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Roundtable

BLACK REPARATIONS ROUNDTABLE

The Black reparations movement was founded on a community of conviction, on the belief that atonement reaches beyond the scope of the individual actors who participated in the commerce, culture, and crime of slavery, and extends to the consequences of enslavement that underpin the social inequalities metastasizing in black communities today. *The 1619 Project*, first published as an article, then through several books and a docuseries, reminds us of the year (August 1619) when the first slave ship landed on Virginian shores, bringing the first enslaved Africans to the British colonies of North America.[1] Demands for accountability due to the centuries of enslavement that ensued have undergirded the fight for reparations in the United States. Arguments for black reparations are also increasingly being recognized at a global level and defended as an international apparatus of reparative justice. The *Journal of American Studies*' "Black Reparations Roundtable" would like to contribute to this conversation. Consequently, we have brought together four perspectives from the United States, France, and the UK, to make the case for black reparations. Our American roundtable contributors, William Darity Jr. and Lucas Hubbard, are extending their engagement with reparations begun with the publication of their coedited study, *The Black Reparations Project: A Handbook of Racial Justice*, by striving to contextualize reparations beyond it. In contrast, our French and British authors, Nicki Frith and Esther Stanford-Xosei, approach reparations from a viewpoint of European public-policy analysis and as community activists in the International Network of Scholars & Activists for Afrikan Reparations (INOSAAR). Our hope with this roundtable is that its international scope will enrich the discussion about, interest in, and debate over black reparations on both sides of the Atlantic.

Associate Editors

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[1] "Democracy" episode, *The 1619 Project* (Lionsgate Television, 23 Jan. 2023). See also Nikole Hannah-Jones et al., "The 1619 Project," *New York Times Magazine*, 18 Aug. 2019, at www.nytimes.com/interactive/2019/08/14/magazine/1619-america-slavery.html; Nikole Hannah-Jones, Renée Watson, and Nikkolas Smith, *The 1619 Project: Born on the Water* (New York: Kokila, 2021).

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ONE SIZE DOESN'T FIT ALL: INTERNAL VERSUS EXTERNAL REPARATIONS ACROSS THE AMERICAS

The transatlantic slave trade, which was in existence from the sixteenth century to the nineteenth, was the greatest forced migration in modern history. Today, when communities are compelled to flee their countries of origin, they typically have some measure of discretion over where they settle. Enslaved Africans were not only expelled from their countries of origin by being sold into bondage on the continent's coast, but were given no degree of choice over where they were sent. Violence ruled both the coerced act of emigration and that of immigration. The slave trade resulted in at least 11 million human imports arriving in the Americas, with the largest absolute number, about five million, delivered to Brazil between 1501 and 1866. It is estimated that close to 400,000 enslaved Africans landed in North America, inclusive primarily of the United States, from its colonial period to the years immediately following its formation as a postcolonial slave republic.[1] It is crucial to recognize that this forced migration put the captives in different locations, setting them on paths with distinct historical trajectories. Most important, perhaps, is the fact that slavery ended at different times and in different ways across the Americas, with different commitments, if any, made to the formerly enslaved.

Economists have sought to assign a monetary value to the consequences of this atrocity. Most of the work has been devoted to measuring the costs of slavery to the enslaved in the United States, but there are a number of strategies for calculating the costs of white supremacy to living descendants of the enslaved across the two continents.[2] In the US context, slavery is not the sole atrocity pertinent to the experience of black Americans that merits reparations. In what follows below, I will explore potential avenues for gauging the size of reparations expenses in multiple countries across the Americas for racism directed against slavery-descended populations.

It is important to note the distinction between a nation providing compensatory payments to a specific victimized community, whether that community is internal or external to its borders, and a nation making compensatory payments to another nation collectively. There are several examples of the former, including the US government's payments to Japanese Americans unjustly subjected to mass incarceration during World War II and the German government's payments to victims of the Holocaust and their heirs, regardless of their location. In 2013, the UK made a commitment to make payments of approximately £4,000 per recipient to five thousand elderly victims of British "torture and abuse" directed against Kenyans during the Mau Mau revolt against colonial rule.[3] With rare exceptions, nation-to-nation

[1] "Transatlantic Slave Trade," *Slavery and Remembrance: A Guide to Sites, Museums and Memory*, at https://slaveryandremembrance.org (accessed 24 April 2024).

[2] These studies are summarized in William Darity, A. Kirsten Mullen, and Marvin Slaughter, "The Cumulative Costs of Racism and the Bill for Black Reparations," *Journal of Economic Perspectives*, 36, 2 (May 2022), 99–122.

[3] "UK to Compensate Kenya's Mau Mau Torture Victims," *The Guardian*, 6 June 2013, at www.theguardian.com/world/2013/jun/06/uk-compensate-kenya-mau-mau-torture. The UK reparations scheme pales in comparison with the scale and scope of the atrocities inflicted upon Kenyans by the British: "During the 1952–1960 Mau Mau revolt in central Kenya, some 90,000 Kenyans were killed or maimed and 160,000 detained, the Kenya Human Rights Commission (KHRC) has estimated." "British colonialists also committed

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reparations have taken the form of winners of war imposing tribute requirements on the losers. A notable example is the victorious Allies demand for reparations from Germany after World War I.

How did slavery end?

The first site of emancipation from slavery was San Domingue, modern-day Haiti. There, the enslaved freed themselves by conducting a war of liberation that lasted from 1791 to 1804. Not only did they defeat French colonial armies, but they also repelled an invasion by the British, who sought control over San Domingue after the French had been driven out. In addition, Haiti completed the liberation of the enslaved in the Spanish colonial portion of the island, now the Dominican Republic (DR), in 1822, twenty years *before* the DR became an independent nation.[4] The Haitian Revolution was a war for freedom. Perversely, France managed to compel Haiti to pay "reparations" to France for the loss of its slave colony and the slaveholders' loss of human property. This resulted in Haiti making payments of 150 million francs over the course of 122 years.[5]

Slavery and the slave trade concluded in several Latin American countries, coincident with armed rebellions to achieve independence from Spain. These included the formation of new republics in 1821 in Colombia, Panama, Ecuador, and Venezuela, and, shortly thereafter, in Chile (1823), the Federal Republic of Central America (1824, now Guatemala), Mexico (1829), and Bolivia (1831). The Dominican case stands in marked contrast to these instances of emancipation throughout Latin America. In these cases, emancipation, de facto, was an exchange made to recruit the enslaved to the revolutionary struggle on the side of the national movement. Typically, emancipation in these new countries took place on a gradual and compensated basis; that is, the children of enslaved women were granted free status, breaking the system of chattel slavery, and the slaveholders were remunerated for the loss of their human property.

Slavery ended in the British colonies in the West Indies in the 1830s via a thoroughgoing scheme of compensated emancipation. In total, £20 million was paid across 40,000 awards to slaveholders in the West Indies issued largely in 1835, representing around 5 per cent of British GDP. Because many of the payments were made as annuities, the British government did not complete its instalment plan until 2015.[6] The

gross human rights violations, including land expropriation, killings, torture, and sexual violence, against hundreds of thousands of people in western Kenya over decades, U.N. investigators have said." Duncan Mariri and Aaron Ross, "King Charles' Regrets for Colonial Abuse in Kenya Not Enough for Some Victims," *Reuters*, 1 Nov. 2023, at www.reuters.com/world/africa/king-charles-regrets-colonial-abuses-kenya-not-enough-some-victims-2023-11-01.

