



H.R. 40 Reparations:

where are our 40 acres and a mule?



REPARATIONS FOR BLACK
PEOPLE THAT RESTORE AND
PROMOTE EQUITY



By
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REPORT

Introduction

And if thy brother, a Hebrew man, or a Hebrew woman, be sold unto thee, and serve thee six years; then in the seventh year thou shalt let him go free from thee. And when thou sendest him out free from thee, thou shalt not let him go away empty: thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy winepress: of that wherewith the LORD thy God hath blessed thee thou shalt give unto him.¹

This scripture does two things. First, it instructs owners of servants or slaves to release them, and grant the enslaved their freedom. Additionally, the now former owners are to supply the now formerly enslaved using the blessings the owners have been provided. Using scripture as support for reparations is fitting, given scripture was used, and falsely interpreted, to support the legalization of slavery.

We are now over four hundred years past the moment the first ship of captured Africans arrived to the United States. They did not know the extent of how their lives would be altered forever. Certainly, they did not know that the trauma they endured would be carried for generations to come.

Reparations is a system or set of remedies to cure the egregious injustices inflicted upon a group of people.² For several years reparations have been on the tongues of presidential candidates, legislators, and politicians, making it a topic of controversy among members of society. The thought of reparations may have been used as a strategy to secure the Black vote. But it is now a critical issue requiring

¹ Deuteronomy 15: 12-14

² Rashawn Ray & Andre Perry, *Why we need reparations for Black Americans*, Brookings Institution 1, 2 (2020).

immediate resolve. Considering the two hundred plus year unpaid labor source transitioning into a permanent underpaid labor source, reparations are necessary for the descendants of enslaved Black Americans. Though no amount of money can compensate the continuing and brutal effects from slavery, there are actions this country can take to begin to right those wrongs.

Memories not History: Experiences in the Legacies of Enslavement and Jim Crow

Lue Ollie Smith was born in 1942, in Cruger, Mississippi, to sharecropper parents Anna Smith and George Smith. The way the education system was set up in Mississippi at the time, Lue didn't start school until the age of six. Following this system, she entered first grade at the age of eight. Historically, education has been problematic for Black people in America. As part of enslavement, Africans and Black Americans weren't allowed to go to school or learn to read or write with minimum exceptions. Once Black people were permitted to attend school, schools were segregated. From then until now, schools with majority Black students are often underfunded and lack adequate resources for learning, such as books. A proper education contributes to the possibility of success. Lue was systematically left behind scholastically, which was the steppingstone to her life's journey.

At nine years old, Lue was the "water girl" for the workers in the field chopping cotton. She was the oldest of six, which bestowed more responsibility on her. One of those responsibilities included cutting wood for the house as a source of electricity. It was expected that every child would assist in the field, once they were

old enough, to help bring in earnings for the family. Around age ten or eleven, Lue began working in the field chopping and picking cotton. The cotton harvest was the sole source of income for the family. Some days they had to stay home from school to focus solely on fieldwork. They worked on a former plantation. Though slavery had been abolished they still referred to the land as a plantation and the landowner and boss as the plantation owner. When chopping cotton, they would be in the field from six in the morning until six in the evening. Picking cotton was another twelve-hour day laboring in the hot sun. They were given one hour for lunch. On average, they would pick nearly fifteen hundred pounds of cotton a day between eight people, two parents and six children. Lue picked the least amount of cotton in the family because it was so difficult.

First, they had to chop the cotton. No matter how much was chopped, they were paid only two dollars a day. It was as low as fifty cents before Lue was born. Then they picked the cotton, a strenuous task within itself. After spending hours dragging a nine-foot sack across the plantation field, they loaded the cotton on a truck to be taken to the cotton gin where the seeds would be separated from the actual cotton. That process would significantly reduce the weight of the cotton.

