

Atoning for Our Sins: The Need for Reparations

Reverend Judy Deutsch, September 27, 2020

Black people have been deprived of their fair share of our nation's wealth since they were first brought to our shores as slaves more than four hundred years ago. And slavery, the first sin which I'll be discussing, is a horrendous sin for which our nation must atone.

In 1860, the value assigned to the physical bodies of enslaved Black people to be used as free labor was over \$3 billion. In 1861, this was more money than was invested in factories and railroads combined, at a time the value placed on cotton produced by enslaved Blacks was \$250 million. (2020 Brookings)

Right after the Civil War, General William Sherman signed Field Order 15, allocating 400,000 acres of confiscated Confederate land to Black families and some families were to receive mules left over from the war, hence 40 acres and a mule, at what was an attempt at some compensation.

The second sin that I shall discuss is that after the assassination of President Lincoln, "President Andrew Johnson Reversed Field Order 15 and returned [the] land back to former slave owners" and the third being that Washington, DC and some nearby states actually "paid reparations for lost property" (that is, their former slaves) to former slave owners.

From 1865 to 1877, during what is known as the Reconstruction Period, some attempts were made by the federal government to oversee the transition from slavery to freedom in a somewhat fair way. The fourteenth amendment to the United States Constitution, ratified in 1865, forbade states to deprive any citizen "the equal protection of the laws." And in 1866, Congress extended the life of the Freedmen's Bureau, an agency Congress had created in 1865 to oversee the transition from slavery to freedom, and The Civil Rights Act of 1866 defined all persons born in the United States as national citizens who were to enjoy equality before the law. The Reconstruction Acts of 1867 outlined how new state governments based on manhood suffrage without regard to race were to be established.

The Ku Klux Klan was formed to establish White supremacy about the time the Reconstruction period began. For many years it has pursued violent action against Black people, including thousands of lynchings, as well as different kinds of murder of sympathetic White people. The Southern Poverty Law Center, which calls the KKK the oldest hate group in our nation, says, "After several years of declining numbers, the Klan experienced relative stability in 2019."

In 1865 and 1866, state governments in the South enacted laws designed to regulate the lives of former slaves. These measures, often called Black Codes, differed from state to state, and were actually revisions of the earlier slave codes that had regulated slavery. The Freedmen`s Bureau worked to halt enforcement of many of these laws and Republican state governments repealed the measures.

Black people formed the overwhelming majority of Southern Republican voters during Reconstruction. Sixteen Black people served in Congress, including two as Senators, and more than 600 served in state legislatures. Hundreds more were in local offices. But former slaves had little opportunity for work other than on plantations, where some of them received wages and others worked as sharecroppers. Most Blacks remained without property and poor.

Yet many White southerners objected to the little good that had been done, and Black people, as well as their White sympathizers, were violently attacked. In response, the Republican controlled Congress enacted a series of Enforcement Acts authorizing national action to suppress political violence and, in 1870, it enacted the fifteenth amendment prohibiting states from restricting the right to vote because of race.

However, in the 1873 Slaughterhouse Cases, the U.S. Supreme Court ruled that the Privilege Clause of the fourteenth amendment protects only those legal rights that are associated with federal citizenship. This began a series of Supreme Court decisions limiting the scope of the Reconstruction Laws and constitutional amendments, and signaling the end of the Reconstruction period.

By its end, Black people were losing federal support in the South. And so, White legislators on state and local levels were able to pass a series of laws that separated Black people and White people in public facilities such as schools, parks, cemeteries, theaters, and restaurants, and there came into being the 1877-1954 Jim Crow period, which I'm calling the fourth sin committed by our nation. The term Jim Crow was one derogatory to Black people and came from a minstrel routine, Jump Jim Crow.

In addition to barring Black people and White people from being integrated in public areas, laws were established prohibiting Black men from participating in the election process. By enacting poll taxes, literacy tests and grandfather clauses, state and local governments were able to exclude Black people from voting. Schools were segregated, with those for Black children receiving little financial support. And this old Jim Crow seems to be alive and well today, as "a Florida appellate court has ruled that over 700,000 ex-felons will be ineligible to vote in this election due to unpaid fees and fines. It's a modern day poll tax." (Asspire) But for some it's a moot point because Michael Bloomberg and others are reportedly paying their fees and fines.