[4] Sandy Placido, "Haitian and Dominican Freedom Struggles in the Nineteenth Century," *Black Perspectives*, 5 July 2018, at www.aaihs.org/haitian-and-dominican-freedom-struggles-in-the-nineteenth-century.

[5] Catherine Porter, Constant Méheut, Matt Apuzzo, and Selem Gebrekidan, "The Ransom. The Root of Haiti's Misery: Reparations to Enslavers," *New York Times*, 20 May 2022, at www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html.

[6] Naomi Fowler, "Compensation Loan, Reparations, and Tax Havenry," *Tax Justice Network*, 9 June 2020, at https://taxjustice.net/2020/06/09/slavery-compensation-uk-questions.

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present value of the sum paid to the slaveholders compounded at 4 per cent interest amounts to £31 billion. However, there were "'de facto property and contract rights' [given] to West Indian slaves, which allowed their freedmen descendants to become the largest Black peasantry in the Americas."[7] Access to property in the West Indies provided the descendants of the enslaved with resources that facilitated migration and laid the foundation for economic security and upward mobility in the United States.[8] In contrast, the United States endured a brutal and bloody civil war between 1861 and 1865 that, effectively, brought an end to chattel slavery. Prior to and during the war, the slaveholding states refused multiple offers for compensated emancipation. Had they negotiated and accepted such an offer, it could have simultaneously ended slavery and averted conflict. Instead, they chose to form the Confederacy and wage a traitorous war to keep slavery alive. Compensated emancipation in the United States only took place in the capital city, Washington, DC, where slaveholders in the district were paid $300 for each of their freed human properties in the midst of the war.[9]

During the waning months of the Civil War, a promise was made to the enslaved that they would receive forty acres of land on emancipation as restitution for their years of bondage. That promise was unfulfilled. Instead, lands to be distributed to the freedmen were restored to their former slaveholders. Furthermore, 160-acre land grants were allocated to 1.5 million white families in the western territories, as the nation completed its colonial settler project under the Homestead Act of 1862. Consequently, newly emancipated Black people received nothing, while upwards of 10 percent of the white American population, including recent European immigrants, were granted a major asset from the federal government. This largesse was transferable to subsequent generations. Indeed, Trina Williams Shanks has estimated that at least 45 million living white Americans are intergenerational beneficiaries of Homestead Act land patents.[10]

Those land allotments laid the foundation for the current racial wealth gap of $1.15 million between the average Black and the average white household in the United States, or roughly $400,000 on a per-person basis.[11] Black Americans whose ancestors were enslaved comprise about 12 percent of the overall population in the United States, but, collectively, they possess less than 2 percent of the nation's wealth.

The abolition of chattel slavery did not take place in Cuba until 1886, and two years later in Brazil in 1888. Brazil was the last country in the Americas to emancipate its enslaved population. Because the timing and process of abolition were distinct in different places and years, the appropriate form of restitution for Afro-descendants

[7] Eleanor Marie Lawrence Brown, "The Blacks Who 'Got Their Forty Acres': A Theory of Black Migrant Asset Accumulation," *New York University Law Review*, 89, 1 (April 2014), at www.nyulawreview.org/issues/volume-89-number-1/the-blacks-who-got-their-forty-acres-a-theory-of-black-west-indian-migrant-asset-acquisition.

[8] Ibid.

[9] District of Columbia Emancipation Act, National Archives and Records Administration, at www.archives.gov/exhibits/featured-documents/dc-emancipation-act (accessed 24 April 2024).

[10] Trina Williams Shanks, "The Homestead Act: A Major Asset-Building Policy in American History," in Michael W. Sherraden, ed., *Inclusion in the American Dream: Assets, Poverty, and Public Policy* (New York: Oxford University Press, 2005), 20–41.

[11] "Uncounted Millions: Take What's Owed," *MSNBC*, 14 March 2024, at www.msnbc.com/msnbc-podcast/uncounted-millions-take-owed-rcna140018.

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varies from country to country. The characteristics of each case dictate the culpable party and those eligible for redress, as well as the rationale for and calculation of the amount due to the victimized community. Reparations plans must be tailored to the particularities of the record of slavery and its aftermath in each country.

Access to land and the racial wealth gap in the United States

The four million newly emancipated Black people in the United States received no compensation. Paradoxically, under treaty arrangements established at the cessation of hostilities in the "Indian Wars," in 1866, the US government compelled the Cherokee, Chickasaw, Muscogee, and Choctaw to give free land plots to the approximately eight thousand people whom the tribes had enslaved.[12] The difference in intergenerational outcomes for the Indian freedmen and the US freedmen has been palpable. A study of the outcomes of the land policy on the Cherokee freedmen, the largest share of people emancipated from tribal slaveholding, finds that they had significantly higher levels of wealth and income than Black people who came out of slavery in the US South.[13] The subsequent generation was able "to either maintain or improve their social status vis-à-vis their parents."[14] Access to land in the years following the Civil War mattered greatly.

The racial gap in wealth, initiated by slavery and federal land allocation policies after the Civil War, was magnified by the hundred massacres that took place between the Civil War and World War II. These white massacres, effectively sanctioned by the federal government, involved white terrorists engaging in murderous rampages while frequently seizing Black-owned property. They faced no punitive legal consequences for these property takings. Visible evidence of hard-earned Black prosperity is consistently met with white theft and destruction.[15] In addition, in the twentieth century, the discriminatory application of New Deal-era home-buying support and the home-ownership provisions of the GI Bill reinforced the racial chasm in wealth. To compound matters, the federal highway system invariably ran freeways through the heart of Black neighbourhoods and Black business districts, again erasing accumulated Black wealth to facilitate white suburbanization.[16]

The specific US history of national policy that promoted white wealth accumulation while, simultaneously, denying Blacks the opportunity to accumulate wealth leads to two conclusions. First, the federal government is the culpable party in producing the racial wealth gap, and second, closing the racial wealth gap should be a primary objective of a reparations plan for Black Americans, whose ancestors were held captive in the United States. After all, the racial wealth gap is the premier economic indicator of the cumulative, intergenerational impact of white racism on the well-being of the descendants of United States freedmen. Today, the sum required to eliminate the Black–white wealth gap in the United States is at least $16 trillion. This is the minimum amount to meet the debt owed to Black American descendants of US slavery. The debtor is the US government, and the government must pay the debt.[17]

[12] Melinda C. Miller, "Land and Racial Wealth Inequality," *American Economic Review*, 101, 3 (May 2011), 371–76. [13] Ibid. [14] Ibid.
[15] Darity, Mullen, and Slaughter, "The Cumulative Costs of Racism," 104–12.
[16] Ibid., 112–14.
[17] A number of estimates of bills for reparations have included estimates of the direct costs to the enslaved themselves of their brutalization. See, for example, the discussion in Darity,

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What claims for reparations have been made?

