by race and gender remain well documented. Gender wage gap research shows that differences in occupation, industry, and labor-force attachment continue to produce earnings disparities even after controlling for education and experience (Blau and Kahn 2017). Similarly, racial income gaps persist net of educational attainment, with Black Americans experiencing lower earnings and reduced mobility compared to White Americans across generations (Chetty et al. 2020). Together, this literature underscores that education alone cannot account for observed income inequality.

*Significance*

Building on this body of research, the present study examines how education, age, degree attainment, sex, and race jointly shape income among U.S. adults using data from the 2022 General Social Survey. By incorporating an interaction between education and age and emphasizing visual analysis alongside regression modeling, this study contributes to ongoing debates about whether education functions as a consistent pathway to economic mobility across the life course. Understanding these dynamics is essential for evaluating claims about meritocracy and for informing policies aimed at reducing income inequality.

CONCEPTUAL MODEL




*Conceptual Framework*

This study positions education as the primary predictor of income, with age serving as a moderating variable and race as a key structural factor. Degree attainment, sex, and region are included as controls to isolate the independent and interactive effects of education across the life course.

*Research Questions and Hypotheses*

**RQ:** How do education, age, degree attainment, sex, and race relate to income among U.S. adults, and does the return to education vary by age?

- **H1:** Higher education predicts higher income.
- **H2:** Age is positively associated with income once controls are included.
- **H3:** Higher degree levels predict higher income relative to no degree.
- **H4:** Women report lower income than men.
- **H5:** The positive effect of education on income is stronger for younger adults than older adults.

METHODS

*Data and Sample*

Data come from the 2022 General Social Survey, a nationally representative survey of U.S. adults. The analytic sample includes respondents aged 18–65 after cleaning and listwise restrictions (N = 1,722).

*Measures*

- **Income (DV):** *rincom16*, GSS income category scale (1–26), treated as continuous.
- **Education:** Years of education completed, mean-centered.
- **Age:** Age in years, mean-centered.
- **Degree attainment:** Ordinal categorical variable coded as a single factor reflecting highest degree earned (1 = no degree, 2 = high school, 3 = bachelor's degree, 4 = graduate degree). Degree was included as a categorical predictor in regression models, with no degree as the reference category.
- **Race:** Categorical variable coded with White as the reference category and Black and Other included as separate comparison groups.
- **Sex:** Binary categorical variable (male/female).
- **Region:** Five-category census region variable.

*Data Cleaning and Missing Data*

The 2022 General Social Survey data were subset to include respondents ages 18–65 to focus on the working-age population. Variables were selected based on the conceptual model and converted to appropriate formats prior to analysis. Continuous variables (age, education, prestige, and income) were examined for valid ranges and distributional properties. Education and age were mean-centered to improve interpretability and reduce multicollinearity in models including interaction terms.

Categorical variables (degree attainment, race, sex, and region) were recoded as factors with clearly defined reference categories. Income (*rincom16*), though ordinal in construction, was treated as continuous, consistent with prior GSS-based research and standard practice in applied social science analysis.

Missing values were identified and documented. Cases with missing data on key analytic variables were excluded from regression analyses using listwise deletion, resulting in a final analytic sample of approximately 1,722 respondents. This approach ensured consistent sample composition across models and was appropriate given the relatively modest level of missingness.

*Statistical Analysis Plan*

Multiple linear regression was used to estimate the relationship between education and income, including an interaction between education and age. Diagnostic tests were conducted to assess linearity, normality, and homoscedasticity. Visualizations include coefficient plots and interaction plots.

RESULTS

*Descriptive Statistics*

Table 1 presents descriptive statistics for the analytic sample (N = 1,722). Respondents had a mean age of 41.5 years (SD = 12.6) and an average of 14.4 years of education (SD = 2.8). Mean income category (rincom16) was 16.9 (SD = 5.9), corresponding to the upper-middle portion of the income scale. Occupational prestige scores averaged 45.9 (SD = 13.5) among respondents with valid prestige data (N = 1,704).

Bivariate correlations among key continuous variables are shown in Table 2 and visualized in Figure 1. Income was moderately positively correlated with education (r = 0.38), occupational prestige (r = 0.43), and age (r = 0.29). Education and occupational prestige were also moderately correlated ($r = 0.48$). These associations indicate that higher levels of education and occupational status are associated with higher income, while age exhibits a weaker but positive relationship.

Figures 2–4 display distributions of income, occupational prestige, and years of education, respectively. Income and prestige both show moderate dispersion, while education exhibits clear clustering around common credential thresholds (e.g., high school and college completion). Figures 5 and 6 present the distribution of degree attainment and racial composition of the sample.

*Regression Results*

Results from the ordinary least squares regression predicting income category (rincom16) are reported in Table 3. The model includes education (centered), age (centered), degree attainment, sex, race, region, and an interaction between education and age.

The overall model was statistically significant ($F(14, 1707) = 52.24$, $p < .001$) and explained approximately 30 percent of the variance in income ($R^2 = 0.30$). Age was a strong positive predictor of income ($b = 0.11$, $p < .001$), indicating that income increases with age net of other covariates.

Degree attainment emerged as one of the strongest predictors of income. Relative to respondents with no degree, each higher level of degree attainment was associated with substantially higher income, with coefficients increasing monotonically across degree categories. Bachelor's and graduate degrees, in particular, were associated with large and statistically significant income advantages.

In contrast, years of education was not a statistically significant predictor of income once degree attainment was included in the model. This pattern suggests that credential completion, rather than incremental years of schooling, is more strongly associated with income differences in this sample.

Sex was also a significant predictor of income. Respondents in the higher-coded sex category reported significantly lower income compared to the reference group ($b = -2.49$, $p < .001$), consistent with persistent gender-based income disparities. Race coefficients indicated lower income among Black respondents relative to White respondents, though this difference was marginally significant ($p \approx .05$). Income differences across regions were not statistically significant once other covariates were held constant.

The interaction between education and age was not statistically significant, indicating that the association between education and income does not vary substantially across age levels. Figure 7 displays predicted income across years of education at low, average, and high levels of age, illustrating largely parallel slopes across age groups.

### *Findings Related to Hypotheses*

- H1: Partially supported
- H2: Supported
- H3: Supported
- H4: Supported
- H5: Not supported

## DISCUSSION

### *Summary of Findings*

This study examined the relationship between education, age, and income using data from the 2022 General Social Survey, with particular attention to whether the association between education and income varies across the life course. Several key findings emerged.

First, degree attainment was one of the strongest predictors of income. Income increased monotonically with each higher level of degree completion, with bachelor's and graduate degrees associated with particularly large income advantages. In contrast, years of education alone was not a statistically significant predictor once degree attainment was included in the model, suggesting that credential completion rather than incremental schooling plays a more central role in shaping income differences.

Second, age was positively associated with income net of other covariates, indicating that income tends to rise with age, consistent with life-course and human capital perspectives. However, the interaction between education and age was not statistically significant, indicating that the relationship between education and income does not meaningfully differ across age levels in this sample.

Third, sex emerged as a strong and statistically significant predictor of income, with respondents in the higher-coded sex category (female) earning substantially less than the reference group (male). Racial differences were also observed, with Black respondents earning less than White respondents on average, though this difference was only marginally significant after adjusting for education, degree attainment, and other controls. Regional differences in income were not statistically significant once individual-level characteristics were taken into account.

Together, these findings highlight the importance of credential attainment, age, and sex in shaping income outcomes, while providing limited support for age-based variation in the returns to education.

*Implications*

The results have several implications for understanding educational stratification and income inequality. Most notably, the strong effects of degree attainment relative to years of education suggest that formal credentials function as key labor-market signals. This finding aligns with credentialist perspectives, which emphasize the role of degrees as gatekeeping mechanisms that structure access to higher-paying occupations.

The absence of a significant education-by-age interaction further suggests that the economic value of education does not differ substantially across age groups, at least within the working-age population examined here. Rather than diminishing or strengthening over time, the association between education and income appears relatively stable across the life course once degree attainment is considered.

Additionally, the persistent and sizable income gap by sex underscores the continued relevance of gender inequality in earnings, even after controlling for education and degree completion. This finding highlights the importance of considering structural and institutional factors beyond individual human capital characteristics when analyzing income disparities.

Although occupational prestige was not included in the primary regression model, its strong bivariate association with both education and income suggests that it may function as an important downstream mechanism linking educational attainment to earnings. This relationship warrants further investigation in future research.

*Limitations*

Several limitations should be considered when interpreting these results. First, the analysis relies on cross-sectional data, which limits the ability to make causal claims about the relationships between education, age, and income. Longitudinal data would be better suited to capturing changes in income trajectories over time.

Second, income was measured using a categorical income variable, which may obscure variation within income categories and reduce sensitivity to smaller differences in earnings. Similarly, educational attainment was measured using both years of education and degree categories, which may not fully capture differences in field of study or institutional quality.

Third, occupational prestige was excluded from the main regression model to avoid post-treatment bias, but doing so limits the ability to directly assess how occupational sorting mediates the relationship between education and income. Finally, unobserved factors such as work experience, hours worked, and family responsibilities may also influence income and were not fully accounted for in the model.

*Future Research*

Future research could extend this analysis in several ways. Longitudinal data could be used to examine how the returns to education and degree attainment evolve over the course of life, particularly during periods of economic change. Additionally, models that explicitly incorporate occupational prestige or occupation-level characteristics could help clarify the mechanisms linking education to income.

Further research might also explore heterogeneity in educational returns by race and gender, including whether credential effects operate differently across social groups. Finally, incorporating measures of job quality, industry, or field of study could provide a more nuanced understanding of how educational pathways translate into economic outcomes.

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TABLES

Table 1. Descriptive Statistics

| Variable | N | Mean | SD | Min | Max |
|---|---|---|---|---|---|
| Age | 1722 | 41.53 | 12.62 | 18 | 65 |
| Years of Education | 1722 | 14.41 | 2.79 | 0 | 20 |
| Income Category (rincom16) | 1722 | 16.93 | 5.92 | 1 | 26 |
| Occupational Prestige (prestg10) | 1704 | 45.86 | 13.54 | 16 | 80 |

*Note: Occupational prestige has fewer valid observations due to item nonresponse.*

**Table 2. Correlation Matrix**

| Variable | Prestige | Income | Education | Age |
|---|---|---|---|---|
| Prestige | 1.00 | 0.43 | 0.48 | 0.11 |
| Income | 0.43 | 1.00 | 0.38 | 0.29 |
| Education | 0.48 | 0.38 | 1.00 | 0.07 |
| Age | 0.11 | 0.29 | 0.07 | 1.00 |

*Note: Pearson correlations shown. All correlations ≥ |0.30| are statistically significant at p < .001.*

**Table 3. OLS Regression Predicting Income Category (rincom16)**

| Predictor | b | SE | t | p |
|---|---|---|---|---|
| Intercept | 13.366 | 0.681 | 19.624 | <.001 |
| Years of Education (centered) | 0.050 | 0.088 | 0.564 | .573 |
| Age (centered) | 0.113 | 0.010 | 11.745 | <.001 |
| Degree: High School | 3.268 | 0.579 | 5.649 | <.001 |
| Degree: Some College | 4.282 | 0.752 | 5.697 | <.001 |
| Degree: Bachelor’s | 7.033 | 0.804 | 8.746 | <.001 |
| Degree: Graduate | 8.443 | 0.956 | 8.827 | <.001 |
| Sex (Female) | -2.486 | 0.242 | -10.292 | <.001 |
| Race: Black | -0.669 | 0.343 | -1.947 | .052 |
| Race: Other | -0.235 | 0.379 | -0.621 | .535 |
| Region: Northeast | 0.081 | 0.399 | 0.203 | .839 |
| Region: South Atlantic | 0.073 | 0.359 | 0.202 | .840 |
| Region: South Central | 0.080 | 0.381 | 0.211 | .833 |
| Region: West | 0.431 | 0.360 | 1.198 | .231 |
| Education × Age | -0.001 | 0.004 | -0.296 | .767 |

*Note: N = 1,722. Reference categories are: no degree, male, White, and Midwest. Education and age are mean-centered. Coefficients are unstandardized.*

FIGURES

Figure 1. Correlation Heatmap

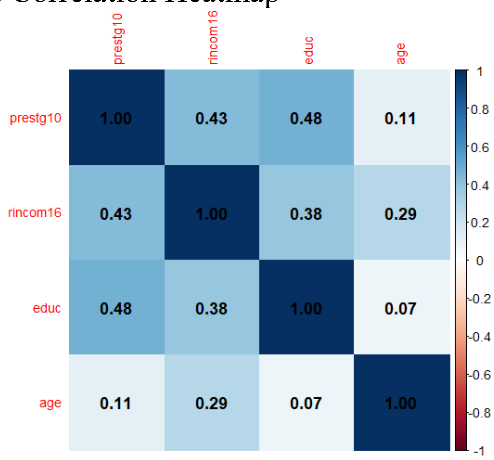



Figure 2. Distribution of Income

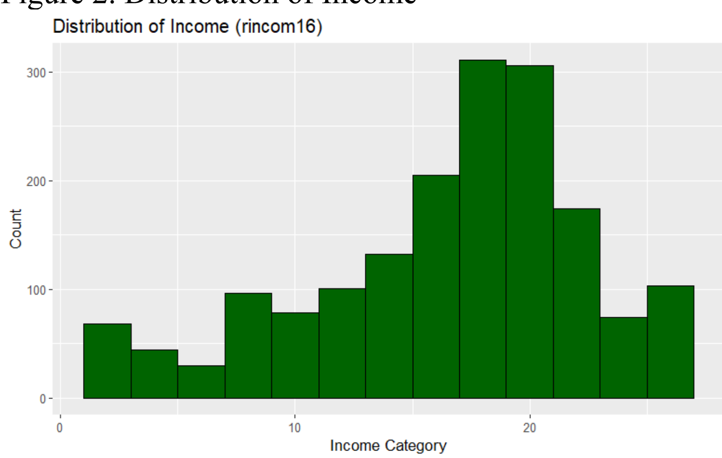



Figure 3. Distribution of Prestige

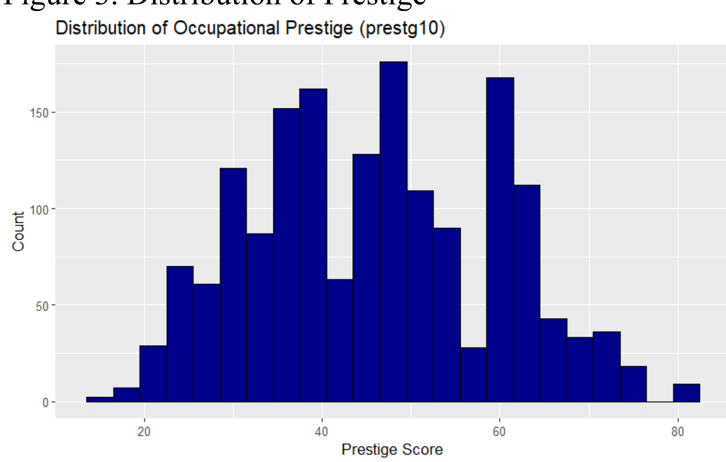


Figure 4. Distribution of Years of Education

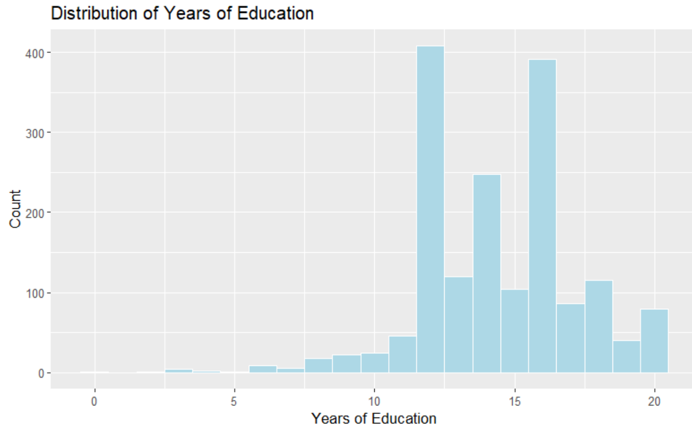



Figure 5. Race Composition

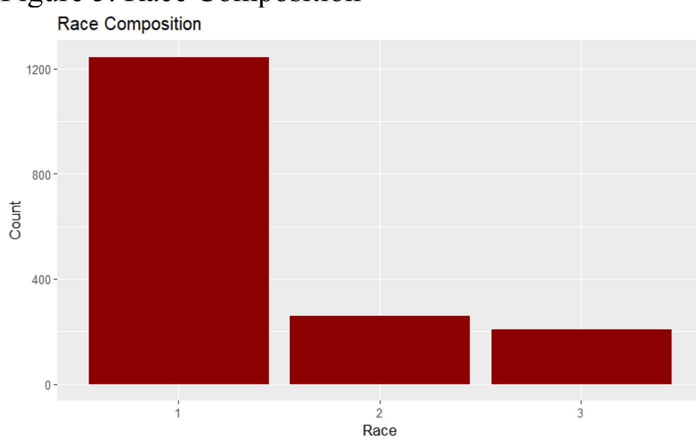



Figure 6. Degree Attainment

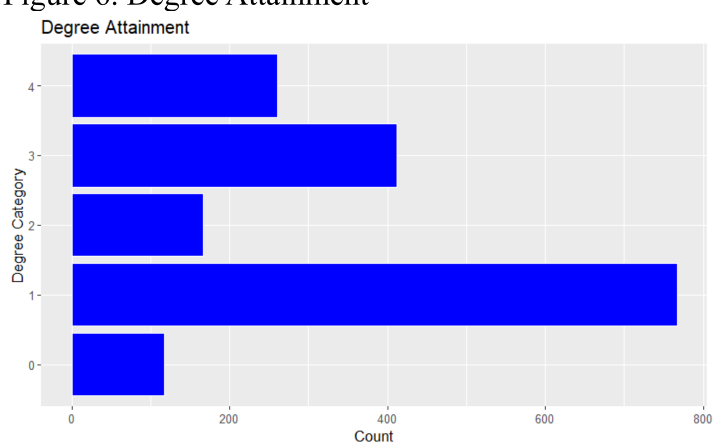


Figure 7. Predicted Income by Education Across all Age Levels

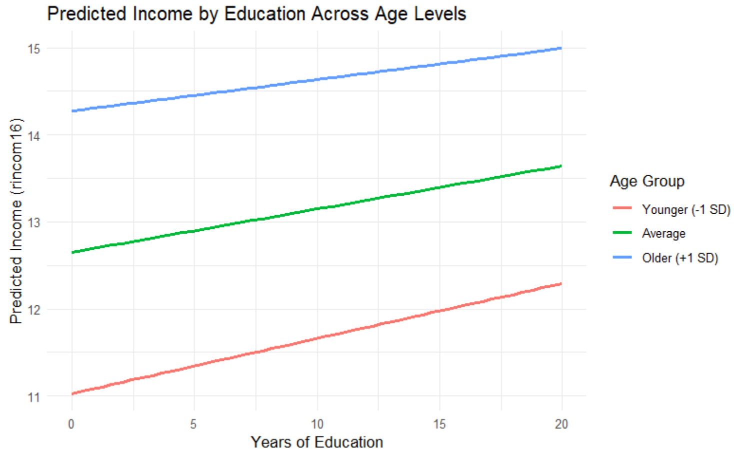
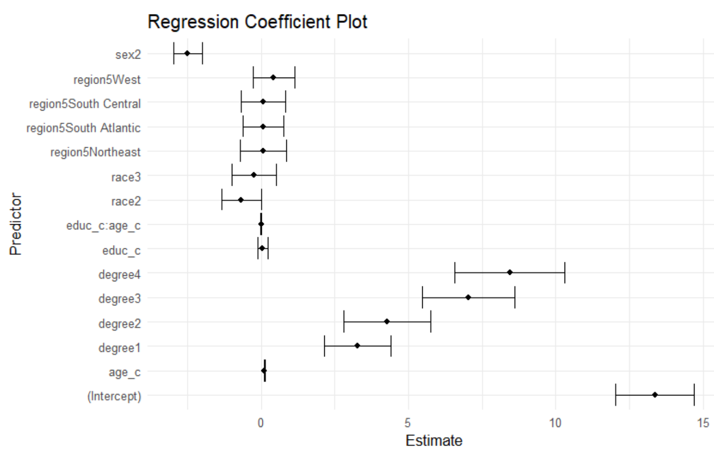