From the gin the cotton is taken to the compressor and could remain there for a week or more. After going through the compressor, the sharecroppers were informed of how much they will be compensated. They received two dollars per one hundred pounds of viable cotton. It eventually increased to two dollars and fifty cents per one hundred pounds. Lue and the family participated in this process. Payment was not provided until the end of the year, so Anna and George would have to take a loan

from the plantation owner then pay it back from their earnings. Once the cotton was priced, they either broke even, made a profit, or went in debt. There were instances when the plantation owner would wrongly deem the cotton as poisoned and refuse to pay any compensation.

Lue sharecropped until 1964 when she moved to Peoria, Illinois after graduating high school. In Peoria she worked as a “bus girl” in a restaurant making \$0.94 an hour. Afterwards, she then began work at Hiram Walker whiskey factory making nearly \$6.00 an hour. Lue was laid off in 1965. From there she moved to Chicago, Illinois where she worked in three factories: Zimmerman Brush, William Electronic, and Cooper Lighting. Lue started off making \$1.25 an hour. She retired making only \$12.59 an hour in 2000. When it came time to collect social security for retirement, Lue realized her hard work from the age of ten did not pay off. She started with just over \$1,000 and has relied on fickle government raises ever since. Lue is not the first to be cheated by social security. Anna, her mother, went to her grave getting only about six hundred dollars. “Old-age insurance [social security] and unemployment insurance excluded farm workers and domestics—jobs heavily occupied by Blacks.”³ There is no social security for picking cotton.

During this time, Lue had two children, one of which being Sherry. Sherry was born in 1971. Sherry had a daughter named Tyesha in 1996. Lue is my grandmother. Sherry is my mother; and I am Tyesha Smith. My grandmother Lue did not attend college because her parents could not afford to send her. Initially,

³ Ta-Nehisi Coates, *WE WERE EIGHT YEARS IN POWER* (2017), 186.

higher education was not widely available to Black students. Whether they were not admitted, could not afford it, or entering the process was not easily accessible, the college experience was not a norm. Even though now Black students are attending college and beyond at higher rates, to do so they have to go into alarming amounts of student loan debt. For my mother, college was not a priority, making money was. So, she focused on obtaining a job after graduation rather than continuing her education. I was able to attend a four-year college and beyond, but I am now in six-figure debt from student loans. Significant debt damages that magical credit score that governs so much of financial freedom, including buying a home, a car, or obtaining a business loan.

With her fixed income of only \$1,800 dollars a month, my grandmother has not been able to buy and own her own home. She continues to rent apartments. Prior to receiving social security, my grandmother never been able to accumulate enough money for a down payment on a home. Even if she was able to acquire a suitable down payment, banks and housing institutions have made it difficult for Black people to become homeowners. In 1917, the Chicago Real Estate Board lobbied to zone the city by race due to the influx of southern Black people to the north.⁴ Initially, the Federal Housing Administration backed restrictive covenants that helped bar Black people from receiving federally backed home loans.⁵ These are all forms of redlining. Redlining is the practice of lenders withholding loans

⁴ Coates, 189.

⁵ *Id.*

from individuals of color based on the race or national origin.⁶ It began as housing programs under the New Deal evolved, and maps were created that outlined neighborhoods of color in red to signal loan worthiness of neighborhoods.⁷ This is a systematic practice that has impacted the caliber of housing for Black nationwide and generationally. Neighborhoods are highly segregated with Black neighborhoods being referred to as the “hood” or the “ghetto.” The ghetto was “premised on denying Black people privileges enjoyed by white Americans.”⁸ Unfortunately these privileges turned out to be basic human needs. Black neighborhoods are often comprised of abandoned buildings, which leads to low funding for the schools, apartment buildings not up to code, and plagued with crime due to poverty. Negative factors impacting the Black community are a part of a larger system of discrimination that must be rectified at the origin.

Started from the Bottom: How Enslavement solidified the position of Black People in America

This all started with the institution of chattel slavery in the United States. Enslaved Africans and Black Americans were held captive for nearly 250 years. During that time, they labored for free on sugarcane, tobacco, and cotton plantations, making slave owners and corporations wealthy for generations to come. “In the seven cotton states, one-third of all white income was derived from slavery.”⁹

⁶ The United States Department of Justice, <https://www.justice.gov/opa/pr/justice-department-announces-new-initiative-combat-redlining> (last visited Jul. 6, 2022).