In many other instances across the Americas, claims for reparations have been made at a nation-to-nation level. For example, the Caribbean nations forming the CARICOM organization, where Afro-descendant populations are typically a majority, have sought compensatory payments from the countries that enslaved their ancestors and colonized them.[18] Those payments would go, presumably, to the national treasuries of the countries receiving reparations. This is the procedure pursued now by former British colonies in the West Indies, seeking restitution from the UK government via the CARICOM Reparations Commission. In its ten-point action plan, CARICOM calls for debt cancellation and resources to meet a variety of national needs, including building cultural institutions, addressing a crisis in public health, facilitating technology transfer, and eradicating illiteracy. Perhaps the £31 billion present value of the monies paid to the colonial slaveholders for compensated emancipation can set the baseline for the amount due to the Caribbean ex-colonies. CARICOM's reparations plan parallels the National African American Reparations Coalition's (NAARC) ten-point plan insofar as both reject direct payments to eligible recipients.[19] NAARC calls for the establishment of a National Reparations Trust Authority under unspecified leadership to manage monies paid by the US government for Black reparations.[20] The CARICOM Reparations Commission calls for reparations monies to be used to promote economic development efforts in their member nations "administered by a body that is insulated from political influence."[21]

In the context of nation-to-nation redress, the designation of funds for economic development purposes makes some sense, although the notion of an apolitical administrative body plunges the conversation into mysticism. An implicit assumption seems to be that there is a pure and noncontroversial set of policies, when properly funded, that will bring about transformative economic growth. Indeed, one could make a similar argument for nation-to-nation reparations – that the funds should go directly

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Mullen, and Slaughter, 101–4; and *The Brattle Report: Report on Reparations for Transatlantic Chattel Slavery in the Americas and the Caribbean*, 8 June 2023, for the CARICOM nations. A key matter of principle is whether living descendants of the direct victims of slavery are due payment for the costs borne by their ancestors. Darity, Mullen, and Slaughter, 100, contend, "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 the ongoing consequences of the harms that limit their lives in the present moment."

[18] The acronym CARICOM stands for the Caribbean Community, an organization of the following member states: Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago. Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, and the Turks and Caicos Islands are associate members.

[19] "Reparations Plan," National African American Reparations Commission, at https://reparationscomm.org/reparations-plan (accessed 24 April 2024).

[20] One can only presume that NAARC's directors intend the management of reparations funds to be put in their own hands, despite the fact they have no provenance as an organization representing the Black American population writ large.

[21] Patrick Robinson, "Introduction to the Report on Reparations for Transatlantic Chattel Slavery (TCS) in the Americas and the Caribbean," in *The Brattle Report*, 1–115, 13.

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to the citizens of the receiving country. Certainly, it is feasible, given the precedent of the UK's payments to the victims of its abuses during the Mau Mau revolt. Consider Haiti next. Haiti has a transparent claim in France. Again, money paid to France – 150 million francs – with interest added could set the baseline for the amount France owes Haiti. Haiti also has a potential claim on the US government for nineteen years of colonial occupation between 1915 and 1934. It is noteworthy that one of the motivations for the coup that sent President Aristide into exile in 2004 was to stop him from continuing his efforts to pursue reparations from France.[22]

Brazil's claim for reparations rests with Portugal, at the nation-to-nation level. But its Afro-descendant population also has a claim on the Brazilian government itself. Slavery lasted in the country for sixty-five years after independence, followed by sustained and harsh anti-Black discrimination.[23] Because as many as 120 million Brazilians have ancestors who were enslaved, the magnitude of the reparations bill, a priori, would be significantly larger than any due in the United States. Estimates ran as high as an astonishing $8 quadrillion in discussions of reparations in the Brazilian Senate in 2013.[24]

In the context of nation-to-victimized-community compensation, NAARC's refusal to make direct payments to individuals smacks of paternalism and carries the dangers of corruption and the waste of precious resources intended to produce restorative justice. In other instances of nation-to-victimized-community reparations, eligible recipients have been given full discretion over the use of the funds. There is no reason why that should not be the case for Black American descendants of US slaves. The principle of reparations for the multigenerational effects of slavery and past and present racialized oppression applies in many corners of the globe, extending beyond the Americas. For example, the Congolese merit compensation for the Belgian colonization, especially for the horrors that took place during the reign of King Leopold and its extended repercussions.[25]

Similar to Brazil, both an external and an internal claim for reparative justice are pertinent to India. The external claim is for the damages caused by British colonialism. The internal claim is from the Dalits (untouchables) for aeons of subjugation under the Hindu caste system. It is noteworthy that, in the 1940s, the Dalit leader, B. R. Ambedkar, included a major programme of land allocation on the agenda for the eradication of the caste system and the liberation of the untouchables. The objective was to end Dalit landlessness and their corresponding poverty and powerlessness in village communities.[26] But land reform of the type that Ambedkar envisioned was never undertaken, mirroring the experiences of freedmen in the United States. Similar to the US case, perhaps the most appropriate form of restitution for today's

[22] Porter et al., "The Ransom."

[23] Eléonore Hughes, "Brazil, Facing Calls for Reparations, Wrangles with Its Painful Legacy of Slavery," *AP*, 30 Jan. 2024, at https://apnews.com/article/brazil-slavery-reparations-legacy-bank-2aa8e0b0635cf1969a01750of6a623f3.

[24] "The Controversial Debate over Reparations for Slavery in Brazil," *Black Brazil Today*, 19 April 2019, at https://blackbraziltoday.com/the-controversial-debate-over-reparations-for-slavery-in-brazil.

[25] Adam Hochschild, *King Leopold's Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa* (Boston: Mariner, 1999).

[26] Awanish Kumar, "B R Ambedkar on Caste and Land Relations in India," *Review of Agrarian Studies*, 10, 1 (Jan.–June 2020), 37–56.

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Dalit population is monetary payments sufficient to close the wealth gap between them and upper-caste Hindus.

Conclusion

The transatlantic slave trade shipped millions of people to the Americas. Despite the atrocities, in many cases it was the slaveholders who were compensated for the loss of their "property" on emancipation. Today, inequalities from slavery endure, raising questions about the need for reparations. The descendants of people enslaved across the Americas have never received any manner of redress for the present-day consequences of the atrocities inflicted on their ancestors and the inequities they continue to endure.

The immense sums owed to Black descendants of the enslaved across the Americas constitute an obligation long overdue. Unfortunately, global procrastination has been the norm despite their sustained and systematic marginalization. As the delay continues, the debt grows larger, and the deprivation of opportunity and security for Blacks in the Americas persists. It is high time for the expanding conversation about Black reparations to translate into comprehensive action to confront the impact of white supremacy.

Duke University WILLIAM DARITY JR.

THE STRUGGLE FOR THE RIGHT TO REPARATION IN THE FRENCH REPUBLIC: A SHORT HISTORY

The following section provides a brief overview of the birth and development of the movement for reparations within the French Republic – a campaign that, much like the UK movement, is less well known when compared with its American and Caribbean counterparts.[1] Unlike scholars in America, France lacks an influential body of academics who have been willing to advocate for the need for reparations. The reasons for this are complex. Some scholars view reparations as a direct contravention of republican universalism because they would require recognizing a racialized body of citizens to whom reparations are due, and "race" is anathema to universalist thinking.[2] Others fear blurring the line between what is constructed as serious

[1] This section of the *Journal of Americn Studies* roundtable has been extracted from a book that will be coming out in 2024 called *Legacies of Slavery in the French Republic: Activism, Politics, Reparations*, with Liverpool University Press. In this special edition, Esther Stanford-Xosei has written about the UK movement. See also Nicola Frith and Esther Stanford-Xosei, "Reparations Activism in the UK: A Pan-African Journey towards Planet Repairs," in Adekeye Adebajo, ed., *Slavery, Colonialism, and Reparations* (Johannesburg: Institute for Pan-African Thought and Conversation, forthcoming 2024).