**Figure 8. Regression coefficient plot predicting income category (rincom16).**

*Points represent unstandardized coefficients from the OLS regression, and horizontal bars indicate 95 percent confidence intervals. Predictors whose confidence intervals do not cross zero are statistically significant at p < .05.*




*Note: Figure 8 provides a visual summary of regression coefficients and confidence intervals, illustrating the relative magnitude and statistical uncertainty of each predictor.*

# RESURRECTING THE PROMISE OF 40 ACRES:

## The Imperative of Reparations for Black Americans

REPORT BY **WILLIAM DARITY JR.** AND **A. KIRSTEN MULLEN**
JUNE 2020

ROOSEVELT INSTITUTE

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# Executive Summary

This report provides key, new insights and information, expanding on our book *From Here to Equality: Reparations for Black Americans in the Twenty-First Century*. This report demonstrates the limitations and weaknesses of piecemeal or local attempts at reparations, particularly the inability of such steps, taken singly or collectively, to eliminate the black-white differential in wealth. We also make the case for systemic reparations and argue that the US government—the culpable party—must pay the debt. In addition, we offer lessons from five precedents for reparations from the US and abroad. We extend those lessons to recommend revisions in HR 40, proposed legislation to establish a dedicated commission that would provide a report to Congress as a prelude to the development and enactment of a formal reparations bill. The book contains a detailed plan for execution of reparations for black American descendants of persons enslaved in the US. Following *From Here to Equality*, the report defines and outlines the goals of reparations (acknowledgement, redress, and closure) and identifies eligible recipients in the context of the United States' debt to black America. Going beyond *From Here to Equality*, the report provides a full rationale for reparations aimed at erasing the black-white wealth gulf at the mean level of net worth rather than the median level of net worth—an objective that will necessitate a $10 to $12 trillion expenditure in 2016 dollars.

# The Meaning of Reparations: Acknowledgment, Redress, and Closure

In the final chapter of our new book, *From Here to Equality: Reparations for Black Americans in the Twenty-First Century*, we include the following epigraph attributed to Malcolm X (Darity and Mullen 2020a, 239):

> If you stick a knife in my back nine inches and pull it out six inches, there's no progress. If you pull it all the way out that's not progress. Progress is healing the wound that the blow made. And they haven't even pulled the knife out, much less heal the wound. They won't even admit the knife is there (Malcolm X 1964).

In the context of an ongoing social injustice, "pulling the knife out" ends the harmful act. It is a desirable and essential step, but it is only an act of suspension. Insofar as it does not "heal the wound," it is not an act of restitution, remediation (Bhabha, forthcoming), or compensation; therefore, "pulling the knife out" is not reparations. Reparations require the culpable party to make amends for the harm inflicted on the victim, which demands remediation.

In *From Here to Equality*, we advance a general definition of reparations as a program of acknowledgment, redress, and closure. **Acknowledgment** constitutes the culpable party's admission of responsibility for the atrocity. Admission should include an enumeration of the damages inflicted upon the victims and the advantages appropriated by the culpable party. **Redress** constitutes the acts of restitution, steps taken to "heal the wound." **Closure** constitutes an agreement by both the victims and the perpetrators that the account is settled. Representatives chosen by members of the aggrieved community can communicate with the culpable party to establish the point at which restitution is adequate for the debt to be paid.[1] Thereafter, the victims will make no further claims for compensation, unless a new atrocity occurs or an old atrocity recurs.

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[1] We further outline the proposal for an elected Reparations Supervisory Board that would determine when closure is achieved, while also fulfilling other ongoing tasks (Darity and Mullen 2020a, 267).

# Eligibility: Black American Descendants of Persons Enslaved in the United States

The case we make for black reparations in the United States centers on the provision of compensation for a specific community that consists, today, of approximately 40 million Americans. In *From Here to Equality*, we advance two criteria for black reparations eligibility. First, an individual must establish that they have at least one ancestor who was enslaved in the US. [2] Second, an individual must demonstrate that they have self-identified as black, negro, or African American on an official document—perhaps making public the self-report of their race on the US Census—for at least 12 years before the enactment of a reparations program or a study commission for reparations, whichever comes first.[3] In short, the reparations plan we put forward designates black American descendants of US slavery as the target community.

This community's claim for restitution anchors on the US government's failure to deliver the promised 40-acre land grants to their newly emancipated ancestors in the aftermath of the Civil War (Fleming 1906, 721-737). That failure laid the foundation for the enormous contemporary gap in wealth between black and white people in the US. If the land allocation had been made to the freedmen and freedwomen, and had that ownership been protected, we speculate that there would be no need to consider the case for black reparations today.[4]

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2 This standard, of course, will create substantial business for genealogists, but the agency administering the reparations program can facilitate the process by subsidizing genealogical research support for applicants.

3 Parental eligibility can dictate qualification for minors who are at least 12 years of age. Proof of paternity or maternity at least 12 years before the enactment of a reparations program or a reparations study commission—again, whichever comes first—would have to be established. Children will be able to receive reparations payments when they reach legal adulthood; in the meantime, funds would go into a federally secured trust account for them.

4 Protection of black property would have required the Union Army to maintain its presence in the former secessionist states for at least a generation and/or directly arming the freedmen. Under General Sherman's Special Orders No. 15, 400,000 formerly enslaved persons settled on 40,000 acres of land. Even that allocation, a mere fraction of the full 5.3 million acres specified in Sherman's order, was restored to the former slaveholders at the direction of President Andrew Johnson (Darity and Mullen 2020a, 158-159).

***Black American descendants of US slavery have borne and continue to bear the undue burden of the cumulative effects of all three of these phases of the nation's trajectory of racial injustice.***

Though the government's decision to deny black Americans this equity stake has led some contemporary pundits to refer to "slavery reparations," the case we make does not center exclusively on the horrors of American chattel slavery. Instead, we argue that three historical phases of atrocities merit incorporation into the criteria for black reparations. First, of course, is slavery itself, the crucible that produced white supremacy in the US. Second is the near-century-long epoch of legal segregation in America—or American apartheid—that we refer to colloquially as the "Jim Crow" era. Finally, there are the ongoing atrocities associated with the period following the Civil Rights Act of 1964: mass incarceration; police executions of unarmed black people; sustained credit, housing, and employment discrimination; and the immense black-white wealth disparity. Black American descendants of US slavery have borne and continue to bear the undue burden of the cumulative effects of all three of these phases of the nation's trajectory of racial injustice.

# Calculating What Is Owed

We view the black-white wealth gap as a blight on the nation. While the 40 million eligible recipients of black reparations constitute about 13 percent of the American population, they possess less than 3 percent of the nation's wealth. This translates into an average (or mean) differential, per household, of about $800,000 in net worth (Dettling et al. 2017).

## PRIORITIZING THE MEAN OF THE RACIAL WEALTH GAP

To eliminate the racial wealth gap in its entirety, it is essential that the *mean* gap be erased, rather than setting a far less ambitious goal such as closing the gap at the black-white *median* differential:

> Although, the usual discussion of wealth gaps focuses on median differences because the median captures the typical condition for American households, targeting the median will leave the racial wealth gap largely untouched. The fact that 97 [percent] of white wealth is held by households with a net worth above the white median ($171,000) makes any policy that seeks to close the racial gap at the median a policy that discounts, overwhelmingly, the largest proportion of racial wealth inequality (Darity, Addo, and Smith 2020, 6).

Indeed, the magnitude of the black-white wealth gap that requires erasure should not be constrained by the fact that there is a highly unequal distribution of wealth among white Americans. In fact, there is a similarly highly unequal distribution of wealth among black people over a disproportionately, far smaller total (Darity, Addo, and Smith 2020, 3-5).

***Eliminating the black-white (pre-tax) wealth differential should be a core objective of the redress component of a plan for reparations. We estimate that this will require an allocation between $10 and $12 trillion in 2016 dollars to eligible black Americans.***

Ultimately, a well-designed reparations program could have a powerful impact on producing greater wealth equality among black Americans. Consider the median-to-mean ratio.[5] Suppose all black households received an additional $800,000 to make up for the mean deficit. As of 2016, the black median-to-mean ratio was $17,600/$138,000 or approximately 13 percent. If the black mean rises to the same level as the white mean through the provision of an additional $800,000 to each black household, the intra-group black median-to-mean ratio would change dramatically to $817,600/$938,000, or approximately 87 percent.[6]

Eliminating the black-white (pre-tax) wealth differential should be a core objective of the redress component of a plan for reparations. We estimate that this will require an

[5] A measure like the variance is not useful in this context; the variance as a measure of inequality is insensitive to the effects of an equal allocation of funds, regardless of the size of the allocation. We use the median-to-mean ratio instead. When that ratio reaches one, there is perfect equality.

[6] We offer a possible alternative to the equal allocation approach in *From Here to Equality*, as a method for generating a more equitable distribution of wealth among black people. There is the option of combining a uniform payment to all eligible recipients with the "designat[ion of] a portion of the funds for competitive application, with priority given to the applicants with lower current wealth or income positions" (p.267). On the other hand, if the concern is the highly unequal distribution of wealth among white Americans, or across all Americans generally, this should be addressed by a separate set of policies distinct from a black reparations project.

allocation between $10 and $12 trillion to eligible black Americans. That allocation should serve as the *baseline* for black reparations in the twenty-first century.

## THE COSTS OF SLAVERY

Another approach to calculating a formal bill entails measuring the costs of slavery to the immediate victims. As a basis for measuring the damages of slavery, some estimates have focused on what was, *de facto*, unpaid labor under the coercion of enslavement. Professor Thomas Craemer, however, has argued that slavery involved the theft of the full 24 hours of each day in the lives of the enslaved. In today's dollars, he arrives at an estimate of $14 trillion for the cost of American slavery to the enslaved (Craemer 2015, 639-655).

However, this may be an *underestimate* of the total costs, as Craemer's assessment does not account for the psychological trauma inflicted on the enslaved, nor does it account for the accelerated mortality and morbidity consequent upon the system. A potential justification for treating the $14 trillion sum as transferrable to today's descendants of the victims of chattel slavery is the argument that there has been an intergenerational transmission of the harms, uninterrupted because of the neglect of the provision of the promised 40 acres.

## THE PROMISE OF 40 ACRES

> ***With 4 million emancipated persons at the close of the Civil War, the overall distribution of land to the formerly enslaved would have come to at least 40 million acres.***

The 40-acre land grants themselves afford another route for calculating the size of a potential black reparations bill. The conventional interpretation has it that the promised allocations were to have gone to households comprised of those newly emancipated. If a typical household consisted of four persons, the allocation would have amounted to 10 acres per person. With 4 million emancipated persons at the close of the Civil War, the overall distribution of land to the formerly enslaved would have come to *at least*

40 million acres. With an average value of an acre of land set at $10 in 1865,[7] the overall value of the allocation would have been $400 million. The present value compounded at a 6-percent interest rate (the average rate of return plus an inflation adjustment) amounts to $3.1 trillion. Financial expert John Talbott has suggested computing a present value predicated upon a 9-percent interest rate, consistent with the average return on an investment in the US stock market from 1870 to 2020. **This results in an estimated reparations bill of $16.5 trillion.**[8]

Though we are open-minded about a variety of strategies for *calculating* the size of social debt that is owed, our central argument here is that the elimination of the black-white wealth gap should provide the foundation for the magnitude of redress that this stark American racial injustice demands. After all, the racial wealth gap is the economic measure that best captures the cumulative effects of the full trajectory of American white supremacy from slavery to the present.[9] Given that the disparity began with the wealth that white people accumulated through extraction from enslaved black people, which grew exponentially with each generation, closing the gap requires *direct* redistribution (Feiveson and Sabelhaus 2018; Darity et al. 2018; Toney 2019; Fagereng et al. 2020).

## Culpability: A Matter of National Responsibility

So, who should pay the bill? In *From Here to Equality*, we argue that the culpable party is the United States government. "Authority is constructed and contextual," and all three phases of the atrocities cataloged here were products of the legal and authority framework established by the federal government (ACRL 2016). Often, the federal government further sanctioned racial atrocities by silence and inaction.

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[7] For the $10-per-acre of land in 1865 estimate, see (Mittal and Powell 2000, 1-8).

[8] Talbott suggested 9 percent interest in personal correspondence with one of the coauthors, January 7, 2020.

[9] The COVID-19 crisis hardly obviates the need to institute a reparations plan, at least after the worst of the crisis has hopefully passed. The adverse effects of extreme black-asset poverty become more apparent in emergency conditions such as the crisis produced by the pandemic. Racial wealth differentials impose a correspondingly high degree of danger and harm on black Americans (Solomon and Hamilton 2020). The lack of wealth increases black vulnerability because black people have been disproportionately concentrated in the personal service/contact jobs that have been destroyed by the pandemic, or they are disproportionately concentrated in health service jobs that place them at the greatest risk of exposure to the virus. One message to be taken from the pandemic is that the racialized dangers of the current situation might have been moderated had the racial wealth gap been eliminated already. A second message, evidenced by the federal government's capacity to mobilize resources without taxing first, is that the nation is capable of financing black reparations (Darity and Mullen 2020b; Darity and Mullen 2020c).

In turn, this means that local or piecemeal—little by little—attempts at racial atonement do not constitute reparations proper. In the past several years, many states, localities, and individual institutions have begun to consider "reparations."

> ***Black reparations are not a matter of personal or individual institutional guilt; black reparations are a matter of national responsibility.***

But these are insufficient for several reasons. First, many of these "reparations" efforts do not involve restitution. Second, most states, localities, and individual institutions do not have the resources to repay on anything like the scale we are suggesting. Finally, and most importantly, black reparations are not a matter of personal or individual institutional guilt; black reparations are a matter of national responsibility.

In many instances, local initiatives labeled "reparations" are not that at all. Whether at the state or municipal level, many efforts frequently constitute acknowledgment, admitting that atrocities were committed. These measures are often followed by inadequate attempts at redress—the allocation of funds for research or the construction of memorials, for example—rather than substantial compensatory payments to black Americans. While these scattered steps to take some type of action may begin to pull the knife out, they do not heal the wound produced by the harm; typically, they fail to provide any compensatory payment.

Even if they do afford a compensatory payment, a series of local initiatives is highly unlikely to match the minimum bill for black reparations. As noted above, this debt will require at least $10 trillion to eliminate the black-white wealth disparity. Taken separately or collectively, there is no evidence that local "reparations" will come close to addressing the full scope of the measured harm or achieving an appropriate level of restitution.

## MAKING THE CASE FOR SYSTEMIC REPARATIONS

The focus on piecemeal "reparations" customarily limits redress to the atrocity of slavery, but a comprehensive, effective reparations bill must also confront the harms of both the Jim Crow regime and the era following the passage of Civil Rights legislation in the 1960s. Ultimately, this essential transformative change demands systemic action from the core institution that established and maintained the system of racial injustice: the federal government.

Though piecemeal initiatives of the type pursued by the state of Maryland or Georgetown University (as outlined below) are admirable in their acknowledgment of the existence of a debt—and though they may salve guilty consciences—these incremental efforts will not fundamentally change the conditions of structural, racial economic inequality. Our nation must be held accountable, and the federal government must meet the debt.