Most of the jobs available to Black people during the Jim Crow period paid very little. But some Black people did well, much to the chagrin of some Whites. And so, came the Black Wall Street Massacre in 1921 Tulsa, Oklahoma.

Black Wall Street, Greenwood Avenue, was a prosperous street with Black owned luxury shops and professional offices in the Greenwood section of Tulsa, Oklahoma. Founded in 1906 on Indian territory by some Black people who had been integrated into Native American tribes and given the land by the Dawes Act, Greenwood attracted former Black sharecroppers and developed into a self-reliant community consisting of an economically diverse group of Black people. But the affluent life style of some Black people angered some nearby Whites who were thwarted trying to lynch a young Black youth. Then, mobs of armed White men descended on Greenwood Avenue, looting houses and businesses, and killing Black people.

The NAACP and others helped to rebuild Greenwood Avenue, and it still exists today, but not as it did in 1921.

The New Deal came along during the Jim Crow period. And although it helped White people a great deal, it did not do the same for Black people.

The fifth sin that I am mentioning is that Social Security did not include domestic and farm workers, thus excluding 60 percent of Black people who worked across the United States as domestics and farm laborers. And the implementation of the GI Bill, something our Black WWII veterans, as well as our White veterans, had earned, is our sixth sin. It was not dispensed equitably for Black and White veterans. As far as being able to use the GI Bill for their education, many Black veterans found that they were shunted to inferior schools, and the housing situation was even worse. Using the GI Bill to purchase a house depended upon the cooperation of local banks to supply loans, and thus many Black veterans were excluded.

But this was only the start of what may be the next to our greatest (not worse than slavery) sin of all—what I'm calling our seventh sin—devising many ways, including redlining and housing covenants, to not allow Black people to purchase decent housing in decent neighborhoods, neighborhoods in which they would be free from pollution, houses through which they could earn money through the years. A large proportion of White WWII veterans, like my husband and I, who purchased our first home with the help of the GI Bill, gained some wealth through the gradual rise in the value of our homes, a value that multiplied many times through the years.

Ta-Nehisi Coates, in his lengthy article, "The Case for Reparations," in the 2014 issue of *The Atlantic*, describes the Federal Housing Administration, which was created in 1934 to insure mortgages, thereby reducing their interest rates and the amount of down payment needed. He described its practice of labeling neighborhoods where Black people lived D, and therefore ineligible for FHA backing. And Coates explains that the redlining that the FHA used to denote the D neighborhoods spread to the entire mortgage industry, excluding Black people from most legitimate means of obtaining mortgages. Coates quotes Oliver and Shapiro who wrote in their 1995 *Black Wealth: White Wealth*:

Locked out of the greatest mass-based opportunity for wealth accumulation in American history, African Americans who desired and were able to afford home ownership found themselves consigned to central-city communities where their...homes and communities deteriorated and lost value in comparison to those homes and communities that FHA appraisers deemed desirable.

And these homes had to be purchased by contract or sub-prime mortgages which cost them a great deal and did not produce good financial returns.

A practice I learned about through the recent experiences of two bi-racial couples is that when an assessor assesses the worth of a home about to be put up for sale, the assessment is much less than for those of comparable worth in the neighborhood if the house seems owned by a Black person. However, if the assessment is made when the White owner is present and signs of the Black members of the family are removed, the assessment is in accord with the neighborhood. A recent article says that this practice is widespread.

An August 26, 2020 article in Yes magazine tells us that redlining was outlawed in the 1968 Fair Housing Act,

...but it still affects almost every economic aspect of Black communities...Nearly every calculable effect of institutional inequality can be traced back to this 85 year old government policy...The result [according to a Brookings Institute study] is a \$156 billion cumulative loss in Black-owned property values.

Living in polluted areas, which is where many of the homes that Black people have been able to purchase are located, causes the inhabitants to have asthma and other diseases.

And related to this is the poor medical care so many Black people in this nation are able to get. I recommend a 2002 movie I recently saw, "John Q," starring Denzel Washington. In addition to being a great drama, it does a superb job of showing how the health insurance industry, the hospitals, some physicians, and some of the police fail to meet the needs of so many Black people. The health insurance industry and the hospitals screw White people, too, but this film shows clearly that White physicians don't necessarily examine Black people thoroughly, in this case having left undetected, for twelve years, a large heart that was to prove fatal unless removed and replaced, at some astronomical cost. This film corroborated what two White physician assistants recently told me. They said that White physicians frequently don't give Black people thorough examinations and care, and these physician assistants said that they didn't know that any further training of the physicians would change that practice.