[2] See, for example, François Blancpain and Marcel Dorigny, "Annexe III: Réparation pour l'esclavage?", in Comité indépendant de réflexion et de propositions sur les relations Franco-Haïtiennes, *Rapport au Ministère des affaires étrangères, M. Dominique de Villepin, du Comité indépendant de réflexion et de propositions sur les relations Franco-*

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academic scholarship grounded in rationality, neutrality and objectivity, and the more partisan and political work of activists. While a handful of French academics have, more recently, begun to tentatively engage with this subject, the concept of the engaged scholar–activist (as outlined by Paolo Freire) lacks credibility within the French academy because it risks accusations of "communitarianism."[3] This is markedly different from America, with its long history of historically Black colleges and universities and wealth scholars writing in support of reparations for African enslavement, or the Caribbean with its Centre for Reparations Research.[4]

From the outset, it is also worth recalling two national specificities that differentiate the French reparations movement from its peers, and therefore provide a useful point of comparison to movements in the US, the Caribbean and the UK. The first is that the national reach of the French Republic still includes overseas territories in the Caribbean and Indian Ocean that are governed in the same way as any department of mainland France. The existence of these geographical sites within the national body is an ongoing reminder of France's colonial empire and its enslavement of African, Indigenous, Malagasy and Indian peoples. Reparations activists within the republic are therefore directing many of their claims at their own nation-state. This marks a point of difference from their Caribbean neighbours, which are largely functioning as independent nations within the broader CARICOM Reparations Commission (CRC) framework. While activists in Martinique and Guadeloupe have formed their own "national" reparations committees within the CRC, these are unable to act with state backing since the French government remains hostile to reparations for African enslavement.

The second point of difference is that the French state remains the first and only European government to have recognized chattel enslavement and the so-called "slave trade" – or rather, the transoceanic trafficking and enslavement of Africans[5] – as a crime against humanity at a national level. This recognition took place through the passing of the first Taubira law in 2001 and means that activists within the French republic are in a unique position.[6] Unlike many other national

Haïtiennes, Jan. 2004, at https://medias.vie-publique.fr/data_storage_s3/rapport/pdf/044000056.pdf (accessed 16 November 2023), 84–88, 87.

[3] See, for example, Magali Bessone, "Les réparations au titre de l'esclavage colonial: l'impossible paradigme judiciaire," *Droit et société*, 102 (2019), 357–77. Other articles and books on reparations have tended to be authored by activists, such as Louis-George Tin, *Esclavage et reparations: Comment faire face aux crimes de l'histoire* (s.l.: Stock, 2013). A key exception to this is the work of the scholar–activist Louis-Sala Molins, such as his book *Esclavage réparation: La lanterne des capucins et les loupioutes des pharisiens* (Paris: Editions Lignes, 2014).

[4] Notably, examples from the US and the Caribbean include Randall Robinson, *The Debt: What America Owes to Blacks* (Boston, MA: E. P. Dutton, 2000); Hilary McD. Beckles, *Britain's Black Debt: Reparations for Caribbean Slavery and Native Genocide* (Kingston, Jamaica: University of West Indies Press, 2013); and William A. Darity and A. Kirsten Mullen's recent publication *From Here to Equality: Reparations for Black Americans in the Twenty-First Century*, 2nd edn (Chapel Hill: University of North Carolina Press, 2022).

[5] For more on this phrasing see the International Network of Scholars and Activists for Afrikan Reparations (INOSAAR), *Global Report 2019*, at www.inosaar.llc.ed.ac.uk/en/global-report-2019, 28.

[6] Christiane Taubira-Delannon, 'Loi n° 2001-434 du 21 mai 2001 tendant à la reconnaissance de la traite et de l'esclavage en tant que crime contre l'humanité', 23 May 2001, at www.legifrance.gouv.fr/loda/id/JORFTEXT000000405369 (accessed 14 December 2022).

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movements, they have the legal justification to trigger a reparatory-justice process against their own state, in theory at least. And yet, over twenty-five years since the legacies of slavery were first debated in the Assemblée nationale, little progress has been made to recognize the right to reparations for African enslavement at a national level.

This section will focus on the ways in which reparations activists have been trying to make use of the Taubira law to press for the right to reparation. But it will begin by looking at the genesis of the reparations movement in the years leading up to the 150th anniversary of France's abolition of slavery in 1998, as well as the movements that emerged after the passing of the Taubira law in 2001. While I recognize that there are many movements linked to remembering the history and legacies of slavery within the French republic, the focus here will be on one specific campaign, namely the legal claim led by the Martinique-based Mouvement international pour les réparations (MIR) in collaboration with other groups, such as the France-based Conseil mondial de la diaspora panafricaine (CMDP) and the Guadeloupe-based Comité international pour les peuples noirs (CIPN).

The campaign to recognize the legitimacy of reparations for African enslavement can be dated back to events in Paris in 1992. While this was also the year that the Abuja Proclamation issued its call to recognize the "unique and unprecedented moral debt owed to the African peoples," the events in Paris were not connected to this international movement.[7] Instead, its roots were more nationally oriented, being linked to the French Caribbean independence movements of the 1960s and 1970s. The desire for independence, albeit a minority concern, was a response to the failures of the Departmentalization Law of 1946 that had not led to the promised equality between citizens in France and its overseas departments.[8] By 1992, the need for reparations for African enslavement offered a conduit through which to channel some of the former momentum of these independence movements that were, by then, on the wane. This explains why many of the key players within the movement today are also those who were involved in the earlier push for independence, such as Luc Reinette (who founded the CIPN in 1992) and Garcin Malsa (who founded the MIR in 2005).

The year 1992 was pivotal since it marked the five-hundredth anniversary of Christopher Columbus's voyage to the so-called Americas, or rather Abya Yala, as some Indigenous peoples called it before colonial invasion. Since Columbus was being widely celebrated in Europe, Malsa and Reinette decided to organize a demonstration in Paris, while a posthumous trial against Columbus was simultaneously held in Martinique.[9] The French Guyanese *députée* Christiane Taubira, who would later go on to author the 2001 Taubira law, was also present at this mock trial. It was during

[7] Abuja Pan-African Conference on Reparations for African Enslavement, "The Abuja Proclamation," 27–29 April 1993, Abuja, Nigeria, at http://ncobra.org/resources/pdf/TheAbujaProclamation.pdf (accessed 22 Aug. 2017).

[8] Loi n° 46–451 du 19 mars 1946 tendant au classement comme départements français de la Guadeloupe, de la Martinique, de la Réunion et de la Guyane française, 19 March 1946, at www.legifrance.gouv.fr/loda/id/JORFTEXT000000868445 (accessed 11 April 2024). For more on the long journey from enslavement to citizenship see Silyane Larcher, *L'autre citoyen: L'idéal républicain et les Antilles après l'esclavage* (Paris: Armand Colin, 2014).

[9] 'Le procès de Christophe Colomb', *Informations nationales*, 142 (1993), at https://africa.smol.org/files/revue-presse15.pdf (accessed 20 September 2023), 3.

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these two transatlantic events that activists began to call for reparations. From the very outset, it was based around the three "Rs." First, there was a need for the *recognition* of slavery as a crime against humanity in national law. This would then trigger the right to *reparation*. Only once reparation had been achieved, could the final stage of *reconciliation* be attained.