⁷ Candace Jackson, *What is Redlining?*, N.Y. Times (Aug. 17, 2021), <https://www.nytimes.com/2021/08/17/realestate/what-is-redlining.html>

⁸ Coates, 189.

⁹ *Id.* at 182.

“By 1840, cotton produced by slave labor constituted fifty-nine percent of the country’s exports.”¹⁰ “In 1860, slaves as an asset were worth more than all of America’s manufacturing, all of the railroads, all of the productive capacity of the United States put together.”¹¹ Beyond the plantation fields, the women were assigned with domestic tasks like cooking, cleaning, tending to livestock, laundry, sewing, and caring for the children.¹² The men were responsible for building and welding. The White House and the Capitol Building, the most prestigious structures of our society, were built by the enslaved for free.¹³ Through it all, the enslaved were whipped, beaten, raped, and mutilated to say the least. Of the enslaved, “one in three marriages were split up and one in five children were separated from their parents.”¹⁴ The Black family structure was ultimately disrupted. The voyages from Africa to the United States and the cruelty inflicted upon them, many of the enslaved were did not survive. Of the enslaved shipped from Western Africa, nearly 15% died during transport.¹⁵ From these atrocities, Black people wait to be afforded what they have been deprived.

¹⁰ Coates, 182.

¹¹ *Id.*

¹² Ibram X. Kendi & Keisha N. Blain, *FOUR HUNDRED SOULS* (2021), 21.

¹³ Coates, 201.

¹⁴ Ray & Perry, 1; 2.

¹⁵ *Id.*

Combatting Backlash: Debunking mainstream arguments against the implementation of Reparations

Conservative thinking people tend to take issue with the government providing reparations to Black people. The backlash for reparations has remained consistent since the topic was first introduced. Most criticism can be categorized under individualism and historical isolation. Either giving a handout is unfair or no one living is responsible. Faultfinders fail to realize the extent of the impact slavery and institutional racism has on the success and survival of Black people. Above all, if the government grants Black people reparations, that would be an admittance that slavery occurred on this sacred land and racism is real and present. That's the truth about America that it wishes to remain in the dark.

Arguments Against Reparations

“Those who have not achieved success or are without sufficient resources have only themselves to blame”¹⁶

This correlates to the bootstrap mentality. People in the United States have this mentality that no matter your circumstances in life, if you work hard enough, then you will succeed. When it comes to Black people, they use the handful of successful artists, athletes, businessmen and women, and politicians to support their claim. Individual Black people have been able to persevere through poor circumstances, but that does not speak for the majority. Systemic racism and discrimination do not affect just one person. It affects the entire race. One Black

¹⁶ Vincene Verdun, *If the Shoe Fits, Wear it: An Analysis of Reparations to African Americans*, 67 Tulane L. Rev. 597, 619 (1993).

person's success does not negate the widespread strife of the others. "Bootstrapping isn't going to erase racial wealth divides."¹⁷ President Lydon B. Johnson once said that what differentiates "Negro poverty" from white poverty is that the poverty of Black people is "the consequence of ancient brutality, past injustice, and present prejudice."¹⁸ A person cannot pull themselves up by their bootstraps if they can't afford the boot. Furthermore, reparations are not used to ensure success but to compensate systematic wrongs.

***"a non-wrongdoer should not be required to pay for the wrong"*¹⁹**

Though it is true no living person was a participant in the institution of slavery, descendants of those that did participate still reap the benefits of slave labor and the racial discrimination that followed. Slave labor fueled the wealth of sugarcane, tobacco, and cotton companies that still exist today. These are the same companies that switched to sharecroppers for laborers once slavery was abolished. Wealth is generational. It is passed down from parent to child and so on. Even if the slave masters and original heads of those companies are deceased their wealth and prominence live on. Racism and discrimination are not just an individual wrong but a fundamental wrong. The institutions that perpetuate this wrong are still

¹⁷ Ray & Perry, 1; 2.

¹⁸ Coates, 201.