> ***Though piecemeal initiatives are admirable in their acknowledgment of the existence of a debt, these incremental efforts will not fundamentally change the conditions of structural, racial economic inequality.***

States, municipalities, churches, universities, families, and individuals who recognize their historical complicity with American slavery should coalesce to form a consortium that aggressively petitions Congress to enact a comprehensive national reparations program for all black American descendants of persons enslaved in the United States (Reddit 2020). This collective effort will be of much greater value to black American descendants of persons enslaved in the US than a string of individual steps to undertake reparations piece by piece. Therefore, the federal government—the core institution that established and maintained the system of racial injustice and the core institution that can provide all-encompassing structural change—must meet the debt. Indeed, state governments have neither the obligation nor the capacity to execute an appropriate comprehensive plan for black reparations.

## PIECEMEAL "REPARATIONS": LITTLE BY LITTLE, BIT BY BIT IS NOT ENOUGH

An example of a local "reparations" effort is underway in Maryland to establish a fund that would provide support for in-state college tuition at a University System of Maryland

[10] To be clear, it is not our intent to let private corporations (or slaveholding families, colleges and universities built on slavery, etc.) "off the hook." We do not discourage them from resolving to allocate funds for initiatives that will benefit some subset of black Americans. However, we object to the labeling of those initiatives as "reparations." It is impossible to parcel out individual blame for actions produced by a legal and authoritative social system sanctioned by the federal government. Hence, the federal government should foot the bill via Congressional legislation. We eschew the judicial route to black reparations.

school and low-interest loans for mortgages to persons who can provide proof that they are descendants of someone who was enslaved in the state of Maryland (Gaskill 2020). The present version of the proposed legislation ties financial support to the number of years an ancestor was enslaved.

Several concerns merit consideration. Why concentrate solely on lost wages when, as Craemer pointed out, enslavement meant every hour of every day was stolen time? Would multiple descendants be eligible to receive the lost wages stolen from the same ancestor? What is the logic of giving the unpaid wages of a single enslaved ancestor to individuals who may have had multiple enslaved ancestors? Will larger payouts go to individuals whose ancestors survived to live the longest number of years of forced labor under the slavery system? Would current Marylanders *who are living as white* who have an ancestor enslaved in the state qualify for access to the fund?[11] And this final question is fundamental: Why should a living descendant's compensation be tied to the exploitation of a single enslaved ancestor of theirs, instead of being determined by the long-term impact of the slavery regime on their life today?

Moreover, given the global objective of eliminating the black-white wealth disparity, there is no assurance that the unspecified amounts of "back pay for [an ancestor's] lost wages" will close the gap. Total expenditures for state governments in fiscal year 2020, will be approximately $2 trillion, which is nowhere near the at least $10 trillion required to close the gap. Notably, unlike the federal government, state governments are not the purveyors of a sovereign currency that would enable them to be unconstrained by an advance collection of tax revenues (Nersisyan and Wray 2016).

Not only is Maryland's proposal piecemeal, but the plan also demonstrates the paternalistic tendency to limit the burden of restitution to the heirs of "our own slaves," rather than recognizing the structural and all-encompassing nature of the American slavery system and the need to confront its legacy at the national level.

The state of Maryland is one of several entities moving to admit their institutional or personal complicity with American slavery while also establishing "reparations" funds to compensate those persons identified as descendants of the direct victims of their individual states', institutions', or families' immoral practices. Another example is Georgetown University, where students are attempting to provide recompense to the descendants of the 272 enslaved persons who were sold to planters in the deep south by the Jesuits when they were seeking revenue to ensure the survival of the school (Hassan 2019).

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[11] The two eligibility criteria we present above avoid this weakness.

However, there are several problems with this approach. The first is the focus on the 272 individuals. The sale itself was an act embedded in the structural conditions of a racialized, slavery-based society and had adverse ramifications—much like all such exchanges—on more black people than the 272 themselves. Each transaction that involved the sale of human beings reinforced the slave order.

The second problem is the amount offered to living descendants of the 272. There are now an estimated 12,000 to 15,000 descendants of the 272 persons sold by the Jesuits in 1838. Georgetown's leadership now says it will allocate $400,000 per annum as a compensatory measure for the descendants (Di Corpo 2019). Even using the lowest estimate of the descendant population (12,000 persons), $400,000 only amounts to $33 per recipient each year.

Today, Georgetown University's endowment is approximately $1.62 billion, generating "earnings" of about $83 million; $400,000 is less than 0.1 percent of that number. In 1838, the 272 enslaved persons sold for $115,000. The value of that sum compounded to the present at 5 percent interest amounts to $787 million; $400,000 is less than .01 percent of that number. Measured this way, the Georgetown commitment is a pittance. Indeed, if the lower bound debt of $10 trillion were met by private contributions, it would take 25 million individuals to donate $400,000 each. This is simply untenable.

## Learning from Other Cases: Precedents for Reparations

Valuable insights for how to best execute a national program of reparations can be gained from previous experiences with plans of restitution. Here, we focus on five precedents, two overseas (German reparations for victims of the Nazi Holocaust, and reparations in post-apartheid South Africa) and three in the US (Japanese American reparations after World War II, post-9/11 reparations for victims' families, and post-Sandy Hook reparations after the 2012 school shooting).

These cases are disparate. The German, South African, and Japanese American cases are all instances of state actions against an ethnic, racial, or religious minority. The 9/11 and Sandy Hook cases stem from external crimes. Three groups—victims of the Holocaust, the 9/11 attacks, and Sandy Hook—received redistributive justice soon after the period of victimization. Reparations for Japanese American people required many years of debate around and pressure for payment and justice. The South African case is one in which the goal, as stated by the Truth and Reconciliation Commission, was insufficiently ambitious. *All of them* demonstrate how, in the aftermath of unfathomable incidents, people—both government officials as well as those leading private charitable efforts—attempt to come to terms with placing a value on and compensating for lost lives and lost livelihoods, ultimately reaching closure for all concerned.

Key lessons include:

- Leadership from within the communities most affected is essential to ignite action and ensure that restitution is comprehensive and sufficient;
- Movement pressure outside of the political system is effective when it is combined with consenting formal political leadership (e.g., prime ministers, members of Congress) and high-profile bipartisan or multi-party commissions;
- Political commissions must have the proper mandate, focused not on repayment for demonstrable individual atrocities but on the comprehensive costs of social systems of oppression;
- Significant payment and restitution can be achieved even when reparations are politically unpopular;
- An enumeration of contingencies must be made to ensure the payments are made under challenging circumstances;
- Work performed by a study commission for reparations must be completed in a timely manner, within a maximum horizon of 18 months;
- Financial goals of a reparations project should be met within a decade;
- Valuing human life and coming to agreement on "sufficient" payment is difficult, but, within limits, identical payments are ultimately preferable; and
- Financial outlays should be combined with educational, historical, and narrative efforts to ensure that the case for reparations is well understood in the public ethos.

## REPARATIONS AGREEMENT BETWEEN ISRAEL AND THE FEDERAL REPUBLIC OF GERMANY

Following the Nazi defeat, David Ben-Gurion, Israel's co-founder and its first prime minister, insisted in 1945 that West Germany support the new state of Israel *and* assist with the "resettling [of] so great a number of uprooted and destitute Jewish refugees" (United Nations 1953). The reparations plan was inaugurated in 1952, and payments to the families of the deceased, to the direct survivors, and to those subjected to forced labor continue to this day.

In fact, as recently as 2012, reparations for Holocaust victims and their descendants were expanded to increase the numbers of Jews who are eligible to receive payments; many European Jews who lived in countries that remanded them to German authorities during the war are now receiving payments. Additionally, in 2011, the length of time spent living in ghettos to qualify for compensation was reduced from 18 months to 12 months; in 2012, the time spent in ghettos was further reduced to six months, making restitution possible for many more people (Eddy 2012).

Ben-Gurion's influence in these matters cannot be understated. From 1952 to 1967, West Germany paid an estimated 3 billion Deutsche Mark (DM) to the State of Israel for reparations, or *Wiedergutmachung*, and 450 million DM to the World Jewish Congress. In addition, over 100 billion DM—nearly 60 billion US dollars—has been paid to individual victims of the Holocaust (Reiter 2019). Ben-Gurion also insisted that Germany actively recover property confiscated from Jewish people so that "the murderers do not become the heirs as well" (Zweig 2013, 284).

On public opinion of the *Wiedergutmachung*, historian Tony Judt said:

> In making this agreement [Chancellor] Konrad Adenauer ran some domestic political risk: in December 1951, just 5 percent of West Germans surveyed admitted feeling 'guilty' towards Jews. A further 29 percent acknowledged that Germany owed some restitution to the Jewish people. The rest were divided between those (some two-fifths of respondents) who thought that only people 'who really committed something' were responsible and should pay, and those (21 percent) who thought 'that the Jews themselves were partly responsible for what happened to them during the Third Reich.' When the restitution agreement was debated in the Bundestag on March 18th 1953, the Communists voted against, the Free Democrats abstained and both the Christian Social Union and Adenauer's own CDU [Christian Democratic Union] were divided, with many voting against any Wiedergutmachung (Judt 2005, 271).

Twenty years ago, when Michael Dawson and Rovana Popoff polled white Americans on the question of reparations for black Americans, 96 percent of the respondents opposed the measure (Dawson and Popoff 2004, 47-91).

Fifteen years later, a Marist Poll found that that number had fallen to 81 percent. In contrast, nearly half of white millennials surveyed said that they supported reparations for black Americans. This is notable because reparations for Jewish people post-Holocaust was achieved with significantly less popular support (Russ 2019).

Beyond the payments dimension, the German reparations plan had at least one additional important requirement: a commitment to preserve national memory of the horror of the Holocaust, to preserve recognition of the national responsibility for the horror, and to constrain memorialization and glorification of Nazi leaders and the Nazi cause. Though this aspect of redress for the crimes of the Third Reich has been imperfect, it is vastly different from the way in which the leaders of the Confederacy and the Lost Cause have been exalted in the United States (Neiman 2019). Germany engaged actively in de-Nazification, while the United States has long evaded de-Confederatization (Darity and Mullen 2020a, 155, 160, 177, & 354).

## TRUTH AND RECONCILIATION IN SOUTH AFRICA

In contrast to Germany and Israel, South Africa affords a far more muted instance of reparations. The Republic of South Africa's Truth and Reconciliation Commission (TRC), active from 1995 to 2002, sought to address atrocities committed from 1948 to 1994.[12] In 1948, the all-white National Party hardened *de facto* segregation with *de jure* segregation, creating a South-African style of Jim Crow: legally sanctioned segregation and the near-total disenfranchisement of the black majority and other non-Afrikaans, as well as the relegation of black people to second- and even third-class status for the next 42 years.

In 1943, Nelson Mandela joined the African National Congress to challenge the white-only government. Alongside others in the resistance, he was subjected to censorship, police assaults, torture, incarceration, and a sentence of life imprisonment in 1962. Others were disappeared and executed. In 1991, the apartheid laws were repealed, and Mandela was elected as president of South Africa in 1994. A democratic constitution was then passed, and the government changed hands.

The 17-member Truth and Reconciliation Commission, chaired by Anglican Archbishop Desmond Tutu, established three committees to conduct its investigations: a human rights violations committee, an amnesty committee, and a reparations and rehabilitation committee. The TRC received the testimony of 21,000 citizens; created a controversial amnesty program; and, in 2002, proposed monthly payments of 2,000 Rand (an estimated $280 US) to "victims, their dependents[,] or next-of-kin" over a six-year period.[13]

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[12] The original mandate was the Promotion of National Unity and Reconciliation Act of 1995, no. 34.

[13] The TRC received 7,112 applications for amnesty of which 849 petitions were granted and 5,392 cases were rejected. Huge numbers of documents were destroyed by the National Intelligence Agency in the early 1990s.

Despite the emphatic recommendations of the restorative justice body as well as public criticism and pressure in favor of the initiative, few of the intended recipients have

received reparations. By 2017, when the President's Fund had grown to Rand 1.5 billion (or $21,428,571 US), less than .0002 percent had been directly paid to victims.

According to former TRC commissioner Dumisa Buhle Ntsebeza, who served as the head of the commission's investigative unit, of the 21,676 people who brought claims to the TRC, one-time payments of Rand 30,000 (or approximately $4,285 US) were received by 17,408 beneficiaries who had been identified as victims. Another Rand 35 million ($7 million US) was appropriated for the reburial of exhumed remains of missing persons, and Rand 350 million was spent on basic education and higher education assistance. Health assistance accounted for Rand 270 million ($38.5 million US), Rand 110 million ($15 million US) was put toward housing assistance, and Rand 500 million ($71million US) was spent on community rehabilitation. Ntsebeza railed against the government's failure to execute the commission's recommendations. "The kinds of beneficiaries who should have been recipients of the proceeds of the fund ... actually [are not] getting anything," he said (Collins 2017).

One of the major problems was that the TRC's mandate was too limited. The mandate charged the commission to focus on victims of individual acts of barbarity, when, in fact, the fundamental atrocity demanding compensation was the horrific social impact of the apartheid regime in its entirety. Chronicling the suffering and deaths of victims is an important component of an effective reparations plan, but it does not replace the need for compensation.

## JAPANESE AMERICAN INCARCERATION: COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS

In reaction to Japan's bombing of an American naval base during World War II, President Franklin D. Roosevelt established Japanese internment camps through Executive Order 9066. From February of 1942 to March of 1946, approximately 117,000 people of Japanese descent—most of them US citizens—were evicted from their homes, forced to abandon their business enterprises, and relocated to the makeshift camps of unheated Quonset huts, stables, and even the Santa Anita racetrack.

Under the auspices of the Trading with the Enemy Act, the federal government confiscated financial records and assets of Japanese Americans and took control of

Japanese American-owned banks, which accepted both yen and dollars.[14] Internees were taken by train to isolated camps located mostly in the American West and Midwest. The average internment was two-and-a-half years. Lake Tule Internment Camp, the last of 10 facilities in operation, closed in 1946. At least one prisoner, George Kumemaro Uno, was incarcerated at the Crystal City, Texas, internment camp until September 1947.

Soon after World War II ended—during the 80th Congress when Republicans controlled both chambers—there was some support for reparations but little documentation of the extent of the harms or a strategy for how to calculate losses. Eventual progress was directly correlated with the election, decades later, of officials of Asian descent, including Hiram Fong (R-HI) 1959—1977, who was Chinese American, and Daniel Inouye (D-HI) 1963—2012, S. I. Hayakawa (R-CA) 1977—1983, and Spark Matsunaga (R-HI) 1977—1990—all of whom were Japanese American. Leadership within Congress was instrumental, as was the Japanese American-led redress movement, inspired by other 1960's and 1970's social movements.

Fong, Inouye, Hayakawa, and Matsunaga proposed a blue-ribbon Commission on Wartime Relocation and Internment of Civilians (CWRIC), which turned the tide. The commission was small, with seven members at the onset plus the later addition of two priests at the request of Sen. Ted Stevens (R-AL). President Jimmy Carter selected three commissioners, and Senate President Pro Tempore Stevens and House Speaker Thomas "Tip" O'Neill (D-MA) each named two. Of the initial seven, four were Democrats and three were Republicans. The commission, signed into law by President Carter on July 31, 1980, held public hearings in 11 cities—over 750 witnesses testified—and published its findings a mere 18 months later as *Personal Justice Denied*.[15] Ultimately, the commission was uncommonly efficient.

Support for the reparations legislation was led by Congressman Mike Lowry, a Democrat

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[14] In 1945, Congress passed a bill making $10 million available for refunds, but it would take 20 years and a US Supreme Court decision to resolve disagreements over the low exchange rates (Honda v. Clark, 386 US 484 (1967); Burton et al. n.d.). The eventual rate specified in a US Supreme Court decision, over the advice of the Office of Alien Property Custodian, was the pre-war rate of 4.3 yen to the dollar and not the significantly reduced post-war rate of 361.55.

[15] Publication date February 24, 1983. Over a period of 20 days, the commissioners held public hearings in eleven cities—including Washington, D.C., Los Angeles, San Francisco, Seattle, Chicago, New York City, and Cambridge, Massachusetts—and over 750 witnesses testified. The JACL prepared the witnesses and was assisted by the National Coalition for Redress and Reparations, a grassroots organization. The first witnesses invited to the hearings were *sansei*, the children of children whose parents were Japanese nationals. They were largely unaware of the internment. Eventually, *issei* and *nisei*, the first and second generations to immigrate to the US, also provided testimony regarding their incarceration. It is worth noting what was not covered by the legislation: the damages associated with stigma of incarceration, psychological damage, lost earnings, injury, death, and resettlement. Property losses only were partially covered.

and eventual governor of Washington state; Clarence M. Mitchell, the black head of the Leadership Conference on Civil Rights; and Majority Leader Jim Wright (D-TX) in the House. Federal agencies were told to view applications with "liberality." Before reparations could be paid, however, the measure was nearly derailed by Senate skirmishes, but a backroom negotiation saved the day.[16] President Ronald Reagan signed the bill into law on August 10, 1988. At the urging of Sen. Stevens, the Civil Liberties Act of 1988 was amended to include the Aleut Native Americans confined in southeastern Alaska.

Civil society groups also played an essential catalytic role in reparations and redress. The Japanese American Citizens League (JACL), which had cooperated with the administration during the war, created a National Committee of Redress under the leadership of Edison Uno—the son of George, the longest-incarcerated internee. JACL supported the idea of a commission as an educational and political tool. It introduced a resolution calling for reparations at its 1970 convention in Chicago.

The JACL developed a reparations agenda, including a payment of $25,000 to each person detained, for a total of about $1.2 billion; the basis for that figure was $15,000 per person plus $15 for each day of imprisonment. The wish list also included the reversal of conviction records for individuals who had resisted arrest; a public apology from Congress acknowledging that the US government had committed a wrongdoing; and funds to set up an educational foundation for the public, and, especially, Japanese American children to learn "about the causes and circumstances" of the imprisonment (Oyama 1981). This list helped structure the public commission's work.