From this basis, the 1998 anniversary of the abolition of slavery offered a window of opportunity in which to press for reparations claims. This also coincided with key changes at an international level with the creation of the International Criminal Court (ICC) in 1998 in which to judge crimes against humanity, as well as the global boom in public memories of enslavement, epitomized by the UNESCO Slave Route. These international contexts therefore provided a supporting framework in which activists operating at national and regional levels could place more pressure on the state for official forms of recognition.[10]

It was in this context that various calls were issued for France to acknowledge its historical involvement in enslaving African peoples as a crime against humanity. The first was in 1997 when José Toribio (then mayor of Le Lamentin in Guadeloupe) submitted a statement to the UN General Assembly "to have slavery condemned as a crime against humanity."[11] In the preamble, he stated that those responsible for these crimes "must be tried by an international criminal court constituted by the General Assembly of UN States."[12] This was followed by a silent march through the streets of Paris that was held on 23 May 1998 to honour the ancestors of those who were enslaved, which led to the gathering of ten thousand signatures to petition the state to recognize slavery as a crime against humanity. This resulted in Taubira submitting a draft law to the Assemblée nationale on 22 December 1998 that not only provided legal recognition but also included the right to reparation. Article 5 stated, "A committee of qualified personalities shall be set up to determine the harm suffered and to examine *the conditions for reparation due in respect of this crime*."[13]

The momentum behind this draft law was also driven by three conferences on reparations that were organized between 1998 and 1999 in Martinique and Paris.[14] While often overlooked, these activist-led events testify to the strength of the push for reparations at this time and were also attended by Taubira. Their discussions revealed the multifaceted nature of the crime and its legacies and sought solutions to address contemporary concerns with housing, employment, education, development, health, access to land, self-esteem, identity, non-/misrecognition, memorialization and cultural recognition. While participants understood that it was unlikely that a legal trial would ever be held against the French state, they still advocated for a pluralistic approach to reparatory justice that would move beyond just recognizing the

[10] Ana-Lucia Araujo, *Politics of Memory: Making Slavery Visible in Public Space* (New York: Routledge, 2012), 1–11, esp. 2.

[11] Clicanoo, "Qu'est-ce qu'un homme?", 19 Dec. 1998, at www.clicanoo.re/node/413608 (accessed 23 Nov. 2020).

[12] Ibid.

[13] Christiane Taubira, 'Proposition de loi tendant à la reconnaissance de la traite et de l'esclavage en tant que crimes contre l'humanité', 22 Dec. 1998, at www.assemblee-nationale.fr/11/propositions/pion1297.asp (accessed 30 June 2015), added emphasis.

[14] For more information on the conferences (3 April 1998, 20 Dec. 1998, 21 May 1999) see Serge Chalons, Christian Jean-Étienne, Suzy Landau et al., edits., *De l'esclavage aux reparations* (Paris: Karthala, 2017).

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crime. In this way, they anticipated the holistic approach later adopted by the UN framework's "Basic Principles on the Right to a Remedy and Reparation" that calls for restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.[15]

While Taubira was able to channel some of these demands into the preamble of the draft law – for example by calling for land redistribution – the debates that took place at state level soon led to the political decision to remove the word "reparation" from Article 5. By the time of the third conference (21 May 1999), reparation had been replaced with a committee of experts "to propose initiatives to guarantee that the *memory* of the crime continue for generations to come."[16] It was this version that passed in May 2001, meaning that henceforth memory was the state's official policy, while reparations were rejected by all but the French Communist Party (Parti communiste français).

The final Taubira law therefore betrayed many of the wishes of those most directly affected by the legacies of slavery. At the same time, if the legal right to reparations for slavery was not upheld by the state, the opposite was true for its treatment of the descendants of the Jewish Holocaust or Shoah. During the same years when the Taubira law was being debated in the Assemblée nationale and the Sénat, the state also passed a law to provide reparations and restitution to the descendants of French Jews directly affected by France's collaboration with Nazi Germany.[17]

In response to the Taubira law, Garcin Malsa would found the MIR activist organization in 2005, with a remit to defend the right of descendant communities to reparation.[18] This resulted in a lengthy and complex series of court cases, lasting nearly twenty years, that circulated between the High Court and the Appeals Court in Martinique, the Court of Cassation and the Constitutional Court at a national level, and the European Court of Human Rights (ECHR). For the MIR, CMDP and their lawyers, the fact that the Taubira law had recognized slavery and the so-called "slave trade" as a crime against humanity was justification enough for starting a process of reparatory justice – a claim further supported by the fact that French law also recognizes that crimes against humanity are legally imprescriptible, meaning that no time bars can be applied to their prosecution.[19]

[15] United Nations Office of the High Commissioner for Human Rights (OHCHR), "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law," 16 Dec. 2005, at www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx (accessed 10 Nov. 2020).

[16] This would remain the wording of the final 2001 law. Original emphasis.

[17] Décret n°2000–657 du 13 juillet 2000 instituant une mesure de réparation pour les orphelins dont les parents ont été victimes de persécutions antisémites, 13 July 2000, at www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000582825 (accessed 29 July 2019).

[18] Mouvement international pour les réparations (MIR), Cartographie des mémoires de l'esclavage, at www.mmoe.llc.ed.ac.uk/fr/content/mouvement-international-pour-les-r%C3%A9parations (accessed 15 April 2024).

[19] Code pénal, 'Des crimes contre l'humanité et contre l'espèce humaine (Articles 211-1 à 215-4)', at www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070719/LEGISCTA000006136040/2004-08-07/#LEGISCTA000006136040 (accessed 3 Dec. 2020).

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The MIR's legal struggle was structured around two key demands: first, that provision be made for future reparation; and second, that an assessment of the harmful consequences of enslavement be undertaken to set the amount for the claim. In other words, they requested a return to the original wording of the Taubira law for a committee to properly assess the harm and reparations due.

The court cases would bring to light four main battlegrounds: first, to ascertain whether a statute of limitations to time-bar legal action against the state exists; second, to establish whether slavery was legal or illegal at the time of its perpetration; third, to decide whether the Taubira law represents a normative or declarative law; and fourth, to assess whether the state today can be held accountable for past crimes.

Unlike the ECHR, the French courts consistently ruled in favour of the defendant (the French state). Their reasoning was based on the arguments that the legal action was time-barred, meaning that too much time had passed to prosecute; that slavery was legal at the time, meaning that no crime had effectively been committed; and that the plaintiffs were unable prove transgenerational harm, meaning that the state today could not be held accountable for the crimes of the past or for any continuation of harm since.

Meanwhile, in a devastating blow to the MIR and their allies, magistrates in France's uppermost court – the Court of Cassation – ruled on 5 February 2013 that the Taubira law was merely a declarative law, meaning that it could not be used to raise any legal claim or sanction.[20] Although this judgment arose from a separate case, it had the effect of removing the right of organizations such as the MIR to take legal action. The MIR would successfully challenge this deformation of the Taubira law through the ECHR, which then meant that its own case could be heard one last time on 11–12 October 2021.[21] However, the results were much the same. The Court of Appeal in Fort-de-France and the Court of Cassation both upheld all previous judgments, again in favour of the state.[22]

To conclude, then, on the one hand this campaign could be viewed as "unsuccessful." But on the other, as MIR lawyers Claudette Duhamel and Alain Manville have pointed out, their legal campaigns "are likely to make Afro-descendants aware of their [ongoing] non-recognition by the French state," which has obstinately refused "to

[20] Cour de cassation, "Arrêt n° 456 du 5 février 2013 (11-85.909)," at www.courdecassation.fr/jurisprudence_2/chambre_criminelle_578/456_5_27256.html (accessed 5 Sept. 2017). Loi du 29 juillet 1881 sur la liberté de la presse (1881). See also Bernard Jouanneau, "Apologie de l'esclavage avec la 'permission' des juges," *Mediapart*, 12 March 2013, at https://blogs.mediapart.fr/edition/les-invites-de-mediapart/article/120313/apologie-de-lesclavage-avec-la-permission-des-juges (accessed 5 Sept. 2017).

[21] Jean-Claude Samyde, "Procès des reparations: Déliberé le 18 janvier 2022', *FranceInfo*, 13 Oct. 2021, at https://la1ere.francetvinfo.fr/martinique/proces-des-reparations-delibere-le-18-janvier-2022-1126714.html (accessed 3 Nov. 2023). See also Mouvement international pour les réparations, 'Procès historique les 11 et 12 octobre 2021', at www.mirmartinique.com/article/proces-historique-les-11-et-12-octobre-2021 (accessed 3 Nov. 2023).