The poor health care given Black people is what I'm calling the eighth sin committed by our nation. We have all seen the results during the Covid-19 pandemic, and some of us have learned, for the first time, that these are typical outcomes.

The ninth and tenth great sins I cite that our nation commits are Black people's difficulties getting positions for which they are qualified, and the lower than White people's salaries they are paid when they are hired, both because of the color of their skin.

But one of the greatest sins that our nation commits, what I'm calling the eleventh, involves the practices of our police departments and judicial system. That so many Black people can be shot down or otherwise killed or injured with no cause, and so many incarcerated for little or no reason, are a horrendous blot upon our nation, and a horrible thing our nation is doing to Black people.

As the mother of two White sons, I commiserated with my friend who has two Black sons, my friend who felt great concern for her sons' safety, when they left our safe- for-them Sudbury to walk on the streets of Boston.

I commiserate with all the mothers and fathers, wives, husbands, and lovers of Black men and women, as well as all Black men and women themselves, who have so large a chance of being shot or injured for no good reason at all. This is not the nation that I read about as I was growing up, the nation which was "to establish justice and insure domestic tranquility."

I was born into a White Jewish family in New York City in 1929, and through the later thirties and mid-forties, I read about and saw pictures of what the Nazis were doing to Jews. Even before Trump, our police and judicial systems have not been so far removed in terms of what they do to Black people.

When I lived in New Jersey and studied in Manhattan, and often drove a fellow student who was Black to his Harlem home before crossing the George Washington Bridge into New Jersey, I learned from his experiences how Black people did not find that the police were there to help them, as I had always felt they were there to help me.

The recent \$12 million dollar settlement in the police shooting of Breanna Taylor is a recognition that there is monetary loss associated with all these killings, a loss that should be included when reparations are decided upon.

And the Brennan Center reported in 2016 that with what Michelle Alexander calls The New Jim Crow, the United States has 5% of the world's population and 25% of the world's incarcerated, at a cost of \$260 billion dollars to taxpayers, Black as well as White. And in 2016, 39% of the imprisoned were in prison for reasons not related to public safety.

An NAACP report says:

African Americans are incarcerated at more than five times the rate of Whites;

5% of illicit drug users are African Americans, yet African Americans represent 29% of those arrested and 33% of those incarcerated for drug offenses;

one out of every three Black boys born today can be expected to be sentenced to prison, compared to one out of every 17 White boys.

The cost to the incarcerated and their families is even greater, when you consider how many of the incarcerated men and women have families living in poverty, the likelihood of the sons of male prisoners becoming incarcerated themselves, and the difficulty released prisoners have finding employment, especially at jobs providing a livable income.

And the process of going through the criminal justice system before being incarcerated is expensive in itself.

An important part of the incarceration system is the school to prison pipeline through which school policies and procedures drive many of our nation's school children into a pathway that begins in school, and ends in the criminal justice system. Data from the Department of Education's Office for Civil Rights show that Black students are suspended and expelled at a rate three times greater than their White peers, often because of harsh school discipline policies that are used against Black students in ways that they are not used against White students.

This is another horrible sin (the twelfth that I shall mention) that our nation is doing to its Black people and to itself, since it ends up costing taxpayers

money for incarceration, and our nation losing the value that these youths could have brought to our society.

Well, I've mentioned twelve sins against Black people for which our nation must atone, and there are probably hundreds more.

A start at atoning, can be made by supporting HR 40, a bill that establishes the Commission to Study and Develop Reparation Proposals for African-Americans which shall examine slavery and discrimination in the colonies and the United States from 1619 to the present, and then recommend appropriate remedies.

Some states are beginning reparation investigations of their own.

The composition of the national commission, as well as citizen watching its procedures and the implementation of its findings will be important.

I'm sure that I shall not be a member of the Commission, however, I shall tell you what I would work for, if I were:

Reparations in at least the amount of a structured \$2 million to every Black person (not family) whose worth is less than \$10 million.

Such a decision would omit the tremendous costs of finding who should be eligible for what.

And it would go a long way towards atoning for our nation's sins.