Although significantly smaller in scope, the JACL's wish list anticipated some provisions of HR 40, legislation first introduced in 1989 that seeks to establish the Commission to Study and Develop Reparations Proposals for African Americans. The commission activated by HR 40 is expected to serve as a prelude to black reparations parallel with the CWRIC's role in advancing Japanese American reparations.

[16] The redress bill was decreased from $500 million to $150 million then sunk to $20 million. After the funds were moved from the US Census Bureau, they rose to $50 million, 10 percent of the originally proposed amount. When the Senate Appropriations Subcommittee approved HR 2991, it removed all redress payments: Senator Ernest Hollings (R-SC) said they "couldn't find" the money. Inouye convinced Hollings to convert redress into a federal entitlement program with annual funding of $500 million, which would protect them from partisan skirmishes. The Senate passed HR 2991 29

## 9/11 VICTIM COMPENSATION FUND

***One of the most instructive elements of this case was the question of how to value and compensate for individual lives lost.***

9/11 refers to the events on September 11, 2001—six separate terrorist attacks on a single day, including the World Trade Center (WTC) buildings (2,388 casualties; 2,212 injuries), the Pentagon (114; 86), and multiple flights including American Airlines Flight 11 (65 casualties). Compensation for the relatives of the victims and some victims who incurred non-fatal injuries resulted in $7 billion in public money being dispersed for 5,562 total claims. One of the most instructive elements of this case was the question of how to value and compensate for individual lives lost.

A federal statute established the September 11th Victim Compensation Fund (VCF) and "categorized eligible claimants according to their economic standing." Attorney Kenneth Feinberg was named "Special Master" and charged not only with the administration of the fund, but he was also charged with hearing the evidence and, ultimately, determining the amount of funds to disperse and to whom.[17]

Notably, Congress did not specify a total compensation sum, nor did it limit the amount any individual victim or victim's family could receive; unfortunately, the federal directive to categorize claimants economically is baked in America's longstanding wealth and income inequality. Attorney General John Ashcroft, who appointed Feinberg, noted that the disbursements should reflect compassion and generosity but not profligacy. At least 40 percent of the families had incomes under $100,000; 7 percent over $1 million.

Feinberg and the Department of Justice (DOJ) worked together closely. All applications were required to be submitted by December 22, 2003 (Feinberg 2005, xxii and 21).[18] Representatives from the financial firm of Keefe, Bruyette & Woods Inc., asked Feinberg if the calculations would "reflect only the base salary, or will commissions and bonuses be factored in?" They wanted to know if payouts would be more in line with those of the Public Safety Officers' Benefits law, which gave $250,000 to families of fire fighters and police officers killed in the line of duty (Feinberg 2005, 34).

[17] When Attorney General John Ashcroft appointed Feinberg, he declared that "the Special Master would not require any Senate confirmation" and that he alone, as attorney general, had the authority to select that individual.

[18] There were many unique aspects of the undertaking. According to the *New York Times*, Ashcroft and Feinberg intimated that the disbursements "should put victims' needs ahead of the ultimate expense to taxpayers" (Henriques and Barstow 2011).

Feinberg wrote, "I also benefited, frankly, from low public expectations concerning the program, and even lower expectations among the 9/11 families. Paradoxically, skepticism about the fund worked to my advantage." He opted to administer the fund *gratis*; his firm would donate over 19,000 hours to the initiative, the equivalent of $7 million. He understood it was his job to discourage litigation, avoid lengthy emotional testimonies, and to instead encourage maximum participation in the fund (Feinberg 2005, 167). That meant consistency, transparency—they launched an extensive educational campaign—due process, a simple application process, and allowing the claimants to share their stories. Feinberg and his team were present for 100 meetings in nine months, and their credibility grew over time (Feinberg 2005, 43-44, 46, 48).

The core financial question for persons eligible for restitution was this: Would you prefer a guaranteed payment of $5 million from the federal fund or take a chance on a judgment of $10 to 20 million from the airline, the Federal Aviation Administration, or the Port Authority, knowing your attorney would take 50 percent off the top? Ninety-seven percent of claimants chose the first option, taking direct payment from the September 11th VCF. Feinberg made the decision to award claims to fiancées, same-sex-partners, domestic partners, ex-spouses, infant children, and estranged siblings.

The 3 percent of claimants who chose litigation were relatives of the most highly paid, wealthiest victims of the attacks (Feinberg 2005, 34). Feinberg required recipients from the federal fund to forego lawsuits against any party ($6 billion was the maximum exposure for each airline, and $1.5 billion was the limit for the relevant insurance companies).

By March of 2009, 93 of the 96 claimants who had elected to pursue litigation had been awarded "an average of $5 million, one more than twice the average payment from the special fund." At least one magistrate, United States District Court Judge Alvin K. Hellerstein of the Southern District of New York, "cap[ped] legal fees at 15 percent of settlements" (Weiser 2009).

The director of the Office of Management Budget (OMB) wondered "about the wisdom of singling out a small segment of American society for such generous treatment" and asked if this was "sound public policy" (Feinberg 2005, 26.) While the fund was active, Feinberg wrote that he came to think it was less about giving money to grieving families than "an attempt to do the impossible—to provide for repayment for the sudden loss of a loved one and some degree of justice for the loss" (Feinberg 2005, xxiv). But, he wondered, what is "fair" or "just?" The process had inequality written all over it.

Interestingly, Feinberg now believes that the fund was defective. If Congress had a do-over, each "eligible" claimant should "receive the same amount," he wrote in 2005. We concur.

An individual's wealth or the economic circumstances of their families should not be included in the calculus of the valuation of a human life.

Like Feinberg, we also believe that a reparations plan is a manifestation of a nation's collective spirit. The key ingredient is congressional authorization. Much like the 9/11 fund, reparations for black Americans will require "a creative and bold" approach, a "we'll show the world" attitude.[19]

## THE SANDY HOOK MASSACRE

In the seven years following the deadly Sandy Hook Elementary School shooting in December 2012, more than $100 million in federal, state, corporate, and private money flowed into Newtown, Connecticut, a township of about 28,000 persons. Two years after the tragedy, the federal government poured at least $17 million into the town and several agencies (Altimari 2014). The central question about restitution in this case was the following: Should donations in the aftermath of tragedy go to the victims' families or, instead, be directed toward community-wide social programs?

The plan stipulated that the 26 families of the deceased—20 first graders and six school staff members—each would receive $281,000, and the two survivors who sustained physical injuries would receive up to $150,000. The 12 families whose children witnessed the massacre firsthand could receive $20,000 each. Virtually all relatives of the 26 who died established foundations or public service endeavors in their loved ones' memory.

In the first days after the shooting, the families were contacted by survivors of other mass tragedies who told them that established charities might be a source of problems with the disbursement of funds. The families were warned that foundations like United Way of America do not always transfer donations to the people most affected but often retain

[19] We were astonished to learn that Feinberg is an ardent opponent of black reparations. When one of the authors asked the arbitrator to weigh in on the topic, he responded fiercely, "Reparations for slavery? Terrible idea!" For Feinberg, a compensation program for black Americans was fraught with difficulty. "Who's eligible? If you say only descendants of slaves," you eliminate those "thousands who cannot demonstrate a link" to enslaved ancestors. After initially inquiring about restitution for black people who were victims of Jim Crow, Feinberg leaped to the conclusion that the case for black reparations is driven solely by the atrocity of slavery. He further postulated that slavery disadvantaged poor white people, November 7, 2019, (Feinberg, 2019). In *From Here to Equality* (Darity and Mullen 2020a, 65-67), we discuss the benefits of slavery to the white community, generally, and demonstrate the pervasiveness of slaveholding. In Mississippi and South Carolina, more than 55 percent of white people lived in slave-owning families; in Florida, George, Alabama, and Louisiana "well above [40] percent" of white people lived in slave-owning families; across the Confederacy, at least one quarter of white people lived in slaveholding families. Poor white people benefited from the system of black enslavement, principally, by being employees of the slaveholders, typically to perform the myriad tasks associated with the management of black bodies on the plantation, by trading with the slaveholders, or by being hired to police the enslaved. Most importantly, in the aftermath of the Civil War, the Homestead Act provided land to many white people with property, while the formerly enslaved were systematically denied access to property.

money for other, separate needs (e.g., after-school or jobs programs). In Newtown, United Way and the victims' families became competitors for receipt and control of contributions coming to the township. The conflict resulted in Kenneth Feinberg's arrival on the scene as an intercessor.

Controversy raged into the summer of 2013; but by July, a committee led by a retired federal judge established a formula for allocation of the funds received. After United Way scrutinized the thousands of donor notes and emails that came with the contributions to determine the donors' intent, the foundation reached a decision: $7.7 million would go to the families of the 26 victims, to the two wounded educators, and to 12 families of surviving children who were in classrooms where children and educators were killed.[20] The remaining $3 million and any future donations would stay with the foundation.

Feinberg said that Sandy Hook was among the most painful of any mediation he had witnessed. He recalled one parent saying at a public meeting that withholding money from the victims' families was "compounding the death of my child." Another said, "Keep the money and bring my little boy back." And some residents angrily protested that the protracted debate re-victimized the families.

"There were no villains," Feinberg said, emphasizing that he understood United Way's desire to help all Newtown residents. But "we [should] err on the side of the victims every time." While "every tragedy is different, Lesson 1" from Sandy Hook is for the authorities—the mayor, the city council, or the governor—to set up, quickly, a single nonprofit benefiting victims and their families, so that the money intended for them is not atomized or given to charities that lack the experience, ability, or desire to distribute it to them. "How many people who watch reports on TV about the death of these kids send a check to United Way, as opposed to helping out these families?" Feinberg asked. "All the money should go to them" (Williamson 2019).[21]

[20] According to the United Way of Western Connecticut, it has raised $12.1 million in partnership with the Newton Savings Bank to date. The agency further declares it has not deducted any fees or overhead expenses for administering the fund (The United Way 2013; Jepsen and Rubenstein 2014).

[21] Note also that according to Feinberg (2005), Newtown's struggle over the United Way funds informed Boston's response to the April 2013 marathon bombing. Fund Boston, unveiled by Mayor Thomas M. Menino and Gov. Deval Patrick of Massachusetts a day after the explosion at the Boston Marathon, raised $61 million, all for people directly affected, within 60 days..

## PRECEDENTS FOR HR 40: LESSONS LEARNED

The precedents outlined above provide important lessons that can—and should—inform the design of a reparations plan on behalf of black American descendants of US slavery. We are arguing for a large federal outlay, based on decades of history, going to individuals. The Holocaust and Japanese American incarceration cases remind us of the importance of political leadership, social movement pressure, and the establishment of a clear body, such as a congressional commission; the latter of which would be responsible for addressing the questions that must be considered so that restitution can be made.

The South African case reminds us that even when agreed upon, payments are not always sufficient in scope and, in fact, are often not actually made. And the two most recent domestic American cases, 9/11 and Sandy Hook, remind us that it is important for funds to go to victims directly, and that those payments should be equal in size rather than apportioned according to families' or individuals' "economic value."

Some specific recommendations for an African American reparations commission follow.

First, a commission parallel to the CWRIC can be a valuable prelude to the design and enactment of legislation for black reparations. The Commission to Study and Develop Proposals for Reparations for African Americans, designated in HR 40, could perform such a function.

However, given the unique aspects of the black American case, HR 40 is not adequate in its current form and requires revision. Unlike the original text that uses 1619 as the starting point, we designate 1776 as the point of origin for the case for black reparations. The culpable party is the United States government, and it did not exist in 1619. While the current version of HR 40 distributes appointment of the commissioners between the executive and legislative branches and unspecified "grassroots organizations," the commission should be appointed by Congress as well—since, ultimately, legislation for black reparations must be enacted by Congress.

The core charge for the commission must be providing Congress with a detailed template for legislation that will activate a comprehensive plan for black reparations. This will include specifying criteria for eligibility for black reparations consistent with the standards described at the start of this report and specifying precisely how the amount and deployment of a reparations fund will raise black net worth sufficiently to eliminate the (pre-tax) black-white wealth gap within a decade.

To mitigate conflicts of interest or any appearance of wrongdoing, the commissioners should not receive a salary, although they should receive reimbursement for reasonable expenses associated with the fulfillment of their responsibilities. Nor should any organization to which they belong receive any funds from the budget assigned to the commission. On the other hand, there must be a salaried professional staff of sufficient size and skill to support the commissioners' efforts. Additionally, the commission should be directed to produce its report within 18 months of its inception.

And while closure is one of the imperatives of any reparations program, arriving at closure does not mean forgetting the record of atrocities. Thus, a key dimension of a black reparations program must be the development and application of a rigorous and accurate curriculum, fully integrated into public school instruction across at least three generations at all grade levels, telling the story of America's racial history. Germany's efforts to maintain an authentic memory of the Holocaust is instructive and should serve as a model for this initiative.

To prepare its report, the commission must also hold public hearings and maintain a variety of mechanisms to ensure that eligible recipients' voices are heard, including having regional offices across the country. The commission should draw upon specialists in American history, economics, sociology, politics, psychology, medicine and public health, and law and litigation, particularly those who are knowledgeable about constitutional law. Ideally, the commissioners themselves will possess such expert knowledge. Notably, these appointees should be well-versed in the history of slavery and Jim Crow, employment discrimination, wealth inequality, health disparities, unequal educational opportunities, criminal justice and mass incarceration, media practices, political participation and exclusion, and housing inequities.

Passage of the Civil Liberties Act of 1988 provides a guide to the conditions of political climate most conducive for an effective enactment of a reparations program. Buy-in at the highest level of government and control of both chambers of Congress by a single party, coupled with solid support from the majority party, produces strong conditions for the enactment of a new reparations program.

The principle of "liberality" that underlay the actions of the CWRIC suggests that a high degree of complementary support should be provided to eligible recipients. With respect to black reparations in the US, this would include offering potential claimants free genealogical services to assist them in establishing that they are descendants of an ancestor enslaved here, anti-fraud guidance, and access to free financial management instruction.[22] Greater financial literacy without finances to manage is not useful; however, in the aftermath of the enactment of legislation for monetary restitution, black recipients

[22] Although its motives were not entirely pure, the Commission of Indian Affairs took steps in the late 19th century to insulate Native Americans from being "swindled" out of their land (Franke 2019, 122).

of reparations would have the requisite level of financial resources that would merit greater knowledge of how to "handle your money."

It is striking that there has not been any effort to follow the recipients of reparations payments to examine the subsequent impact on their lives in any of these precedents explored in this report. For example, we do not know how much of a difference receipt of $20,000 by Japanese Americans, under the terms of the Civil Liberties Act of 1988, made on their lives.[23] Since we have declared that a central aim of black reparations should be the erasure of the black-white wealth gap, establishing a monitoring system to evaluate whether the disparity is closing will be desirable.

A key lesson drawn from the 9/11 compensatory disbursements is to prioritize moving closer toward uniform payments for all victims. Applying insights drawn from Feinberg's work as Special Master, we recommend providing a substantial equal sum to all claimants, while reserving the right to provide additional support based upon need. This strategy would be the opposite of the procedure with the 9/11 Fund. A lesson drawn from both Sandy Hook and the 9/11 Fund is that direct payments to individuals who are eligible for reparations must be the primary use of the funds, and recipients should have great discretion over the uses of the funds. The Sandy Hook experience, especially, makes the importance of direct payments clear.

[23] Compounded to the present at 4 percent interest, the $20,000 payment would be approximately $70,161. At 5 percent interest, the payment would be approximately $95,300.

# Conclusion

***Ultimately, respect for black Americans as people and as citizens—and acknowledgment, redress, and closure for the history and financial hardship they have endured—requires monetary compensation.***

As we have previously stated in other works (Darity and Mullen 2019), monetary restitution has been a centerpiece of virtually all other cases of reparations, both at home and abroad. Some reparations commentators are concerned that money is not enough, but we believe that money is exactly what is required to eliminate the black-white wealth gap—the most glaring indicator of racial injustice in America. Ultimately, respect for black Americans as people and as citizens—and acknowledgment, redress, and closure for the history and financial hardship they have endured—requires monetary compensation.

Moreover, an emphatic message that "the murderers cannot inherit" will be delivered. This message reminds us of the American government's promise of land to the formerly enslaved. In 1865, under the authority of President Abraham Lincoln, the process of allocating 40-acre parcels to each black family of four on affordable terms—land that had been abandoned by and confiscated from the Confederate rebels—had begun. Lincoln's successor, President Andrew Johnson—and in our estimation, the country's most villainous president—asserted his authority and reversed Lincoln's orders, ultimately allowing the murderers to become the heirs. Reparations for living black Americans would enable the descendants of the enslaved to receive the inheritance that was properly theirs all along. Today's black-white wealth gap originated with that unfulfilled promise of 40 acres. The payment of this debt is feasible and at least 155 years overdue.

 

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# What Makes a Reparation Successful? A Discussion to Inform Design of Reparations to Black Americans

KATHRYN ANNE EDWARDS, LISA BERDIE, AND JONATHAN W. WELBURN

*Reparations policies that seek to make amends for a harm incurred face exigent challenges. In this article we focus on what makes reparations successful and what policy components are necessary, if not sufficient, for success. To study the success of reparations policy design we employ a case study approach. Our analysis investigates the motivation, design, implementation, and impact of past policies to understand what has been successful or unsuccessful within each component of the policy in each historical case. Ultimately, our discussion identifies patterns in the creation and execution of reparations policy that offer important considerations for policies that would provide reparations to Black Americans.*

**Keywords:** racial equity, reparations for historical injustices, reparations to Black Americans, case study analysis, policy evaluation

A reparation is the act of repairing, making amends, or satisfying injury; a group receives some form of compensatory benefit for a harm incurred, paid by an institution with some relation to the injuring party. Because they are predicated on an irreversible harm, reparations are positioned to be emotionally charged and unsatisfactory; the preferrable outcome is to not be harmed in the first place. In addition to these existential challenges are the exigent ones: to be enacted as a policy, reparations must be designed, funded, and administered. In this article, we focus on an additional challenge: determining what makes a reparation successful.