[22] Le premier président, "Communiqué de Presse: MIR et autres contre État français," Cour d'appel de Fort-de-France, 18 Jan. 2022, at chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.cours-appel.justice.fr/sites/default/files/2022-01/Communiqu%C3%A9%20de%20presse%20-%2018-01-2022.pdf (accessed 4 Nov. 2023). Cour de cassation, 'Appeal no. 22-13.457', 5 July 2023, at www.courdecassation.fr/decision/64a50ab4b8594705dbfcc85a (accessed 5 Nov. 2023).

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recognize their right to reparation."[23] Moreover, the MIR has successfully demonstrated the limits of France's judicial (and indeed constitutional) system and proven it to be incapable of judging its own crimes against humanity. In so doing, the MIR and its lawyers have revealed the inherent self-interest and coloniality of the French judicial system that, despite being separated from the state in theory, remains geared towards protecting state political interests in practice.

As for the future of this movement, having exhausted the possibilities of the French judicial system, Manville now points to the need for an international tribunal capable of judging these crimes that will function, ideally, in collaboration with African states.[24] While international jurisdiction is currently lacking, he ends on an optimistic note by seeing that "the establishment of such a court of justice is an unavoidable fact to come" and anticipating a time when there are "African states brave enough to take the risk of a violent opposition from former slave powers."[25] Perhaps with the ousting of the French military from Niger, that is precisely what we are beginning to see.

University of Edinburgh NICOLA FRITH

TRANSNATIONAL APPROACHES TO REPAIR IN THE UK

The UK is and always has been a vibrant site of successive waves of resurgence of the reparatory justice struggles arising from the trafficking, enslavement, and colonisation of Afrikan peoples, with all their attendant legacies of national and racial oppression. In this section, I will provide an overview of the central role played by grassroots activism, which is frequently overlooked in the production of historical and conceptual knowledge about reparations.

The history of reparations organizing in the UK goes back to the eighteenth century. Some of the earliest documentation of calls for reparations that influenced organizing in Britain go back to a letter written by Fiaga Agaja Trudo Audati in 1726, addressed to King George of England, demanding an end to chattel enslavement and trafficking, by setting up "local plantation agriculture" within Ouidah, a coastal city in the then Kingdom of Whydah (in what is now Benin). Following this, some of the earliest documented organizing to effect and secure reparatory justice which actually took place on British soil can be traced to the Sons of Africa, which was formed in London (1797) by Attobah Kwodjo Enu aka Ottobah Cugoano (1757–91) and Olaudah Equiano (1745–97) as "a political group led by African

[23] Claudette Duhamel and Alain Manville, "Reparation, a Demand for Justice," in Garcin Malsa and Mame Hulo, eds., *Reparations: An Urgent Requirement for Humanity*, trans. Joséphine Ndiaye (Diaspora noire, 2020), 29–50, 49, at www.diasporas-noires.com.

[24] Alain Manville, "For an International Tribunal for Reparation: The ICTR," in Malsa and Hulo, 51–66, 59.

[25] Ibid., 65–66. For more on international law see Katarina Schwarz, *Reparations for Slavery in International Law: Transatlantic Enslavement, the Maangamizi, and the Making of International Law* (New York: Oxford University Press, 2022).

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abolitionists who campaigned to end slavery."[1] With Equiano's support, Cugoano published a book entitled *Thoughts and Sentiments on the Evil and Wicked Traffic of the Slavery and Commerce of the Human Species* (1787). In the postscript to the 1791 version, Cugoano raises "the issue of 'adequate reparation' and 'restitution for the injuries' enslaved persons received," making him the first published Afrikan author in English to denounce the so-called "trade" and "to pronounce the Afrikan human right to resistance against enslavement, as well as to advocate in writing the demand for reparations including 'restitution'."[2]

In every subsequent generation since these times, there have been efforts made to effect and secure holistic reparatory justice. In the twentieth century, the Pan-African Congresses in 1900 (London), 1921 (London, Paris, Brussels), 1923 (London, Lisbon), 1927 (New York), and, most importantly, 1945 (Manchester) consolidated a growing pan-Afrikan movement out of which contemporary movements for reparations both globally and in the UK would form.

Our emphasis, then, as Afrikan reparationists in the UK has been on relating to reparations not just as a legal case or claim and political struggle, but also as an international social movement, embodied as the International Social Movement for Afrikan Reparations (ISMAR), which itself has arisen from the pan-Afrikan movement. It follows that one of the unique features of Afrikan reparations organizing in Britain is that it has always had a pan-Afrikan focus.

Today, the UK contingent of the ISMAR both acknowledges this history of reparations organizing and builds trans-generationally from the knowledge and solidarity that it has generated. The core objectives of pan-Afrikanism, including the attainment and securing of holistic reparatory justice and pan-Afrikan liberation and nation building to counter the impacts of pro-European balkanization of indigenous Afrikan polities, have been central to reparations activism in Britain. The attainment of holistic and multifaceted reparatory justice as a goal has been fundamental to what is known about the pan-Afrikan movement. This has included liberation-focussed efforts to take back Afrika from the control of colonial forces, restoring Afrikan sovereignty, and building Afrika into an unconquerable, powerful pan-Afrikan union of communities known as Maatubuntuman, which is collectively governed by Afrikans on the continent of Afrika and the diaspora.[3]

Maatubuntuman is the future pan-Afrikan state that redresses the structural injustices inherent in maintaining European borders in what is called Africa today. The future anti-imperialist pan-African superstate is rooted in the indigenous knowledge systems, values, and nation-building practices of Afrika and her people worldwide. It is founded on the Afrikan ethical and moral principles of Maat, which also practises

[1] Esther Stanford-Xosei, "The Long Road of Pan-African Liberation to Reparatory Justice," in Hakim Adi, ed., *British Black History: New Perspectives* (London: ZED Books, 2019), 176–98, 183.

[2] Ibid., 184.

[3] Coined from the conjunction of *maat* (the holistic-justice concept from Kemet, ancient Egypt) with *ubuntu* (the Bantu concept of the communion of humanity from Southern Africa) and *oman* (the Akan concept of egalitarian polity from West Africa), Maatubuntuman promotes the concept of a global African polity (*oman*), which is an organic embodiment of *maat*, and therefore practices *ubuntu* in relation to her own citizens and the entirety of humanity, Mother Earth, and the Universe. See "Glossary," Global Afrikan Peoples Parliament, at https://globalafrikanpeoplesparliament.org/glossary (accessed 4 April 2024).

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ubuntu (interconnectedness) in relation to her people, all of humanity, and the cosmos. Connected to this vision of a repaired Afrika, UK-based reparationists within the ISMAR argue for the attainment of Maatubuntuman in a multipolar pluriversal world of global justice known as Ubuntudunia as one of the strategic goals of their own reparations organizing as diaspora communities in the UK.[4] The focus on building the People's Reparations International Movement (PRIM), which is the movement of all other peoples fighting for reparations, outside our own Afrikan-heritage communities, has become an indispensable part of the networking that is being done by constituencies of the ISMAR to influence hearts and minds to also play a role in reparations activism, which contributes to the vision of reparations as laid out by Afrikan reparationists.