¹⁹ Verdun, 67 Tulane L. Rev. at 622.

functional today, including the criminal justice system, banks, housing, healthcare and education.

“African Americans living today were never slaves and are not entitled to wages for slave labor performed over one hundred years ago”²⁰

Slave labor is not the only reason Black people demand reparations. Living Black people may not have been enslaved, but they are still affected by the history. Slavery spearheaded setbacks for Black people. In order to make chattel slavery functional and profitable, colonists used racism to ensure “Black slaves” were considered inferior.²¹ As a result, legislation and policies were passed to enforce discrimination. Though slavery was abolished, racism remains integral to the framework of American society. Living Black people in the United States stand to experience discrimination in some form or another. For example, after slavery came sharecropping which continued through the 1960’s. Many of those Black workers are still alive today, including my grandmother Lue.

“economic feasibility”²²

The United States has set precedent by granting and supporting reparations to other marginalized groups. During World War II, the United States government authorized people of Japanese descent within the United States to be confined to

²⁰Verdun, Tulane L. Rev. at 628.

²¹ Michelle Alexander, THE NEW JIM CROW (10th Anniversary ed. 2020), 31.

²² Verdun, 67 Tulane L. Rev. at 629.

internment camps. As a redress, the government authorized \$1.5 billion dollars to be paid to Japanese Americans whom were interned.²³ The United States has aided Native Americans with land, billion dollar payments, benefits, and programs to rectify their forcible exile from native land.²⁴ Additionally, the United States made investments under the Marshall Plan to ensure Jews received just compensation for the tragedies of the Holocaust.²⁵ These were costly payouts, yet the United States found a way to make them possible. The United States has the means to grant reparations to Black Americans. They lack the desire. Unfortunately, many people have chosen to be lost to the brutal past and cruel present of Black Americans. With systemic racism being prominent, reparations are vital.

Analysis of H.R. 40

HR 40 was crested in response to the historical and continued racial inequality of Black Americans. It was first introduced to congress in 1989 by Representative John Conyers.²⁶ Representative Shelia Jackson Lee reintroduced the bill H.R. 40 to the House of Representatives on January 4, 2021.²⁷ There are subtle differences between the 1989 bill and the 2021 bill, but the overall purpose

²³ Ray & Perry, 1; 2.

²⁴ *Id.*

²⁵ *Id.*

²⁶ Kevin Freking, *House Panel Votes to Advance Bill on Slavery Reparations*, AP News (Apr. 14, 2021).

²⁷ H.R. 40, 117th Cong. (1st Sess. 2021).

remained unchanged. HR 40 was coined the *Conyers Bill* otherwise known as the “Commission to Study and Develop Reparation Proposals for African American Act.”²⁸ This bill calls for the establishment of a commission to study and create proposals for reparations regarding the institution of slavery and the subsequent racial and economic discrimination against African Americans.²⁹

The bill outlines specific guidelines governing the membership and duties of the Commission. Duties include compiling and analyzing documentation of Africans as property, evidence of the mistreatment of the enslaved, discriminatory Federal and State laws and practices against formally enslaved Africans and their descendants, and provide recommendations of appropriate remedies and ways to educate the public.³⁰ Members of the Commission are to be chosen by the President and Speaker of the House of Representatives. The Commission will consist of thirteen members, six of which must be selected from organizations “that have historically championed the cause of reparatory justice.”³¹ The work of this Commission will bring Black people one step closer to getting just compensation.

Critiques of the bill

When the Conyers Bill was initially introduced, it was heavily critiqued by activists for not being a straight reparations bill.³² HR 40 does not guarantee

²⁸ H.R. 40, 117th Cong. (1st Sess. 2021).