As a principle, success of a policy hinges on the satisfactory execution of agreed upon aims. In this way, success influences most aspects of design as an organizing principle. Yet success is an odd, and possibly offensive, notion in the context of reparations, given that it centers on amending for a severe harm. If a victim cannot be made whole, then what is a reparation policy's achievable aims? That is the research ques-

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tion we approach in this article. Although our research is of interest to any reparation, our goal is to inform the design of reparations to Black Americans for slavery and its aftermath of continuing harms, and we draw direct lessons for that context.

Reparations to Black Americans have been discussed in both the existential and exigent context, questioning, respectively, if reparations are necessary or if reparations are feasible. Yet, the notion of success is integral to both and, indeed, is often cited in arguments that either assert that reparations are unnecessary or that reparations are infeasible. More than 150 years of reparations proposals to ameliorate the harms of slavery have focused on redressing its aftermath: building Black wealth, improving Black economic status, and supporting the political and social enfranchisement of Black Americans (Darity and Mullen 2020). The difficulty in designing reparations that could achieve these ends has often been used to advocate against enacting them at all. We dub this—that inequality and disenfranchisement is both a motivation for (as a part of the harm) and an argument against (as a barrier to success) reparations—the effectiveness paradox. From an economic lens, the effectiveness paradox is that economic inequality between Black and White Americans is one argument for reparations, but because that inequality is so great, reparations would be an ineffective policy and therefore should not be pursued. A similar effectiveness paradox could be made from a social lens: the entrenched animosity between the races is a reason to enact a policy of acknowledgment and redress, but reparations may stoke further resentment and therefore should not be pursued. Success, and what defines it, is integral to the design of any policy, including reparations, and we note, in particular to reparations to Black Americans.

We aim to be as clinical as possible in assessing past policies, but would like to acknowledge before proceeding that the harms that form the basis of the policies we study and policy we aim to inform are severe. Our study in no way intends to make light of those harms, or to rank them, though will we not have space throughout to enumerate them fully and are critical in comparing the policies in response to them.

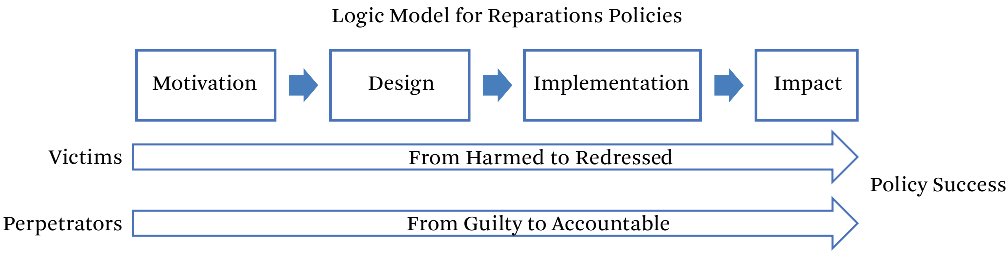
## RESEARCH APPROACH

To study the success of reparations policy design, we use a case study approach. Case study analysis enables us to explore examples and experiences of reparations, glean lessons from what they have been able to achieve and where they have fallen short, and test the conditions that might be necessary or sufficient for policy efficacy. Our analytical method is to select a set of reparations to study through a logic model in order to systematically identify issues related to policy success, despite a small sample. Logic models allow us to articulate a theory of change: what components of a program or policy may lead to a desired outcome, and which activities, in which sequence, are necessary and sufficient to affect change.

Figure 1 presents a logic model, which describes, generally, how reparations policies might affect change. As a policy, reparations follow a typical path: motivation, design, implementation, impact. But this logistical progress of a policy's execution must achieve two transformations in terms of reparations: the victims must go from harmed to redressed, and the injurers from guilty to accountable for the harms perpetrated. In practice, the content of each stage—the specific motivation, the details of design and implementation, and so on—is informed by the harm, victim, and perpetrators. The model is not meant to detail how to design a reparation, but convey what it needs to achieve. Each component must contribute to the ultimate perceived success and legacy.

Challenges to parsing extant reparations into a tidy logic model are numerous. To start, disagreement about whether payments even constitute reparation is common. For example, in 1924, the city of Manhattan Beach, California, claimed eminent domain and seized beachfront property of the Bruce family, who were Black and operated a resort that was open and catered to other Black vacationers at a time when few similar establishments existed. Nearly a century later, Los Angeles County returned the land to the Bruce family (California

**Figure 1.** Logic Model for Reparations Policies




*Source:* Authors' rendering.

Office of Governor Gavin Newsom 2021). Some have lauded this as reparations for the racist, unjust seizure of land from the Bruces (Holloway 2021). Others argue this land repatriation does not rise to the level of reparation because it does little to address the existing and lasting structures that contribute to highly unequal real estate access and holdings (Kahrl 2023). Thus what constitutes a reparations policy may be contested as much as whether the reparations policy is well designed, well implemented, and successful.

Furthermore, selecting policies for a study can quickly become problematic because of the nature of the selection criteria. Picking cases with the worst harm or the best response would involve categorizing the harms incurred by severity, which minimizes harms experienced, or positively selecting on policy. There is no model reparation because there is no model harm. We thus are unable to select exemplar or outlier policies. Harm being so vast and yet specific renders typification of reparations unwise. Instead, we select cases that can provide insight into what successful reparations entail. At a minimum, they had to have been subject of sufficient research and analysis; it is beyond the scope of this article to extend the research about any specific reparation. Beyond that, we sought examples based on having a variety of features, apart from the policy itself. We looked for institutional variation, or that the injuring and compensating party included multiple governments in multiple time periods. We also looked for differences in the victim group, again in multiple time periods and multiple contexts. We examine these cases relative to a theory of change about how reparations—policies that intend to ameliorate a harm—can be successful.

## CASE STUDIES

Case studies offer the advantage of inductive assessment. Rather than looking backward to find supporting evidence for a posited theory, hypothesis, or aim, case studies move forward, aggregating details into patterns, and patterns into lessons. Case study investigations are not a superior method so much as an alternative one, one appropriate in policy implementation analyses.

Our case study analysis investigates the motivation, design, implementation, and impact of past policies to understand what have been successful or unsuccessful within each component. This article takes each of the identified case studies in turn, providing a brief summary and a discussion about the lessons each case provides a better understanding effective reparations policy. The scope and length of this article does not allow us to give a full accounting of the depth of the experience that necessitates a reparation policy. Instead, we distill the events into a policy analysis, but recognize that we do not have space to properly account for the enormity of harm.

### The Emancipation of the Russian Serfs

In 1861, Tsar Alexander II ended the practice of serfdom in Russia and emancipated the serfs, which made up a third of the population at the time—twenty million people (Lynch 2003; Pereira 1980). Prior to emancipation, serfs were bound to the land they worked and the nobleman who owned that land. Serfdom was similar to chattel slavery in the United States, but serfs were not bought, sold, and transported off of the land they were tied to. Emancipation changed the legal and political status of the former serfs, extending to them the right to hold property and enter into contracts (Zenkovsky 1961). It also brought a process to redistribute land to the newly freed serfs, but this redistribution of land was tempered by concessions to landowners (Zenkovsky 1961). Landowners were compensated monetarily for their loss, kept about two-thirds of the land, and had first pick of which land to retain (Markevich and Zhuravskaya 2018; Nafziger 2014). Land was then allocated to collectives of newly freed serfs. Together these communes of peasants were required to make what were called redemption payments to the state over a forty-nine-year period (Nafziger 2010).

Scholars have often tried to assess the value of the land transfer at emancipation; there has been heavy critique and debate about whether the land provided to the free serfs was too little at too high a cost (Hoch 2004; Zenkovsky 1961). Others have sought to understand the impacts of emancipation on the country's social and political structures (Pushkarev 1968; Mironov 1985).

We are most interested in how the remuneration provided to former serfs could be understood as a successful or unsuccessful reparation policy because it was not named or declared as such upon enactment. Outwardly, emancipation of the serfs in Russia appears to be a reparation similar to what was proposed just four years later during the U.S. Civil War for freed slaves—freedom from bondage and land transfer (Sherman 1889). That the emancipation of the Russian serfs was contemporaneous to the emancipation of the American slaves make this a particularly relevant case for understanding what success might have involved—and thus need to address—in the case of Black Americans. We find that the motivations for emancipation of the serfs were not rooted in an identified harm or an acknowledged one. Instead, emancipation and land redistribution were propelled by economic stagnation in the wake of the Crimean War, 1854 to 1856, and the recognition that the feudal social organization was obsolete, hindering Russia's growth (Zenkovsky 1961). A secondary motivation was to suppress serf uprisings, though its success in tempering public outcry is limited (Finkel, Gehlbach, and Olsen 2015; Pushkarev 1968). The policy of emancipation thus did little to recognize the oppression and victimization of the serfs under Russian feudalism, or the role that either the state or the landed gentry played in exploiting labor from the serfs.

Even if we were to set aside motivation, the design and implementation of emancipation did little to address the class and economic disparities that resulted from the feudal system. Although some analyses show that emancipation improved the quality of life of former serfs, (Markevich and Zhuravskaya 2018), and that inequality in Russia was not remarkable relative to its contemporaries or to many advanced economies today (Lindert and Nafziger 2014), emancipation did little to fundamentally change the class system codified by the feudal system (Mironov and Eklof 2000 in Lindert and Nafziger 2014). Thus the policy of emancipation neither healed the former serfs of the harms suffered during serfdom, nor held individual or institutional perpetrators accountable. Impact, when considered from the logic model's aims of redress and accountability, was in this case negligible. Emancipation reified existing divisions between the nobility and peasantry. From this case study, we conclude that transactional aspects of policy are insufficient as a reparation if the substantive aspects of policy are lacking. Reparations require more than payment—even if redistributive—to be successful. Even though the value and extent of remuneration is debated in this case, what is uncontested is the reification of power within Russian political and economic elites. Dual transformation is critical to reparative policy.

## Indian Claims Act

The Indian Claims Act of 1946 created a judicial process through which tribes and Indigenous communities could seek restitution from the U.S. government for loss of land and other harms that occurred during European expansion (Kuykendali et al. 1978). The act allocated federal monies to settle claims and created the Indian Claims Commission (ICC) to adjudicate them (Lieder and Page 1997). Until the commission was dissolved in 1978, it paid out more than $1 billion in claims to 176 tribes, which worked out to under $1,000 in 1997 real dollars per tribe member (Lieder and Page 1997). After 1978, all unresolved cases were transferred to the U.S. Court of Federal Claims who closed the final case filed under the ICC in 2006 (U.S. Department of Justice 2020).

There were several motivations for establishing the Indian Claims Commission. First, it built on decades of arbitration that sought to address broken treaties and activism to fully recognize tribal sovereignty and rights (Kuykendali et al. 1978). Second, it was established in the immediate postwar era, when the U.S. government was under pressure to both recognize the contributions of native soldiers who had fought for the United States and to address the antidemocratic legacy of colonialism as the Cold War intensified (Kuykendali et al. 1978; Derocher 2021). Finally, the commission was established as a space to address a backlog of cases that dealt with land disputes between the American government, tribes, and individual tribal citizens (Kuykendali et al. 1978).

It is difficult to claim that the ICC was motivated by guilt, even if it was a mechanism for adjudicating a specific harm. The bill that established the ICC included language that it was designed to "right a continuing wrong to our Indian citizens," but no widespread admission that the motivation for establishing the commission was to provide redress for broad and systematic grievances. A statement by President Truman averred that

> The bill [to establish the Indian Claims Commission] makes perfectly clear . . . that in our transactions with the Indian tribes we have at least since the Northwest Ordinance of 1787 set for ourselves the standard of fair and honorable dealings, pledging respect for all Indian property rights. Instead of confiscating Indian lands, we have purchased from the tribes that once owned this continent more than 90 percent of our public domain, paying them approximately 800 million dollars in the process. It would be a miracle if in the course of these dealings—the largest real estate transaction in history—we had not made some mistakes and occasionally failed to live up to the precise terms of our treaties and agreements with some 200 tribes. But we stand ready to submit all such controversies to the judgment of impartial tribunals. We stand ready to correct any mistakes we have made. (Kuykendali et al. 1978, 5)

The motivation for the ICC was couched in the legal and mechanistic requirements to ensure pre-negotiated property rights.

The design and implementation of the ICC had significant criticism. For instance, tribes could make a claim to be compensated for land that was taken or previously compensated at "unconscionable consideration" below its fair market value, but it was difficult to prove ownership or determine what fair market value was (U.S. Department of Justice 2020). The ICC was only able to award compensatory redress in cases where tribes could prove that they had not been paid the fair market value by the government at the time of purchase, and no interest could be awarded (Tiro 2007). Disputed valuations of claims and governmental offsets led to the denial of many of the claims (Wilkins 2013). Awarded claims were placed in a trust, which was subject to numerous allegations of mismanagement (Newton 1975). Further, all awards were monetary, disregarding petitions for land rights, and often deducted "offsets" from the overall award in recognition of previous, albeit unrelated, disbursements that the U.S. government made to tribes (Tiro 2007; Luebben and Nelson 2002).

The ICC is of interest as a case study for reparations policy because the U.S. federal government set aside resources to specifically address harms against a particular group, and established a separate civil system to adjudicate claims. However, the ICC was not motivated, designed, or implemented to change the status quo, and the ICC "should be viewed more as a continuation of the past than a break from it" (Wishart 2004). Much like in the emancipation of the Russian serfs, the lack of motivation to redress or hold the nobility accountable guaranteed the policy was unsuccessful at achieving either. The ICC also offers a design lesson: of paramount importance is an agreed definition of the harm. For tribes, at issue was the loss of ancestral lands; for the U.S. government, at issue was property and contract rights. Although notionally a mechanism to redress harm, the ICC deferred to the government's definition of harm, and not that of tribes. Even if the ICC's payment were flawless in implementing payment of successful claims, which as noted was not the case, the policy would be unsuccessful as a reparation for this reason.

### Syphilis Study at Tuskegee

The six hundred participants in the Public Health Service Study of Untreated Syphilis in the Male Negro in Macon County, Alabama, now called the USPHS Syphilis Study at Tuskegee (Centers for Disease Control and Prevention 2022) were recruited in 1932 by the U.S. Public Health Service to participate in a research study in exchange for medical exams and meals. The majority of the men had syphilis at recruitment, but the participants were manipulated about the nature of the study and their own condition. Participants were told that they had bad blood and were not given either full information about their diagnosis or the purpose of the study in relation to it (Warren, Hodge, and Gallagher 2019). Despite effective treatment of penicillin becoming widely available in the years following the study's start, none of the study participants were offered the medicine, nor were their wives and children.

The Associated Press publicized the existence of the experiment in 1972 (Heller 2017). The Department of Health, Education, and Welfare established an ad hoc advisory panel to review the study because many in the department and Congress were unaware of its existence. The panel concluded that the study was unethical when it was created in 1932, that it was unethical when the participants were not given penicillin by 1953 at the latest, that it should be immediately ended, that the participants should receive specialized medical care, and that Congress should enact more protections for human subjects (U.S. Department of Health, Education, and Welfare 1973).

There are two parallel tracks of success in reparations, that of the victim's redress and the perpetrator's accountability. The ad hoc panel declared a clear motivation for both groups: the study was unethical from the start and both it, and the practices that allowed its creation, must be halted. First, we consider the victims and the change from harmed to redressed. The policy response to the Syphilis Study at Tuskegee was not coordinated under a single institution or act, nor could it be termed a reparation (Tuskegee University, n.d.). The survivors received monetary compensation, health care, and an official apology, but in disparate fashion. In 1973, the survivors filed a class action lawsuit resulting in a $9 million settlement. Congress mandated the creation of the Tuskegee Health Benefit Program to provide medical and burial care to survivors, and later their widows and children. In 1997, President Bill Clinton formally apologized for the study. The families of the victims still seek further restitution (Associated Press 2017a), including funding for a scholarship program established for descendants of the study's participants (Voices for Our Fathers Legacy Foundation, n.d.b.) and funding for the Tuskegee Human and Civil Rights Multicultural Center (Tuskegee History Center, n.d.). This response is piecemeal enough to not be considered intentionally designed and implemented.

Next, we consider the perpetrators. In this respect, that of transforming from guilty to accountable, the policy response to the Syphilis Study at Tuskegee could be argued to be a success, and it is a reason why this case study is of interest to our investigation. The panel's recommendations for research practices were incorporated into legislation in less than two years, forever changing human subjects research in the United States and making a repeat of the conditions around the study hard to repeat. The Syphilis Study at Tuskegee was formative in the adoption of the National Research Act of 1974, which codified certain ethical practices for research into law and created the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research. Later, the Belmont Report, created by that commission, outlined ethical principles for research, and cited the Syphilis Study at Tuskegee as a motivation to codify justice into research practices (National Commission 1979). The question is not how much research practices and the federal government have changed, but to the extent to which it was due to the revelations of the study and the panel responding to it. Senator Edward Kennedy held hearings in 1973 on human experimentation that influenced the National Research Act, which he sponsored, but those hearings were not limited to the Syphilis Study at Tuskegee (U.S. Congress 1973).

Taken together, the ad hoc panel's report, the creation of the Tuskegee Health Benefit Program, the lawsuit, the portions of the National Research Act dedicated to ethical practices, and the presidential formal apology had all the trappings of a reparation without the cohesion of it. However, these offer lessons for understanding successful reparations policy. The initial acknowledgment of harm stemmed from an investigatory panel that considered the issue, weighed in on wrongdoing, and gave a plan for action. From our perspective, a key shortcoming of the ad hoc panel was that it was established to evaluate the study, not its victims, so that the perpetrators had a pathway to reform but the victims did not have a similar pathway to redress.