Within the UK, reparations campaigns have been led by community activists, campaigning formations, and their networks, most notably the Pan-Afrikan Reparations Coalition in Europe (PARCOE), the Stop the Maangamizi: We Charge Genocide/Ecocide Campaign, the Global Afrikan People's Parliament (GAPP), the Afrikan Emancipation Day Reparations March Committee, and the International Network of Scholars and Activists for Afrikan Reparations (INOSAAR). These ISMAR-supporting organizations not only are interconnected within the UK, but also link with indigenous leadership from the Afrikan continent. For example, the Maatubuntumitawo – Global Afrikan Family Reunion International Council (GAFRIC) is an organization that promotes indigenous Afrikan community leadership and seeks to restore Afrikan sovereignty through the power-building that reunification of the global Afrikan family will foster. It is a structure that enables Afrikans living in the diaspora to reconnect to those on the continent through a process called "rematriation." The emphasis here is not just on the physical return to Afrika but also on engaging in spiritual and cultural forms of reconnection that offer an alternative path to the reclamation of Afrikan indigeneity and citizenship.

Essential to this rematriation is a recognition that Afrikan people must conceptualize notions of the meaning of reparations, of what is to be repaired, and of how, by utilizing Afrikan epistemologies and frameworks of repair. Among ISMAR activist formations in the UK, the word used to define the harm caused to Afrikan people which necessitates calls to repair is *maangamizi*. This is a Kiswahili term that refers to the intentional destruction and dispossession of peoplehood, nationhood, and relationships to ancestral lands that has occurred as a result of the continuum of Afrikan chattel enslavement, colonialism, and neocolonialism.

Beyond calls for compensation without radical transformation, which, as Robin Kelley argues, does not challenge the terms of racial capitalism, many Afrikans organizing as part of the UK contingent of the ISMAR are in pursuit of comprehensive, holistic, land-focussed reparations.[5] This includes organizing to develop programmes and initiatives which contribute to Afrikan Heritage Communities in Britian being able to exercise autonomy as a group by way of the well-recognized model of non-

[4] *Ubuntudunia* (Ubuntu+dunia) is a combined Nguni and Kiswahili word, which means a multipolar world of global justice. See About: Stop the Maangamizi, https://stopthemaangamizi.com (accessed 4 April 2024).

[5] "On Reparations & Decolonization with Robin D. G. Kelley," Faculty of Environmental & Urban Change, York University, at www.youtube.com/watch?v=b4uonGNC414 (accessed 1 April 2024).

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territorial autonomy as advocated by the Pan-Afrikan Reparations Coalition in Europe (PARCOE), the Global Afrikan Peoples Parliament, and the Stop the Maangamizi: We Charge Genocide/Ecocide Campaign.

Non-territorial autonomy (NTA) is a collective-rights-based concept to deal with the diversity of national groups within a country or territory. It grants autonomous decision making to an ethnically, linguistically, or culturally defined "national group." Irrespective of their place of residence within the specific country, all members of such a group form a collective body.[6] As nationals of a specific people, they elect representatives who then autonomously manage specially defined areas of their national life, such as autonomous schools, cultural institutions, community associations, resource exchange, and other types of service provision.

This means that the pursuit of effecting and securing reparatory justice for us as Afrikans in the diaspora – and certainly for those of us who identify as *maatubuntujamaa*, a term to describe those people of Afrikan heritage and ancestry who are organizing as an Afrikan-heritage community for national self-determination in the UK – is umbilically connected to the liberation of their Afrikan homeland, the restoration of Afrikan sovereignty, and the self-determination of Afrikan people worldwide. *Maatubuntujamaas* are Afrikan-heritage communities for national self-determination that are regenerating themselves to become autonomous polities of national self-determination in the Afrikan diaspora, working collaboratively with counterparts on the Afrikan continent known as Sankofa homes. Sankofa homes (literally meaning a return to one's motherland) are indigenous communities in Afrika that are regenerating themselves purposefully to facilitate the integration of *maatubuntujamaas* in the diaspora.[7]

One such example of demand for NTA is the campaign to establish the Zenzele Village being championed by the Afrikan ConneXions Consortium based in Bristol and organized in association with the Global Afrikan Peoples Parliament and the Stop the Maangamizi Campaign. *Zenzele* in Zulu and Xhosa means "do it yourself," "be your own helper," "self-reliance." Accordingly, Zenzele Village is an initiative that seeks to build multifaceted institutions of Afrikan-heritage community repairs in Bristol. This intergenerational land and community self-repair initiative brings together the three pillars of the Bristol Pempamsie Reparations, including the focus on developing institutions that promote pan-Afrikan holistic health, pan-Afrikan education for liberation, and cooperative economics for a political economy. It will include land for agricultural and other purposes, as well as working in partnership and adding value to existing community assets that serve Afrikan-heritage communities.

In addition to proposals such as the Zenzele Village, the *maatubuntujamaa* in the UK has come up with a set of ten proposals for reparations as part of a glocal reparations plan of alternative progression referred to as Pempamsie Mpango.[8] *Pempamsie* is the Adinkra symbol for sewing together in readiness-preparatory actions for reparatory

[6] See "What Is Non-territorial Autonomy?", University of Vienna, at https://ntautonomy.univie.ac.at/en/research/what-is-non-territorial-autonomy/#:~:text=Non%2Dterritorial%20autonomy%20is%20a,or%20culturally%20defined%20national%20group (accessed 26 March 2024).

[7] See "Glossary."

[8] See "Pempamsiempango – Glocal Reparations Action Plan for Planet Repairs Alternative Progression," Stop the Maangamizi Campaign, at https://stopthemaangamizi.com/2022/02/

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justice, building our future out of our principled operational unity despite our diversity. Indeed, part of the repair process is about Afrikan-heritage communities developing our own community capacity and power base as well as our own Afrikan-heritage community self-repair plans. *Mpango* is the Kiswahili word for "plan."

The UK Pempamsie Mpango includes objectives such as gaining access to land to establish community land trusts and cooperative enterprises to ensure intergenerational wealth creation initiatives in addition to the institutionalization of rematriation processes which facilitate lineage restoration programmes to reunify Afrikan people who have been scattered across European-instituted borders, which have separated indigenous Afrikan ethnicities and nationalities from each other, therefore further atomizing their progeny who were trafficked into the diaspora.

Concretely, the realization of Maatubuntuman in Ubuntudinia, with its component building blocks of establishing *maatubuntujamaas* and Sankofa homes, entails first and foremost the urgent need for pan-Afrikan reparations movements and other global justice movements also now connecting into the PRIM to compel the stopping of neocolonialism and its inbuilt manifestations of genocide, ethnocide, ecocide, and extractivist plunder in Afrika and other parts of the global South that we have remade "home," in addition to combining our collective power to ensure the redistribution of wealth and ushering in a new international political and economic order that supports transformative adaptation and is based on ecological restoration, community governance and stewardship of work, and restituted resources to be deployed in the remaking of our world.[9]

Through this Afrikan cosmovision of holistic repairs that remakes the world, not just ourselves, Afrikan reparationists are influencing other movements, such as environmental and climate justice movements in the global North, who are forging internationalist solidarity with Afrikan-heritage communities of resistance in Afrika and other parts of the global South. For instance, PARCOE took its own "planet repairs" formulation of reparations into the environmental movement here in the UK and has been strategically building affinities with movements such as Extinction Rebellion (XR) through the Stop the Maangamizi Campaign, which cofounded the Extinction Rebellion Internationalist Solidarity Network soon after the inception of XR in 2018.[10] "Planet repairs" (the interconnection between cognitive justice, reparatory justice, and environmental justice) is a holistic approach to reparations that acknowledges that the harm of the *maangamizi* did not just impact Afrikan people; it also impacted and disrupted our harmonious relationships with Mother Earth, premised on the stewardship of ancestral lands and living in harmonious equilibrium with other life forms. Through the Stop the Maangamizi

18/pempamsiempango-glocal-reparations-action-plan-for-planet-repairs-alternative-progression (accessed 28 March 2024).