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² Verdun, 67 Tulane L. Rev. at 661.

reparations. It only requires the implementation of a Committee to provide concrete evidence why reparations are necessary, and recommend what those reparations should look like. So many studies have already been conducted about the plight of enslaved and Black American citizens today. Activists feel another study of these issues will not foster progress and suppresses the urgency for reparations now.³³

HR 40 discloses several findings regarding the constitutional acceptance of slavery that legalized the bondage of four million African and their descendants from 1619 through 1865.³⁴ Evidence to support the deprivation of life, liberty, and compensation of enslaved has been previously documented. Couple that with the blatant discrimination demonstrated in disproportionate incarceration rates, unemployment rates, and police officers held unaccountable for killing unarmed Black people. The problem and justification for reparations should be obvious. However, the past reveals studies on racism and its effects alone have failed to result in implemented solutions.³⁵ The source of the problem is the American people, but the American people are not forced to be aware of any studies conducted.³⁶ Studies are published but often ignored. The study conducted by the Commission under HR 40 will be reported directly to Congress.³⁷ Since the target

³³ Verdun, 67 Tulane L. Rev. at 661.

³⁴ H.R. 40, 117th Cong. (1st Sess. 2021).

³⁵ Verdun, 67 Tulane L. Rev. at 662.

³⁶ *Id.*

³⁷ H.R. 40, 117th Cong. (1st Sess. 2021).

audience for the study is Congress, and it's Congress that has the authority to grant reparations, Congress has priority to review the study. HR 40 should require the Commission's findings to be made public and published in a forum that allows people of America access. Making the findings public gives the American people the opportunity and incentive to hold their representatives and senators accountable.

Contrary to criticism, a study of Black American life during and post slavery is essential to the disbursement of reparations. Performing a study is precedent for permitting reparations.³⁸ Native Americans and Japanese Americans were given reparations "pursuant to the findings of studies."³⁹ The study is an investigative tool to support the Congress granting relief. The Commission's study will provide a list of exactly what Black people are seeking compensation for and exactly what that compensation should look like. The Commission will work to deliver an extensive study that determines how the multiple systems created to uphold White supremacy in this country have been detrimental to Black people in this country.

The urgency for reparations must not go unnoticed. A bill establishing a Commission to study such tragedies and recommend appropriate solutions is beneficial. However, HR 40 should be revised to guarantee reparations for the Black community in the United States. As of now, the Bill ends with a list of recommendations that Congress may or may not choose to enact. HR 40 must

³⁸ Verdun, 67 Tulane L. Rev. at 662-3.

³⁹ *Id.* at 663.

demand reparations be rewarded for what the study reveals. If reparations do not follow the Commission's due diligence, then their work was completed in vain. The Black community has waited over four hundred years to be compensated for the effects of slavery and systematic discrimination. For much of the Black community reparations means freedom. And the time for freedom is now.

Securing reparations is no easy task. Who is appointed to the Commission is vital to the purpose of the Bill. HR 40 requires three of the thirteen members to be appointed by the President; three members appointed by the Speaker of the House of Representatives; one member appointed by the President pro tempore of the Senate; and six members selected from reparations organizations.⁴⁰ Solidifying spots for reparations organizations is a positive aspect of membership. The problem ensues from the appointment of the other six members. Reparations for Black people is a controversial topic, and not everyone believes they should be implemented. If appointed members, or the individuals appointing the members, have a negative attitude toward reparations or do not acknowledge the racism engrained in the foundation of this country, then the Commission will not be successful. HR 40 should include more specific criteria of who can be appointed. The work of the Commission is critical, and members need to appreciate the importance of such work. Their reparations recommendations will reflect the best solutions to restore the Black community.

⁴⁰ H.R. 40, 117th Cong. (1st Sess. 2021).

Resolution

Now comes the overwhelming question of what constitutes reparations. Usually, officials equate reparations to a numeric figure. However, money was not the only privilege deprived from Black Americans. Aside from profiting from free or under paid labor, Black people have been denied opportunities. Legislatures have attempted to resolve some racial barriers but have fallen short of complete resolution. Reparations should be reflective of lost wages, lost opportunities, and ultimately curate an equal distribution of wealth. Beyond providing security, reparations should ensure America's crimes of the past will no longer persist into the future.