Since the Syphilis Study at Tuskegee ended, the victims and their families have, after considerable effort, successfully been awarded compensation for their harm and had at least one formal apology. They continue to advocate through the Voices for Our Fathers Legacy Foundation for memorialization and education about the study and its victims (Voices for Our Fathers Legacy Foundation, n.d.a). Both suggest that a victim-centered policy would consider legacy as a key component of success. The current legacy of the Syphilis Study at Tuskegee is largely considered to be negative. Any cultural changes that were embedded into research and government practices were insufficient to repair relationships. The use of Black men in medical experiments directly contributed to distrust in the Black community of the medical profession and medical services (Alsan and Wanamaker 2018). Lack of clear accountability and insufficient attention to victims' needs and wants defines the legacy.

## German Reparations for the Holocaust

The German government has provided restitution to victims of state violence suffered during the Holocaust under the National Socialist (Nazi) regime, most of which targeted the Jewish population in Germany and Poland, in a complex reparations program. At the immediate close of the war, the British, French, and American governments oversaw the initial restitution, which included programs that returned stolen property, provided healthcare and other benefits, and granted pensions to victims and their surviving dependents. In 1952, the West German government negotiated a reparations program with Israel, and the Conference on Jewish Material Claims Against Germany, or the Claims Conference, a representative group of victims' groups, and signed the program into law in the Luxembourg Agreement (Heilig 2002). The Claims Conference became the primary body responsible for negotiating with the German government for any payments and policies afterwards.

Germany has paid out an estimated €78 billion in total reparations (Federal Ministry of Finance 2018), starting with an initial payment to the state of Israel to support Jews who resettled in the new country in 1953. There is no single reparation benefit, but instead a set of arrangements and commitments that have evolved over time in both who is being compensated, who is compensating, and what specifically they are addressing (for a summary of the details, see Federal Ministry of Finance 2018). Some of these arrangements were negotiated by the Claims Conference directly with the German government, both before and after reunification, some were moderated through the Hague, and some with companies that used Jewish slave labor (Claims Conference 2021). Over time, victim groups expanded to include the Righteous Gentiles who risked their lives to save Jews during the Holocaust (Claims Conference 2021) and victim payments expanded for specific victims of the Holocaust: those who were the subject of medical experiments, and children who were separated from their parents and sent out of the country (Kindertransport) after Kristallnacht (Claims Conference 2021). Recently, the Claims Conference negotiated payments for home care for elderly survivors, and one-time payments to help with the hardships created by the COVID-19 pandemic (Gross 2020).

As the number of living direct victims and survivors decreases over time, the German government has expanded its broader activities that acknowledge and communicate the lessons learned from Nazi-perpetrated atrocities and Germany's approach to atoning for those crimes. In official documentation, the government explains that reparation payments will eventually end, but that should not mark the end of the program. Instead, against a backdrop of increasing anti-Semitism and Holocaust denial, there is a focus on commemorating what happened before and after 1945, on how the young democracy of the Federal Republic of Germany dealt with its National Socialist past, what lessons were learned and are being learned from the crimes against humanity committed by the National Socialist regime, and how this can be communicated to future generations in a meaningful and lasting way (Federal Ministry of Finance 2018).

For our evaluation, this case study is of interest because it demonstrates how accountability can evolve over time, enwrapped as it is with the notion of legacy. West Germany's apology was part of the original agreement in Luxembourg in 1952; after ending Communist rule, East Germany's first freely elected parliament in 1990 apologized as well (Laub 1990). But as recently as 2022, Germany's payment for reparations includes funds earmarked for education about the Holocaust (Solomon 2022). In addition, the Ministry of Finance is in the process of digitizing all claims, testimonies, and payments made as part of the reparations program and making them publicly accessible. Some have argued that Germany's view of reconciliation is a permanent process, rather than a one-time act of apology, and this position has helped transform Germany in international relations, even today (Feldman 2012).

Also of interest for design and implementation is the governance of German reparations. The Claims Conference is a body that both advocates for reparations, negotiates directly with the government and private actors, and develops plans for implementation. The presence of an external, representative body helped ensure the reparations program evolved over time to address different and arising needs. It facilitated payment from multiple government institutions and private companies. Notably, German reparations are not a fixed amount that is then allocated, but instead a continual process of claims. However, the Claims Conference is not without criticism, including several accusations of misuse of funds by Claims Conference managers and fraud (Reiermann, Schult, and Schulz 2010). In 2013, a former director was sentenced to eight years in prison after successful prosecution by the U.S. Attorney for the Southern District of New York (2013). In addition, some aspects of the Claims Conference are not replicable. The organization originally fostered payments out of country, from Germany to the newly established Israel, and had the precedent of payments and assistance from occupying military victors. The number of claimants is also small relative to the number of victims because the majority of victims were murdered.

Combined, the positive lessons from this policy—the revisitation of what accountability entails and the permanent representative body for claimants—suggest that reparations design and implementation is improved by some kind of continuing, recurring assessment of the policy. Reparations in the German context, as they have evolved over time, are a living policy rather than a finite one. Although the negotiations over German payments to victims of the Nazi regime started as delimited and one-time payouts, social and political pressure from both within and outside Germany catalyzed ongoing conversations and negotiations to repair and redress victims, and to hold institutions to account. There may be reasons why the financial aspect of policy should or should not be ongoing versus one-time transfers of resources. That depends heavily on the harm and the scope of compensation in response.

### Japanese Internment

Pursuant to Executive Order 9066 issued by President Franklin Roosevelt in 1942, more than one hundred thousand Japanese Americans were forcibly relocated from their homes in Washington, Oregon, California, and Arizona (National Archives 1942; Kim 1986). Many left property behind or liquidated their property and other assets at a fraction of their worth. Following World War II, President Truman authorized the payment of claims to freed Japanese Americans to be compensated for property through the Evacuation Claims Act, but few were paid and the amount paid was small relative to property lost (Wei 1993). After continued pressure, Congress in 1980 created the Commission of Wartime Relocation and Internment of Civilians to study the decision to incarcerate Japanese Americans, including whether it was justified by military necessity. It released its report, *Personal Justice, Denied* in 1982 (Commission on Wartime Relocation of Internment and Civilians 1982). The next year, it followed with recommendations for an apology and monetary compensation.

The Civil Liberties Act of 1988 enacted reparations to Japanese Americans, both U.S. citizens and residents, whom the U.S. government had interned during World War II. The act also provided funds to repay Aleut communities who were relocated during the war, and whose property was damaged or destroyed by the United States.[1] The funds provided $20,000 to each eligible Japanese American and $12,000 to each eligible Aleut. Payments were accompanied with an apology; the federal government acknowledged the harm, admitted culpability, and offered reparations as redress.

Returning to the pathways of our logic model, we consider the victim track and perpetrator track. The pressure to enact reparations came from the Japanese American Citizens League (JACL), an Asian American civil rights association established in 1929. Rather than a multidecade campaign, the push for reparations was not officially adopted by the JACL until its 1978 convention, when a resolution passed to call on Congress for an apology and payment of $25,000 (Japanese American Citizens League 2022b). Earlier, the JACL had worked to bring awareness to the issue, without demands for redress. This reflected a tension within the Japanese American community between older generations, who wanted to move on from their imprisonment, and younger generations, who wanted to bring attention to racial oppression (Tateishi 2020). This conflict was reconciled by the mutual agreement among the Japanese community that internment, aside from direct harm to victims, was a violation of the Constitution and American principles that promise the right to liberty and property (Tateishi 2020). Thus an aim of the victims was the reconciliation of democratic principles.

These principles were directly incorporated into policy design, which is the key reason we consider this case study. The Commission on Wartime Relocation and Internment of Civilians, in its report to Congress, articulated that the target of reparations policies is not solely the victims, but the perpetrators:

> It is well within our power, however, to provide remedies for violations of our own laws and principles. This is one important reason for the several forms of redress recommended below. Another is that our nation's ability to honor democratic values even in times of stress depends largely upon our collective memory of lapses from our constitutional commitment to liberty and due process. Nations that forget or ignore injustices are more likely to repeat them.

One motivation for redress is the *violation* of principles, the other motivation is *preservation* of them. This enumerates a benefit from reparations for the perpetrator beyond accountability, which in our evaluative view, expands the notion of policy success.

As for design, the payment of a flat monetary amount was held by advocates of the reparations to be symbolic, a way to call attention to the issue for nonvictims, rather than fully make victims whole for what was lost (Tateishi 2020; Rosario 2020). Success in the case of Japanese reparations comes from the victim's aims being met. What Congress adopted in 1988 was similar to what the JACL resolved in 1978, with the difference of $5,000. That awareness of the harm incurred is integral to legacy, another key motivator for reparations (Hatamiya 1993).

In regard to implementation, like the Syphilis Study at Tuskegee, an official, multiperson panel tasked with assessing the harm created a clear pathway for action in response. The commission's scope was broader and focused

1. Public Law 100–383. To implement recommendations of the Commission on Wartime Relocation and Internment of Civilians (1998), https://www.govinfo.gov/content/pkg/STATUTE-102/pdf/STATUTE-102-Pg903.pdf (accessed March 20, 2023.

on the victims in addition to the circumstances leading to transgression. It also took as part of the response the need to prevent something similar from occurring and included a mandate for creating a collection in the National Archives of all of the documents and testimony collected in the course of the investigation (Commission on Wartime Relocation of Internment and Civilians 1982, 1983).

Finally, of additional interest for our evaluation of success in reparations is that Congress was not inhibited by past redress attempts. The commission acknowledged that prior payments had been made, including the Evacuation Claims Act in 1948 and an adjustment made by the Social Security Administration in 1972 to replace internment years with wage contributions for the calculation of benefits (Commission on Wartime Relocation of Internment and Civilians 1982, 1983). However, the commission estimated that the loss to income and property, in 1983 at their writing, was up to $2 billion, far below prior payments. Yet it declared that no cash amount would make victims whole because the stigma, trauma, suffering of their experience has no monetary equivalent. Neither of these facts—that victims had not been given enough, but that enough was an impossible concept relative to harm—were barriers to acting.

## South African Apartheid

The apartheid system of government in South Africa, which began in 1948 and continued until a new constitution took effect in 1994, was built on the oppression of the majority Black population. The severe curtailing of civil and economic rights, property and land appropriation, and loss of life were common for the Black population living under apartheid (Clark and Worger 2022). As newly elected president, Nelson Mandela oversaw the creation of a Truth and Reconciliation Commission (TRC) in 1995, a legislatively constituted group that investigated the human rights abuses that occurred under apartheid between 1960 and 1994.

The TRC created a subcommittee, the Committee on Rehabilitation and Reparations, to investigate human rights abuses committed in the specified time period and make policy recommendations in response. The TRC released its findings in seven volumes, beginning in 1998 (Tutu et al. 1998).

The Committee on Rehabilitation and Reparations interviewed thousands of victims and explored the political, social, and psychological motivations and enablers for human rights abuse (Tutu et al. 1998). Its recommendations for reparations were an ambitious program of individual grants for victims; administrative assistance for important symbolic measures, such as procuring death certificates and headstones for those murdered; community and national benefits to rename buildings and streets, erect memorials, and a remembrance day; comprehensive community healing through investments in health care, housing, and others; and institutional reform (Truth and Reconciliation Commission, n.d.). Acting on these recommendations became the subject of deep political struggle and most were not realized (Colvin 2006). The government of Mandela's successor, Thabo Mbeki, authorized one-time payments to those who testified in front of the TRC, about eighteen thousand individuals, and pursued community economic development programs (Colvin 2006; Gready 2012; United States Institute of Peace 1995).

As a case study, the response to apartheid considers a harm enormous in scope and length; we do not have space to consider all aspects of it. Nor do we weigh in on how well the Truth and Reconciliation Commission executed its overall task, a subject of considerable academic and policy debate (Andrews 2004; Brooks 1999; Doxtader and Villa-Vicencio 2004; Naidu 2013; Daly 2003). We focus on two policy lessons, the first of which regards design. South African apartheid is a complex context for harm, which spanned harms of discrete, sometimes individual action as well as harms from pervasive economic, political, and social disenfranchisement and oppression. We take as a critical lesson for success that no harm context poses such a logistical burden that it cannot be redressed. The Committee on Rehabilitation and Reparations, as the name suggests, had aims beyond remuneration to victims and proposed a comprehensive suite of policy recommendations to transform both the victim and the perpetrator. South Africa did not fail to design reparations but they failed to adopt them in full. That design may have flaws, but the committee was not stymied and unable to foster policy options. Policy is possible.

The second lesson concerns institutions and perpetrators. In most cases, the institution dictating the terms of the reparation that are ultimately executed upon is the institution of the perpetrator. That is in the nature of seeking redress from a guilty party. In South Africa's case, the apartheid government was dissolved and replaced by an elected government extremely sympathetic to the human rights abuses suffered under apartheid because the leaders themselves had directly suffered imprisonment and exile. But this sympathy and shared experience proved insufficient for action. The solution, not answered by this case study but posed by it, is finding the political and economic impetus for an institution to accept the change reparations require. That this failure to implement an encompassing reparations policy, even when it was clearly motivated and fully designed, occurred in South Africa under the post-apartheid government makes clear how important and challenging this is.

## LESSONS FOR SUCCESSFUL REPARATIONS POLICY

Each of the case studies offer myriad lessons about reparations policy; our evaluation focused on the notion of success, a potentially elusive concept in any policy but particularly difficult in instances when severe harm has occurred. Our discussions aimed to link areas or patterns in satisfaction, dissatisfaction, and transformation in the wake of harm. We draw several lessons, organized through the stages of policy development.

First is motivation: redress and accountability are necessary for a reparation to be successful but cannot be achieved incidentally. To transform the victim and perpetrator in the wake of harm, the motivation of the policy must be clear. Both the emancipation of the serfs and the Indian Claims Commission facilitated payments to an injured party, but those payments were not motivated by a desire to claim culpability, and they affected little permanent change in the status of the victim or the attitude of the perpetrator. One interpretation of this is that a reparation must include an apology, either definitionally (as in, a payment without an apology is not a reparation) or in principle. But even official apologies, like President Clinton's after the Syphilis Study at Tuskegee, are insufficient to success if they are not part of a cohesive agenda of transformation.

Our conclusion is that a successful reparation must include an intention, well-stated and apparent, that the victim needs to and ought to be redressed and the perpetrator needs to and ought to be held accountable in some fashion. These are not symmetric, or equally important, but parallel aspects of the overall aim. Our assertion is that design and implementation cannot achieve this aim by accident but instead must be orchestrated around a guiding motivation. Redress and accountability are not the sole aims of a reparations policy, but they cannot be achieved without being aims of a policy. Further, without acknowledgment of harm, there is little hope of shifting the power and relational dynamics between perpetrator and victim that led to the harm in the first place, a reason why remuneration alone cannot repair harms.

Second is design: defining what constitutes a reparation is important but far less meaningful than how a reparation is conceptualized. The actual form of remuneration does not necessarily have an ordinal ranking of what is best, nor is remuneration the sole consideration. Indeed, although we see that payment is part of reparations policy, well designed it is not the whole of reparations policy. The cases we explore in this article that relied heavily on discrete remuneration as the premise of reparation—namely, the emancipation of the serfs, the ICC, and, in practice if not in design, South Africa—are arguably the least successful in generating meaningful redress for victims or holding perpetrators to account.

Instead, a victim-led approach in defining the harm, the victims, and the scope of the policy in response—inclusive of but not limited to remuneration—is key to reparations success. German reparations achieve this through working with a representative agent that is continually negotiating on behalf of the needs of victims. Japanese internment reparations, also advocated for by self-identified victims of the harm, were instead a one-time, symbolic payment. Although the payment was far short of the wealth and income lost, it was driven by the JACL in pushing for congressional action. South African reparations included the testimony of thousands of individuals in consideration of its recommendations. This was a function of being part of a broader truth and reconciliation effort, but it still informed the policy design process.

Victim-led definition of scope can enable an inclusive approach to the preferences of those harmed, especially those reluctant or even hostile to the idea of remuneration. Not all victims want to receive money or personal attention for what happened, but may be more vested in legacy, in preventing another wrong, or in having their experience contribute to some change. The details of what that entails have to come from victims rather than the perpetrator. There are many flaws in the emancipation of the serfs and the Indian Claims Commission, but many of them can be traced back to the unidirectional flow of policy, where all terms, harms, and actions are dictated by perpetrators without any input from or even consideration of the victims.

A combination of the need for clear motivation and the role of victims in articulating the harm and solution is an argument for an investigative panel, commission, or committee that presents findings detailing the nature and extent of the harm and offers pathways for both victims and perpetrators. In the aftermath of the Syphilis Study at Tuskegee, the perpetrators were more transformed than the victims, in part because the ad hoc panel stood up to evaluate the study had a mandate to focus on the study and how it came to be, not the harms experienced or how to address them. Panels do not guarantee success, as South Africa's case makes clear, but they can facilitate policy development and direct action, even if they cannot assure that action will occur.

Third is implementation: most of case studies offered lessons of what to avoid, rather than hallmarks of success, in reparations policy. The emancipation of the serfs was implemented in a way to keep the newly freed serfs poor. The Indian Claims Commission favored small settlements, with a high burden of proof and a deference to put the awarded funds in trust rather than to victims. The victims of the Syphilis Study at Tuskegee had to sue for compensatory payment, and an apology came only twenty-five years later. Appetite waned, and what reparations were ultimately enacted in South Africa were a fraction of the scope the committee had envisioned.

However, our view is that the implementation mirrors the motivation; a reparations policy committed to transformation can have a difficult implementation, but it is not an insuperable barrier. Implementation bends to the will of motivation, not the other way around.

One positive lesson for reparations, though, is that they can benefit from a living policy of revisited assessment of needs, aims, and execution. This can reflect that needs and aims shift. German reparations have evolved from their initial support for the Israeli state to the recent investments in Holocaust education. Were there a reparation for the Syphilis Study at Tuskegee, a successful policy would span the initial and immediate need for medical care to the ongoing desire for memorialization and education from families. Or a recurring commission for Japanese reparations may have enacted policy around the increase in hostility and hate crimes toward Asian Americans, as JACL documents (Japanese American Citizens League 2022a).