Who Deserves

Who should receive reparations is just as contentious as the topic of reparations itself. Reparations for slavery should only be permitted to descendants of enslaved Africans and Black Americans. Establishing ways to determine who is a descendant should be part of the research conducted by the Commission. Slavery has made it difficult for living Black people to trace their lineage beyond five or six generations.⁴¹ Since our enslaved ancestors were not considered people but property, the federal census didn't begin recording African descendants until 1870.⁴² DNA ancestry testing, census records and birth records can be utilized to determine

⁴¹ Nichole Ellis, *Lost Lineage: The quest to identify Black Americans' roots*, Washington Post (Oct. 19, 2021).

⁴² *Id.*

qualification.⁴³ There are also individuals who may not be descendants of enslaved

ancestor but considered Black in America today and treated as such. They are a part of Black America. “Black America can be defined as individuals of African descent in solidarity, whether involuntarily or voluntarily, whether politically or culturally, whether for survival or resistance.”⁴⁴ We may not always recognize Blackness in skin tone, but Blackness can always be recognized in unemployment rates, poverty rates, arrest rates, and life expectancy.⁴⁵

What Reparations Should Look Like

Several social justice movements and organizations have formed over the decades to address fundamental wrongs to Black Americans. Such advocacy has fostered some progress, but not enough to dismantle the discriminatory nature of America. The reconstruction era led to the implementation of the Thirteenth, Fourteenth, and Fifteenth Amendments to grant Black people with legal rights they otherwise were not afforded during enslavement.⁴⁶ The amendments were rarely enforced, which made the Civil Rights Act of 1964 and Voting Rights Act of 1965 seem like legislative victories, however these legislative changes did not bring an end to police brutality, ghettos, and economic inequalities between whites and

⁴³ Ray & Perry, 1; 5-6.

⁴⁴ Kendi & Blain, xiv.

⁴⁵ *Id.* at 13.

⁴⁶ John Torpey, *Paying for the past?: The Movement for Reparations for African Americans*, 3 J. Human Rts. 171, 173 (2004).

Blacks.⁴⁷ Reparations should address the wrongs legislation fails to embody and be deliberate in eliminating racial discrimination.

First, the federal government needs to publicly acknowledge and apologize for the existence of slavery, overt and systematic racism took place within the United States. Any decisions made without acknowledging the problem will not yield real change. The first step in overcoming addiction is acknowledging you have a problem. When a person seeks to overcome addiction, the first step they have to take is acknowledging they have a problem.⁴⁸ Without identifying the problem, the addict would not make any effort to get better. Acknowledgement and a genuine apology is the least the United States government can do to show they care about the condition and lives of Black people and promote positivity. The government would be in a better position to make amends. In 2009 Congress apologized for slavery with the caveat that nothing within the resolution “authorizes or supports any claim against the United States; or serves as a settlement of any claim against the United States.”⁴⁹ Congress failed to address systemic racism and the effects from slavery that currently persist. Ultimately, the disclaimer denounced the apology. Clarifying that the apology has no intention to remedy problems from and following enslavement made the apology insincere. A new written and oral apology should be issued minus admonition.

⁴⁷ Torpey, 3 J. Human Rts. at 173.

⁴⁸ Alcoholics Anonymous, <https://www.aa.org/the-twelve-steps> (last visited 2023).

⁴⁹ H.R.J. Res. 26, 111th Cong. (2009).

The wealth gap between Black and white families is immense. In fact, a white family has nearly ten times the amount of wealth of a Black family.⁵⁰ In 2016, the Survey of Consumer Finances demonstrated “white families had the highest median family wealth at \$171,000 and that of Black families was \$17,600.”⁵¹ Reparations for slavery and anti-Blackness should provide restitution that eliminates the current racial wealth gap.⁵² Loss wages from labor during enslavement and sharecropping should be compensated. In the 1860’s, the value of enslaved Black Americans was over \$3 billion, and the value placed on cotton produced through their labor was valued at \$250 million.⁵³ Enslaved Africans and Black Americans had no concept of financial stability, and their descendants struggled to achieve it while cotton companies got rich on their backs. This money should be rightfully disbursed.

Not only does revenue build wealth but home and business ownership does as well. It gives Black people something to pass down to their children. Black Americans should receive business grants and housing grants for mortgage down payments and home remodeling along with low, fixed interest rates on mortgage loans. Instead of gentrifying Black neighborhoods, that money should go into investing into the abandoned properties in those neighborhoods and creating a better environment for the people that already live there. Black-owned businesses

⁵⁰ Ray & Perry, 1.

⁵¹ *Id.* at 4.

⁵² *Id.*

⁵³ *Id.* at 1.

rarely obtain funding from banks to curate a successful business.⁵⁴ Black-owned businesses are more likely to be located in Black neighborhoods.⁵⁵ This puts more money into the businesses and into the neighborhoods so both can thrive.

The federal government should ensure that Black Americans are afforded free college tuition to obtain Associate's or Bachelor's degrees and beyond. Higher education is still not widely available to Black people. And still Black people are not widely represented in career fields that require professional degrees due to financial strain. Law and medicine are two of the most prestigious career areas that people aspire to, but only 5.7% of doctors identify as Black⁵⁶; and only 5% of lawyers are Black.⁵⁷ In addition to paying for college tuition, the government should forgive student loan debt already acquired by Black Americans. Of the age bracket from 25 to 55 years old, 40% of Black have student loan debt compared to 30% of whites.⁵⁸ Affirmative action was a form remediation to mediate past injustice regarding the education system and Black Americans.⁵⁹ Affirmative action is a beneficial program

⁵⁴ Ray & Perry, 1; 5.

⁵⁵ *Id.*

⁵⁶ Jacqueline Howard, *Only 5.7% of US doctors are Black, and Experts Warn the Shortage Harms Public health*, CNN Health (Feb. 21, 2023, 7:01 AM).

⁵⁷ American Bar Association, https://www.americanbar.org/groups/young_lawyers/projects/men-of-color/lawyer-demographics/ (last visited 2023).

⁵⁸ Ray & Perry, 1; 4.

⁵⁹ Torpey, 3 J. Human Rts. at 172.

for people of color that would otherwise not have had the opportunity to go to college. However, affirmative action does little for the millions of Black Americans weighed down by the burdens of their low socioeconomic status.⁶⁰ Getting Black people accepted into universities is only one aspect of the problem. Paying for higher education is another feat. A viable solution has to encompass all elements of educational injustice for Black Americans.

Each portion of reparations should target a facet of oppression in the Black community. Reparations would be instrumental to the advancement of the Black community. They should not be considered handouts from a “white savior” but rather as Black Americans finally being provided the reward we shouldn’t have had to earn. After the Civil War Union leaders promised each Black family forty acres and a mule.⁶¹ Four hundred years later Black families are still waiting for that promise to be fulfilled. Still bound by the shackles of oppression, poverty, violence, mass incarceration, and disparities in healthcare, Black people need more than forty acres; more than a mule. We need our freedom. Reparations need to be more than monetary but restore the Black community to a position of freedom.

Conclusion

The institution of slavery has left Black people in America in an inferior position. The lasting effects of slavery have morphed into generational injuries to

⁶⁰ Randall Robinson, *THE DEBT* (2000), 8.

⁶¹ Ray & Perry, 1; 3.

Black people. Though many Black people have been able to persevere and be prosperous in spite of struggle, the opportunity to achieve are not widely available to the entire Black community. Reparations are necessary to restore the Black community to what it would have been short of being emerged into a system of white supremacy. Reparations will provide equity, granting Black people the resources to overcome the systemic hurdles to success. Reparation embodies righteousness. This nation must take this opportunity to overturn its systematic oppression and finally free the Black community.

My mother aspires to own her own business, a banquet hall or party venue where she can decorate events. But, financial hurdles continue to prevent her from attaining her dream. I have watched three generations of women before me use the little they had to curate the best life they could, not only for themselves, but for her as well. I watched my grandmother and great-grandmother fill out forms for weeks in an attempt to get compensation for their field work, only to get nothing in return. The burden is on me to break generational curses and initiate generational wealth. Every decision I make is made with my grandmother and mother's well-being in mind. This wasn't a burden they placed on me, rather the government has made it clear the obligation to take care of my mother and grandmother is mine.