A recurring, transparent process of assessment may also help avoid or reduce the possibility of a frequent source of implementation failure: dispute in the allocation of funds. Accusations were brought against the trusts that held awards from the Indian Claims Commission, and criminal charges and convictions in the Claims Commission of German reparations. As recently as 2017, families of the Syphilis Study at Tuskegee were seeking to use unclaimed funds from their 1975 settlement to fund a museum only to be countered by the claim that such use would violate the original terms of the settlement (Associated Press 2017a, 2017b). Any large payment process or large source of funds can be the target of those with malicious intent, and any benefit can have challenges in receipt. Given that reparations often include both, accountability at the outset is warranted.

A central challenge to implementation, and successful implementation in particular, is that the perpetrator of the harm, the primary dictator of terms, and the administrative institution are typically one and the same. The transformation from guilty to accountable may be a policy aim, but not a sufficiently compelling one, particularly for those with a vested interest in maintaining their power. In the case of Japanese reparations, the commission articulated the benefit of preservation of principles, which expanded the notion of success. The Indian Claims Commission was adopted in part to streamline the numerous claims filed in separate courts. The emancipation of the serfs was intended to invigorate the flagging Russian economy. A selfish reward for the perpetrator is often a component of implementation.

Last is impact: a key barometer of success is legacy. For victims, this includes promotion and awareness of what occurred. For perpetrators, this entails actions to ensure that the harm does not happen again. Legacy is central to the families of the Syphilis Study at Tuskegee in their advocacy for financial support for education and memorialization of the victims. Despite the enormous change in federal practices and standards around research since 1972, many consider the study's largest legacy to be that of distrust. Legacy was also a key motivator in the divided Japanese American community in the push for reparations for internment, to bring attention to a clear violation of the Constitution, or as the Commission noted, to make clear that "it can happen here" (Commission on Wartime Relocation of Internment and Civilians 1983). And though the Committee on Rehabilitation and Reparations did not see its policy vision fully realized in South Africa, some argued that the testimony of thousands of victims was integral to moving past apartheid (Naidu-Silverman 2019).

Hence, we conclude that a successful reparation is one that alters the legacy of the harm; beyond transforming the parties involved, it catalyzes that transformation into awareness, learning, and understanding that arguably could not be achieved without it. Harm is not random and neither are victims. The legacy of policies is the change to the attitude or power imbalance or situation that enabled the harm to occur in the first place.

## IMPLICATIONS FOR REPARATIONS TO BLACK AMERICANS

Although it is beyond our scope to enumerate the ways in which Black Americans have been victims to state, economic, and social violence during and in the aftermath of slavery that motivate a reparations policy, others have taken up and continue to take up that mantle effectively (Bittker 1973; Darity and Mullen 2020). We apply the lessons from our case study analysis to reparations to Black Americans, acknowledging here that the harm redressed could be specific actions, sets of policies, or entire systems of oppression. Yet we can offer broad considerations.

First, reparations to Black Americans ought to have clear articulation of the harm to be redressed and held accountable for. The complexity and diffusion of harm perpetrated against the Black community for centuries serves as a motivator for reparations, but reparations policies benefit from defined aims. Defined does not mean limited or reduced but expressed in a way that both parties are in understanding of what needs to be achieved.

Related to discernible aims, reparations ought to have clearly articulated benchmarks for both successful redress and sufficient accountability. These benchmarks could be economic, social, political, cultural, educational, or anything of relevance to the aims. Policy should then be designed with those specific benchmarks and broader aims defined. In addition, that design and development is best when victims' desires and preferences are central, including those victims who oppose remuneration or apology. A big tent ensures that reparations are responsive to community preferences and has broad support in its agenda. A central planning committee with recurring convenings to cull those victim preferences, design the policy, and monitor implementation can help ensure accountability and respond to shifts in need.

The biggest obstacle perhaps facing reparations for Black Americans is in compelling implementation—identifying the selfish payoff to the federal government in enacting such a policy beyond its accountability. Yet there are lessons to be drawn from motivations past, such as the reestablishment of democratic principle, and present, like institutional distrust, to drive policy creation. Design, though difficult, is not impossible and implementation, though challenging, is not an insuperable barrier.

It is our view that paramount to reparations to Black Americans is the mutually agreed upon aim of what the legacy of reparations ought to be. One way to think about this is to consider what cannot change in America without reparations to Black Americans, or alternatively, to consider what is most in need of changing that reparations to Black Americans can address. Like reparations, legacy is more than payment.

These lessons drawn from our case study analysis are not meant to be interpreted as a proposal for reparations to Black Americans. Nor are they meant to be seen as support for, or criticism of, any existing policy proposals for reparations to Black Americans. Case studies offer a way of interpreting policy experience through a framework for assessment, in this instance, success.

We noted earlier that reparations to Black Americans are subject to the effectiveness paradox: the economic, political, or social gap between Black and White Americans motivates reparations, but the gap is so large that reparations could not be effective, and therefore they should not be pursued. Our review of case studies makes apparent that this argument imposes a notion of effectiveness that would be moot in a comprehensively designed policy. Efficacy and success are defined by the victims: their motivations in seeking redress, their preferences in what policy should include, and their hopes for legacy. In this light, an implication for reparations to Black Americans is how feasible they are.

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ANNUAL REVIEWS

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# The Politics of Reparations for Black Americans

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## Keywords

reparations, Black Americans, slavery, Jim Crow, social movements, political thought

## Abstract

Although struggles for reparations for slavery and its legacies date back to the earliest period of US politics, they have received relatively little attention from political scientists. Focusing on reparations claims, I argue, can enhance the study of Black social movements and political thought. The recent resurgence of demands for redress for racial injustice, both in the United States and internationally, and contemporary divisions over the politics of memory suggest why reparations are an important indicator of the prospects for multiracial democracy. Because the language of reparations has been used to advance a range of political ends, I conclude by considering some of the dilemmas that remain unresolved in the literature.

## INTRODUCTION

"Every generation of African Americans has its reparations struggle" (Nelson 2016, p. 107). Demands for redress for the crimes of the slave trade, racial slavery, Jim Crow, and their violent legacies stretch back to the founding of the United States. These struggles locate present-day racial injustice within the history of exploitation, violence, and political domination of African Americans. Although the political project of Black reparations is longstanding, only former *enslavers* have received compensation from the federal government (Holloway 2020); payment for the enslaved and their descendants largely remains a "nonevent" (Westley 2005, p. 83). Even as the language of reparations has been used around the world to envision new political possibilities in the aftermath of injustice, reparations proposals in the United States have been derided as impractical; dismissed as divisive; or allowed to emerge, stillborn, into a polity that is not prepared to consider its responsibilities for the ongoing harms of racist policies and institutions.

Political scientists have largely mirrored the history of disregard for Black reparations. In the discipline's leading journals, one finds little acknowledgment that reparations have been a recurrent—and controversial—feature of Black politics. Nor is there sustained inquiry into what the lack of consideration of redress for slavery and its legacies means for the realization of multiracial democracy. In a 2004 study that focuses primarily on sociology's inattention to issues of social justice, Coates (2004, p. 847) reports that a JSTOR search of 33 political science journals (in many cases comprising their entire publication history) yielded only three articles discussing reparations for African Americans or Africans. Coates's findings are significant because his article appeared at a time when political organizing and legal scholarship on reparations were flourishing. Since 2004, furthermore, this trend has continued. With relatively few exceptions outside journals that specialize in race or Black studies, political scientists have not treated the question of reparations for Black Americans as a significant area of research. Political philosophers and theorists have taken up the issue of historic injustice, but few have focused primarily on reparations for Black Americans (see Fullinwider 2000; McCarthy 2004; Balfour 2003, 2005, 2015). While the language of reparations circulates widely in public discourse, the study of reparations has had little impact on agendas that prioritize what Shilliam (2013) calls "the master's science." Indeed, the status of reparations research may be one indication that the boom in studies of Black politics has yet to reshape the field as a whole (Tate 2014).

Reparations claims are distinct insofar as they make an explicit connection between a centuries-long history of anti-Black violence, exploitation, and disenfranchisement, on the one hand, and reconstructing the polity on more egalitarian terms, on the other. As Dawson (2013, p. 197) remarks, reparations are "a demand for a conversation about justice and the way that racial oppression in the past is linked to black disadvantage today and to the continued existence of an unjust racial order." While reparations proposals vary widely in scope and in the specific forms of redress they envision, few arguments focus exclusively on individual payments and most call for a massive investment in Black communities accompanied by public acknowledgment of the crimes of slavery and/or Jim Crow. The reparations policy platform of the Movement for Black Lives offers an important example of the way that the language of reparations is used by social justice organizations to address the broad array of economic, political, and cultural changes that a multiracial democracy would require (M4BL 2022).[1]

This review explores the implications of reparations struggles for political science scholarship, traces new developments in reparations politics in the twenty-first century, situates demands for

[1]References to the Black Lives Matter movement address what Ransby (2018) calls a "whole ecosystem" of national and local organizations, beginning with #BlackLivesMatter in 2012, whose aims include the end of police brutality, mass incarceration, violence against women and queer people of color, and racial

reparations for Black Americans within a global context, and suggests why research on reparations is vital to understanding the current moment in US politics. With regard to the last of these issues, the emergence of the Black Lives Matter movement over the past decade and the multiracial character and unprecedented scale of mass protests against anti-Black violence in 2020 created a new opening for broader political conversations about white supremacy (Woodly 2022). The study of reparations enables a deeper understanding of contemporary divisions along both racial and partisan lines and provides a language for pursuing racial justice initiatives amid the intensification of debates about historical memory—including struggles over the removal of Confederate monuments and campaigns against the teaching of critical race theory. Although proposals to compensate the descendants of enslaved persons or to pay reparations for Jim Crow remain hotly controversial, this article considers whether the time is ripe for reparations demands to go from conversation stopping to conversation changing (Balfour 2014).



## REPARATIONS POLITICS FROM THE REVOLUTION TO THE END OF THE TWENTIETH CENTURY

Nearly every book or article on reparations includes a history of Black Americans' arguments for redress and a record of official inaction. Because the contours of that history have been sketched so ably elsewhere (see Kelley 2002, Berry 2005, Henry 2007, Darity & Mullen 2020), I focus only on a few pivotal moments and then turn to two features of reparations scholarship that are of particular relevance to students of politics: reparations as a social movement and reparations as a recurrent idea in African American political thought.

The earliest record of a demand for reparations for slavery is the 1783 petition by an African-born woman named Belinda Sutton, who sought a pension from the Massachusetts legislature after her former enslaver fled to England and his property was confiscated by the state (Finkenbine 2007). According to Finkenbine (2007, p. 103), she was not alone: "dozens" of formerly enslaved people sought payment from state legislatures and the courts during the first decades of the Republic, and reparations claims have played a role in Black political thought ever since. Action by the federal government, however, was short-lived and limited. Perhaps most famously, General William Sherman's Special Field Order No. 15 called for the distribution of approximately 400,000 acres of confiscated lands along the Southeastern coast to formerly enslaved people in 1865 and inspired the phrase "40 acres and a mule"; but it came to an end when President Andrew Johnson returned the land to its Confederate owners later that year. After the Civil War, Congressman Thaddeus Stevens's efforts to enact a large-scale confiscation act for the benefit of freedpeople were unsuccessful (Franke 2019, Svabek 2021). When the National Ex-Slave Mutual Relief, Bounty, and Pension Movement, led by Callie House and Isaiah Dickerson, sought compensation for formerly enslaved workers at the turn of the twentieth century, its leaders were pursued by the federal government, and House was incarcerated for fraud in 1917 (Berry 2005). Although some scholars argue that President Lyndon Johnson's speech at Howard University in 1965 constitutes a call for the kind of compensation that reparations advocates champion (Torpey & Burkett 2010, pp. 461–62), the only example of federal payments for slavery is the roughly $23 million (in 2020 dollars) that enslavers in the District of Columbia received through the 1862 Compensated Emancipation Act (Holloway 2020).

Focusing only on the record of governmental resistance obscures the importance of what legal scholars and reparations advocates Adjoa Aiyetoro and Adrienne Davis call "reparations as a social movement" (2009–10, p. 688). In their view, approaching reparations in this way "foregrounds

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capitalism. References to specific reparations proposals are drawn from the Movement for Black Lives "Vision for Black Lives" policy platform (M4BL 2022).

different visions of 'freedom' and 'redress' and how those visions are shaped by class and ideology" (Aiyetoro & Davis 2009–10, p. 692). Reparations struggles provide a lens through which to study Black politics and offer insight into the complexity and ideological diversity of Black communities (Dawson 2001, Aiyetoro 2020). For most of the twentieth century, reparations demands were largely associated with Black nationalist and Pan-Africanist organizations. While the idea took hold among the poorest African Americans, the middle classes and mainstream civil rights groups maintained their distance (Berry 2005). Focusing on the history of reparations also illuminates the role of Black women like House and "Queen Mother" Audley Moore, who inspired the pursuit of reparations in the post–World War II era without receiving the kind of attention reserved for male leaders (Aiyetoro & Davis 2009–10, pp. 705–8). Among the groups influenced by Moore's vision were the Black Panther Party (1966), which linked the broken promise of "40 acres and a mule" to demands for "Land, Bread, Housing, Education, Clothing, Justice and Peace"; the Nation of Islam; the Republic of New Afrika; and the League of Revolutionary Black Workers (see Kelley 2002, Aiyetoro & Davis 2009–10, Dawson 2013). According to historian Robin Kelley (2002, p. 119), Moore understood that reparations must be democratically controlled by ordinary people rather than administered in a top-down fashion. Indeed, the nonelite character of the movement and the association of reparations politics with Black nationalist movements may help to account for political scientists' relative inattention to the issue (Marable 2003, Taylor 2021).

The reparations movement did provoke a brief period of scholarly discussion in 1969, when James Forman interrupted services at Riverside Church in New York City to deliver the National Black Economic Development Conference's Black Manifesto. Seeking $500 million from white churches and synagogues, the Manifesto calls for a range of provisions to enhance Black autonomy, including a Southern land bank, investment in communications and education, welfare rights, and labor rights and assistance for striking workers [Bittker 2003 (1973), pp. 159–75]. Beyond its specific provisions, the Manifesto declares that Black people "have been living in perpetual warfare since 1619," anticipating both the *New York Times*'s "1619 Project" and the Movement for Black Lives' call to "end the war on Black people" [Bittker 2003 (1973), p. 167; *New York Times Magazine* 2019; M4BL 2022]. In response, law professor Boris Bittker [2003 (1973)] published *The Case for Black Reparations*, which does not defend reparations for slavery but lays out the legal grounds for redressing the harms of school segregation. Political philosophers, including Boxill (1972), Bedau (1972), and McGary (1977), also took up the question of Black reparations in the 1970s (Boxill & Corlett 2022). These debates continued among African American philosophers but were neglected by mainstream liberal political philosophers for decades (Mills 2007, Forrester 2019).

Investigating the question of reparations not only provides an avenue for the study of Black social movements, it also reveals dimensions of African American political thought that might otherwise go unnoted. Challenging the ostensibly race-neutral terms on which democratic politics and theory have been studied, Black abolitionists, nationalists, civil rights liberals, feminists, Marxists, socialists, and others illuminate the degree to which American political development has been shaped by the oppression of Black and other non-white people (Rogers & Turner 2021). The thinkers who comprise what Gooding-Williams (2009) calls "the Afro-modern tradition" model an approach to politics that refuses the presumption that racial hierarchy is an aberration or a bygone feature of US political life and incorporates the history of white supremacy into an evaluation of contemporary politics.

Whether focusing on communal self-determination or aiming for full membership in a reconstructed polity, Black political thinkers often articulate a conception of redress even when they do not use the language of reparations. Abolitionist David Walker's [1965 (1829), p. 70] blistering 1829 *Appeal to the Coloured Citizens of the World*, for example, asserts that white Americans "have to raise us from the condition of brutes to that of respectable men, and to make a national acknowledgment to us for the wrongs they have inflicted on us" and insists on immediate emancipation and the full entitlement of African Americans to citizenship. A century later, W.E.B. Du Bois's retelling of the history of Reconstruction likewise lays out the basis for a claim about what was owed to the enslaved and their descendants [Du Bois 1998 (1935), Balfour 2003]. Careful readers can discern multiple versions of such arguments across the past two centuries of Black political thought.

Martin Luther King Jr. is an illuminating figure through which to approach the question of reparations. As scholars investigate his political philosophy more closely and public debates about his radicalism intensify, tracing his understanding of the relationship between material redress and the realization of democratic principles offers a critical vantage from which to assess his political philosophy (Shelby & Terry 2018). In *Why We Can't Wait*, which appeared shortly after his "I Have a Dream" speech, King [2010a (1964), p. 163] makes the case that compensation for slavery is an essential part of realizing a democratic future:

> Few people consider the fact that, in addition to being enslaved for two centuries, the Negro was, during all those years, robbed of the wages of his toil. No amount of gold could provide an adequate compensation for the exploitation and humiliation of the Negro down through the centuries. Not all the wealth in this affluent society could pay the bill. Yet a price can be placed on unpaid wages. . . . The payment should be in the form of a massive program of special, compensatory measures which could be regarded as a settlement in accordance with the accepted practice of common law.

King develops these ideas further in later speeches and in *Where Do We Go from Here*, which moves beyond the landmark civil rights legislation of the 1960s to envision "the abolition of poverty." Crucially, King grounds his arguments in US history, tracing the "white backlash" of his own times to the earliest days of the Republic, linking the racial inequality of the 1960s to unredressed harms of slavery and its aftermath, and concluding that "America owes a debt of justice which it has only begun to pay" [King 2010b (1968), p. 116].

## REPARATIONS POLITICS IN THE TWENTY-FIRST CENTURY

Movements for Black reparations multiplied and earned new attention at the close of the twentieth century. Most commentators point to two developments as pivotal: (*a*) legislative and judicial resistance to race-conscious policies that rendered traditional civil rights approaches increasingly ineffective; and (*b*) the passage of the Civil Liberties Act of 1988, which acknowledged the harm of internment and paid reparations to Japanese Americans. With affirmative action and other remedies for racial injustice under attack, lawyers developed new reparations litigation strategies, and debates about redress for slavery and Jim Crow captured the imagination of legal scholars and philosophers (see, e.g., Matsuda 1987). In 1989, Representative John Conyers introduced H.R. 40, a bill to establish a commission to study the ongoing effects of slavery and evaluate reparations proposals in each Congress until his retirement in 2017. The National Coalition of Blacks for Reparations in America (N'COBRA) and other groups organized around the issue (Kelley 2002); the Reparations Coordinating Committee pursued legal cases; and the publication of Robinson's (2000) *The Debt: What America Owes to Blacks* spurred a broader public debate (see also Brophy 2006). Assessing this resurgence of reparations demands at the turn of the century, Walters (2003, p. 2) saw an opportunity to move beyond discussions of "slavery in an accommodationist mode to the creation myth of America" and promote new critiques of anti-Black oppression; alternative forms of public history; legal challenges; internal development within Black communities; and political conversations at the local, national, and diasporic levels.

The opportunity Walters (2003) identified had to wait. The election of President Barack Obama and the contention that the US had entered a postracial era help to account for a lull in national attention to reparations (Gooding-Williams & Mills 2014). With growing coverage of the Black Lives Matter movement and the appearance of Coates's (2014) "The Case for Reparations" in *The Atlantic*, however, the possibility of new conversations about reparations reemerged. That several Democratic candidates in the 2020 presidential race endorsed some form of reparations suggests a possible party-wide shift in attunement to issues of racial justice (Herndon 2019, Tate 2022). Whether or not H.R. 40 (which was introduced by Representative Sheila Jackson Lee after Conyers's retirement) becomes law, it was voted out of committee in 2021 and now has nearly 200 cosponsors; this marks a dramatic change from the years when it was more likely to receive about 30 cosponsors, and white legislators largely declined to support it (Tate 2022).

One area in which scholarship has persisted across several decades is the study of Black political economy, which has investigated the value of enslaved labor and traced how postemancipation practices continued to exploit African Americans while obstructing their access to property, opportunity, and security (see Browne 1972, America 1990). In *From Here to Equality*, Darity & Mullen (2020, p. 263) identify the racial wealth gap as "the most robust indicator of the cumulative economic effects of white supremacy in the United States." They argue that the federal government should attempt to eliminate that gap by making substantial payments to US citizens who meet two criteria: They can demonstrate that they are descended from at least one person enslaved in this country after the founding, and they can show that they have self-identified as African American (or of African descent) for at least 12 years before the establishment of a national program or a commission to plan for such a program (Darity & Mullen 2020, p. 258).

Darity and Mullen's argument is both ambitious and narrowly tailored. The distinction between individuals who can trace their lineage to slavery and other Americans of African descent separates their proposal from broader visions like the Movement for Black Lives policy platform; and, while their plan calls for a massive investment in Black communities, it is articulated within a capitalist framework. They envision a "portfolio of reparations," loosely modeled on German payments after World War II, that would supplement individual payments with investment in historically Black colleges and universities and other institutions and the establishment of a trust fund to support "asset-building projects" by eligible recipients (Darity & Mullen 2020, pp. 264–65). Yet recent research on slavery and capitalism and the revival of Robinson's (1983) concept of racial capitalism indicate the limitations of a platform that focuses on transforming the descendants of human property into property owners (Baptist 2014, Beckert & Rockman 2016, Issar 2020). This line of scholarship suggests why expanding opportunity without questioning systems of production and exchange that have depended on racial categories to produce winners and losers could undermine the insistence of reparations advocates that Americans must learn from history; and it sidesteps questions about whether regimes of private property can be made compatible with racial egalitarian objectives.

These concerns may help to account for critiques of reparations by a number of Black scholars on the left. While Reed (2000) notes that "there can be no doubt" about the connections between slavery and the persistent disadvantages confronted by Black Americans, he contends that reparations are the wrong answer insofar as they provide no clear remedy for such disadvantages and are unlikely to animate a broad political movement that engenders solidarity across lines of identity. In a response to Ta-Nehisi Coates's criticisms of Senator Bernie Sanders, Johnson (2016) argues that "the reparations argument is rooted in black nationalist politics, which traditionally elides class and neglects the way that race-first politics are often the means for advancing discrete, bourgeois class interests." A key issue for discussion, then, is whether the reparations movement is primarily an elite project or whether it exemplifies what Ransby (2018) calls "a Black-led class struggle" (see also Taylor & Reed 2019).

As arguments for reparations have gained new traction in the twenty-first century, opinion remains divided. In a landmark study of attitudes toward reparations and apologies for slavery and the internment of Japanese Americans in 2000, Dawson & Popoff (2004) found that, while 67% of African Americans supported material compensation for slavery, white respondents were nearly unanimous (96%) in their opposition. At that time, the authors showed, talk of Black reparations was so unpopular that white Americans were more opposed to an apology and compensation for Japanese Americans if they were asked about compensation for African Americans first (Dawson & Popoff 2004). Most Americans—and a substantial majority of white Americans—continue to oppose the idea of payments to the descendants of enslaved persons (Scott 2021). Nevertheless, new research indicates more variability. In their analysis of 2016 survey data, Reichelmann & Hunt (2021) find that white opposition to reparations is shaped by age (being older), ideology (being more conservative), and attentiveness to racial issues (being less attentive).

The national stage is not the only arena in which reparations politics are playing out. State and local governments have undertaken their own initiatives to study the legacies of slavery and to repair the harms of racial injustice. In 2022, for instance, the California Task Force to Study and Develop Reparation Proposals for African Americans (2022) issued an interim report on the effects of slavery and its afterlives, both nationally and in California. Its "preliminary recommendations for future deliberation" include reparative policies in housing, voting rights, the environment, education, the legal system, and employment. Other institutions—most prominently, universities, seminaries, and religious institutions—have also begun to examine their own implication in slavery and its legacies (see Brown Univ. Steer. Comm. Slavery Justice 2006, Delbanco 2022). In 2015, the City of Chicago established a $5.5 million reparations program for the survivors of police torture. The product of years of grassroots activism, this program is noteworthy for its forward-facing initiatives in job placement, psychological services, educational access, and a mandatory high school curriculum. As Ransby (2018, p. 133) remarks, "This creative and far-reaching settlement was an important landmark in the struggle to hold police and city officials accountable and to reimagine what reparations might look like." However, the persistence, and even exacerbation, of police brutality, gun violence, and deep economic inequality in the city of Chicago since the reparations program was passed offers a clear indicator that no form of reparations is a panacea (McLeod 2019). Considering efforts taking place on these smaller scales might enable political scientists to evaluate different forms of repair and ask how well reparations functions as a language through which democratic aspirations are articulated and at least partially realized.

## THE GLOBAL POLITICS OF REPARATIONS

The politics of reparations has never been confined to the United States. Just as Black political actors and movements have long participated in transnational networks, movements for reparations in the United States both draw inspiration from and inform political struggles elsewhere (Biondi 2003, Henry 2007, Araujo 2017). Further, debates about reparations for slavery and its legacies are taking place amid global efforts to hold governments accountable for historic injustice (see De Greiff 2006). Recent literature reveals how the question of reparations exceeds the boundaries of the state in at least three ways:

1. US-based social movements often situate their critique of the injustices of the slave trade, slavery, and their legacies within a larger system that includes racialized forms of colonial and settler-colonial rule.
2. Reparations campaigns outside the United States have influenced and been influenced by arguments about redress for African Americans.

3. International critics of white supremacy and the unaddressed legacies of slavery have called on the United States to take reparative action.

Reflecting the diasporic imagination and transatlantic affiliations of many Black political movements, reparations advocacy has looked beyond the United States since its early articulation in the nineteenth century (Aiyetoro & Davis 2009–10). According to Johnson (2007, p. 58), this orientation informs the Black Manifesto, where the use of the word "we" to refer to enslaved and colonized people, Africans, and "black brothers and sisters" erases differences of time and space to link all Black people to the labor that developed the modern West. Biondi (2003, pp. 7–8) adds that "the use of global solidarity networks and international forums to define national racisms as a violation of international human rights protocols" is a longstanding feature of Black reparations politics and has shaped contemporary agendas. Organizations such as N'COBRA hold that reparations must be understood "in global terms" and that the African American struggle is connected to African efforts to obtain reparations for the crimes of colonialism and the slave trade (Kelley 2002, p. 129). Henry's (2007) study of reparations history identifies the 2001 World Conference Against Racism (WCAR) in Durban, South Africa, as a turning point, because the involvement of human rights and civil rights organizations alongside longstanding supporters of reparations signaled new opportunities for alliances within and beyond the United States. Although the US government refused to participate in WCAR or the conferences preceding it, the Durban Program of Action both acknowledged the devastating consequences of the slave trade, slavery, and colonialism and called for reparative action and other measures to prevent the repetition of such harm (Henry 2007, pp. 123–63). It also set the stage for more recent international gatherings like the National African-American Reparations Commission's 2015 National/International Reparations Summit (NAARC 2015).

In an age in which remembering and redressing historic injustice has become a fundamental issue in democratic politics, calls for reparations have sounded on both sides of the Atlantic. When the Caribbean Community (CARICOM) established a Reparations Commission to address the legacies of slavery and native genocide in 2013, for example, it called on European governments to finance an array of measures, including improvements to health and education, a development program for Indigenous peoples, and technology transfers as steps toward reconciliation (Beckles 2013, CARICOM 2014, Bhambra 2021). Craemer (2018) situates the CARICOM demands within a history of indemnification for European enslavers and proposes that German payments after the Holocaust offer a precedent for indemnifying the descendants of enslaved people in Africa and the Western Hemisphere. Political theorists have also looked abroad to ask whether transitional justice efforts can inform reparations claims in the United States. Valls (2003) argues that they can and that regimes that have undergone a political transition from authoritarianism or military rule to more democratic forms of government can serve as resources for analyzing the unfinished work of eliminating the effects of slavery and Jim Crow in the United States. Page & King (2022) extend this approach to consider reparations for unjust policing and imprisonment. In their view, reparations programs have the potential to play a role in a "regime change" in the United States; a regime is understood in American Political Development terms as an "institutional order" (p. 222). Lu (2017), by contrast, raises questions about the capacity of transitional justice approaches to redress the ongoing effects of colonialism and urges the development of frameworks that go beyond remedying specific wrongs to envision forms of structural transformation that address the responsibilities of actors who are neither perpetrators nor victims.

Critical evaluations of the United States by international organizations indicate a third way in which reparations for African Americans exceed the domestic sphere. The United Nations Working Group of Experts on People of African Descent (2016) explicitly connects contemporary practices of police brutality and impunity for state violence against Black Americans—as well as disparities in almost every measure of well-being—to the slave trade, racial slavery, and their afterlives. These crimes, they conclude, call for "reparatory justice" (2016, p. 19). In 2019, the United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerance issued a report that included examples from the United States to illustrate both the ongoing effects of slavery and resistance to reparations. It recommends that the United States and other member states implement a "comprehensive" and "intersectional" approach to reparations (Achiume 2019).

The publication of Táíwò's *Reconsidering Reparations* (2022) may signal a new phase of reparations scholarship by bringing together several existing strands of national and global concern. Táíwò identifies contemporary racial disparities as the cumulative result of centuries of global empire and conceives of reparations as a "worldmaking" project in the sense articulated by Getachew (2019). Noting that modern racial categories were constructed through global capitalism, Táíwò (2022) contends that their undoing must likewise entail the transformation of institutions, distributive structures, and norms that perpetuate the vulnerability of Black people around the world. Among the innovations of Táíwò's argument is his attentiveness to the racially disparate effects of climate change. By arguing that "climate justice and reparations are the same project," Táíwò (2022, p. 147) advances a forward-looking demand for a vision of repair on the same scale as modern slavery and colonialism.

## THE FUTURE OF REPARATIONS? POLITICAL AND THEORETICAL CHALLENGES

Two images crystallize the state of racial politics in the United States today: the image of multiracial crowds in large cities and small towns insisting that "Black Lives Matter" in the summer of 2020 and the image of a white man carrying a Confederate flag inside the US Capitol on January 6, 2021. While the former suggests that the time for serious discussion of reparations may have finally arrived, the latter reminds us of the intensity of opposition such discussion will engender. Despite the unprecedented scale of the 2020 protests, a Pew Research Center study conducted a year later found that only 42% of the white adults surveyed believe that "a lot more needs to be done to ensure racial equality," compared with 77% of Black respondents; and the percentage of white respondents who think that greater attention to the history of slavery and racism is a bad idea (32%) outstrips the percentage who say that it would be "very good" for society (Pew Res. Cent. 2021, pp. 5–6). In an era of heightened partisanship, furthermore, the Pew report documents a deep division between Democrats (78%) and Republicans (25%) on the issue of whether more attention to the history of race and racism would be beneficial (pp. 4–5). In this light, it is difficult to conceive a national program of reparations that would be sufficiently robust to provide meaningful redress for slavery and its legacies. Yamamoto's (1998, p. 520) warning about the "underside" of reparations politics still rings true: "Without attitudinal and social structural transformation of a sort meaningful to recipients, reparations may be illusory, more damaging than healing. No repair. Cheap grace."

The longstanding character of Black reparations claims and the episodic history of public attention to the issue in the United States indicate the importance of new research on the issue. A key point of contention is whether racial equality is better served by "universal" policies or those that target African Americans specifically. As a presidential candidate, Barack Obama famously opposed reparations and argued instead for redoubling the commitment to enforcing antidiscrimination laws (Coates 2017). Such an approach has broad appeal among racial egalitarians who worry that reparations demands will be viewed narrowly as a form of "identity politics"

(Balfour 2005, 2014). As Keeanga-Yamahtta Taylor emphasizes, however, struggles for universal programs and for reparations are distinct but not mutually exclusive; political movements need to fight for a broad range of social programs and for the tools to address the legacies of racial slavery (Taylor & Reed 2019). Along similar lines, other scholars note that material reparations should be understood as part of a project of "epistemic justice" that changes how the past is understood in relation to the present (Bhambra 2021). Indeed, some have connected the reparations movement to a broad vision of "abolition democracy" that insists on the interdependence of political, economic, and social transformation [Du Bois 1998 (1935), Davis 2005, McLeod 2019]. The Movement for Black Lives policy platform articulates a conception of reparations as connective, rather than divisive, and advances an account of repair that encompasses gender- and sexuality-based violence, disability, harms to other non-white communities, and the damaging effects of racial capitalism (M4BL 2022, Woodly 2022). According to Bhabha (2021, p. 6), "across a diverse range of political, geographic, and ethnic constituencies, and for disparate reasons, significant civil society movements unused to collaboration across identity-defined silos now invoke reparations for harms suffered as a key component of their common advocacy toolkit."

Although reparations demands are often interpreted expansively in social movement literatures, the language of reparations has also been used to promote an orientation toward closure or settlement. Law professor Robert Westley (1998, p. 476) argues that, unlike traditional civil rights remedies, "reparations contain within them at least the promise of closure. The closure afforded by reparations means that no more will be owed to Blacks than is owed to any citizen under the law." Similarly, Darity & Mullen (2020, p. 2) conceive of reparations as "a program of acknowledgment, redress, and closure for a grievous injustice." Looking to the international context, Nobles (2008, pp. 139–44) indicates why reparations might be a poor mechanism for political transformation; insofar as they are treated as "settlements," she notes, reparations efforts are unlikely to contribute to ongoing conversations about how to reshape policy in the future. One question for continued research and debate, then, is whether reparations programs will open the door to broader consideration of ongoing racist practices and institutions, or whether they will function as a form of *fore*closure that shuts down such consideration.

The status of the United States as a democratic state is thrown into question by the reparations literature. Many arguments for reparations focus on realizing a version of what Darity & Mullen (2020, p. 245) call a "national redemption." This approach identifies the federal government as an active perpetrator of racial slavery and the anti-Black policies that followed formal emancipation and contends that the United States has a responsibility to live up to the ideals enshrined in its founding documents and self-description. One finds a similar premise in Coates's (2014, p. 71) view that "more important than any single check cut to any African American, the payment of reparations would represent America's maturation out of the childhood myth of its innocence into a wisdom worthy of its founders." That conservative commentator David Brooks (2019, 2020) has taken up a more modest version of this approach in the name of integration indicates its potential appeal across racial and ideological lines. At the same time, other scholars present the reparations efforts of ordinary people as a political project that decenters the nation and challenges the legal and economic violence inherent in state power (Thomas 2011). Reparations debates, in other words, expose a tension between what Hanchard (2008) calls "black memory" and "state memory." Will a national program of reparations for Black Americans effect the political transformation its advocates seek, or will it, by reaffirming the righteousness of the American experiment, serve as an alibi for continuing racial injustice?

The recent resurgence of antiracist activism indicates why reparations, long a feature of Black freedom struggles, provide a vital and contested language for expressing political dreams. Speaking of reparations provides one way of framing demands and envisioning a wide range of policies that will (*a*) make the connections between present conditions and their historical antecedents and (*b*) take steps toward remaking the polity politically, economically, and culturally. There is, of course, a danger that stretching the concept of reparations to incorporate all forms of racial injustice and their remedies will render it meaningless. Equally, the expectation that reparations will serve as a panacea or offer a justification for ending conversations about slavery and its legacies reveals the dangers of reparations politics. Yet this is precisely where political scientists have a role to play, using (and, indeed, stretching) the tools of the discipline to study what reparations have meant in the past, how activists are using the term today in the United States and abroad, and how different programs of repair might be designed and enacted and to what effect. Until the conditions of Black life in the United States are fundamentally transformed, writes poet Claudia Rankine (2020, p. 175), "we remain demanding a little R&R: Reparations and Reconstruction."

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