[9] Not to be confused or conflated with compensation, funding, grants, or any type of way in which money or other resources are acquired. Restituted resources are resources that belong to affected communities and should be returned to them unconditionally, but currently rest with those who have acquired them through unjust enrichment. Afrikan-heritage community resources are tangible assets or income that have been gained as a consequence of the *maangamizi*, both past and present.

[10] Extinction Rebellion Internationalist Solidarity Network, at www.xrisn.earth (accessed 2 Feb. 2024).

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Campaign's influence, XR, and a specific formation within it known as the XR Being the Change Affinity Network, have also embraced the notion of planet repairs.[11]

This recognition of Afrikan reparations and its methodology of effecting and securing planet repairs has also led to mainstream political parties in the UK, such as the Green Party of England and Wales, embracing planet repairs and working with the Stop the Maangamizi Campaign to co-produce the text of "Reparations and Atonement for the Transatlantic Trafficking of Enslaved Africans" motions, which have now been passed by Islington and Lambeth councils and Bristol City Council.[12] The key purpose of these motions is to build glocal support at the local and city council level for the Stop the Maangamizi Campaign's demand for the UK Parliament to establish the All-Party Parliamentary Commission of Inquiry for Truth and Reparatory Justice (APPCITARJ) at the levels of the Westminster and European parliaments.[13]

The APPCITARJ is a glocal process of dialogue between Afrikan people and state institutions of perpetrators of the *maangamizi*, such as the British Parliament, in order that Afrikan-heritage communities across the world can harmonize our own self-repair plans and actions towards not only advocating for ourselves before all state bodies, but also working to guarantee the non-repetition of the *maangamizi* as an aspect of reparations recognized under international law. The processes towards establishing the APPCITARJ are also fuelling support for the Stop the Maangamizi Campaign's advocacy for the Ubuntukgotla Peoples International Tribunal for Global Justice, an alternative world court from below.

Building on this impetus, underpinned by two decades of mobilizing and organizing communities, the All-Party Parliamentary Group for African Reparations (APPGAR) was launched on 20 October 2021.[14] All-party parliamentary groups (APPGs) are informal, cross-party groups formed by MPs and members of the House of Lords

[11] XR Being the Change Affinity Network, at www.xrisn.earth/post/xr-be-the-change-affinity-network-xr-bcan (accessed 2 Feb. 2024).

[12] "Climate Repairs, Making Reparations for a History of Colonialism and Enslavement," Green Party Action for COP 26, Oct. 2021, at www.greenparty.org.uk/assets/files/Communications/COP26_Climate_Reparations.pd (accessed 23 Feb. 2024); "How Do Reparations Address Planet Repair," Green Living Room, at https://livingroom.greenparty.org.uk/faq-about-reparations-and-atonement (accessed 20 Feb. 2024); "Agenda Items Motions: Motion 5: Labour/Green – Atonement and Reparations for the United Kingdom's Transatlantic Traffic in Enslaved Africans," Lambeth Council, at https://moderngov.lambeth.gov.uk/mgAi.aspx?ID=46459 (accessed 28 Oct. 2024); "Agenda Item Motion: Atonement and Reparation for Bristol's role in the Transatlantic Traffic in Enslaved Afrikans (TTEA)," Bristol City Council, at https://democracy.bristol.gov.uk/mgAi.aspx?ID=22977 (accessed 12 Jan. 2024).

[13] "Backgrounder: About the All-Party Parliamentary Commission of Inquiry for Truth & Reparatory Justice (APPCITARJ)", Stop the Maangamizi Campaign, at https://stopthemaangamizi.com/2020/10/17/about-the-all-party-parliamentary-commission-of-inquiry-for-truth-reparatory-justice-appcitarj (accessed 10 Dec. 2024).

[14] "Register of All-Party Parliamentary Groups [as at 17 Nov. 2021] Afrikan Reparations, UK Parliament", at https://publications.parliament.uk/pa/cm/cmallparty/211117/afrikan-reparations.htm (accessed 22 June 2024); "Ourstory Continues to Be Made: APPG on African Reparations (APPGAR) Established Today," Stop the Maangamizi Campaign, at https://stopthemaangamizi.com/2021/10/20/ourstory-continues-to-be-made-appg-on-african-reparations-appgar-established-today (accessed 23 Jan. 2023).

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who share a common interest in a particular policy area, region, or country. The purpose of the APPGAR is to bring together parliamentarians, campaigners, communities, and other stakeholders to examine issues of African reparations and the repatriation of art and cultural artefacts, as well as to explore policy proposals on reparations and development and how best to redress the legacies of African enslavement and colonialism. The significance of this parliamentary group is that it is the first space created within the state institutions of the UK for dialogue in pursuit of holistic Afrikan reparations, meaning embracing planet repairs. Since its launch, APPGAR has opened up prospects for programmes that can support Afrikan-heritage communities as drivers of policy on Afrikan reparations through community links to the group. Its inaugural 2023 conference resulted in a declaration calling for support for the Stop the Maangamizi Campaign's demand for the establishment of the All-Party Parliamentary Commission of Inquiry for Truth and Reparatory Justice.[15]

International Network of Scholars & Activists for Afrikan Reparations

ESTHER XOSEI

A FINANCIAL CASE FOR BLACK REPARATIONS NOW

Every reparations discussion begs a question: what is the cost? Often the cost exacted via tragedy or atrocity (or both) is human pain and suffering, as well as the secondary losses of family, knowledge, and culture that are concomitant with a massive loss of life. These costs are unfathomable; reasonable people may think them unquantifiable. However, this task has been attempted before, as evidenced by each successful reparations claim in history. The recent volume *The Black Reparations Project: A Handbook for Racial Justice* offers two ways to tally the bill for descendants of the enslaved in America, with the minimum bill estimated at $14 trillion in 2019 dollars.[1]

But the first question of reparations invites a second: when? Implicit is a hesitation, an intuition that a reparations bill of a particular magnitude is not feasible at any time. Even the well-intentioned – those who ignore bigoted, bad-faith arguments attacking the merits of such reparations – may believe that making good on such a payment requires a rare confluence of budgetary solvency, activist energy, and political opportunity. Of course, a motivated United States government found more than $2 trillion in the first few weeks of the unanticipated COVID-19 pandemic. And past reparative undertakings have been launched under both Republican Presidents (for victims of the attacks on 11 September 2001) and Democratic Presidents (for the hostages held in Iran from 1979 through 1981); in the latter case, the final legislation awarding

[15] "UK Reparations Conference 2023 Statement", All-Party Parliamentary Group for Afrikan Reparations, at www.appg-ar.org/uk-reparations-conference-2023-statement (accessed 24 Oct. 2024).

[1] William A. Darity Jr. and A. Kirsten Mullen, "Where Does Black Reparations in America Stand?", in William A. Darity, Jr., A. Kirsten Mullen, and Lucas Hubbard, eds., *The Black Reparations Project: A Handbook for Racial Justice* (Oakland: University of California Press, 2023), 11–21.

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reparations was passed by a Republican-led Congress. Following a deliberate campaign by the Japanese American Citizens League (JACL) beginning in 1978, compensation for Japanese Americans interned during World War II was approved in 1988, receiving bipartisan support through a Democrat-led Congress before being signed into law by Republican President Ronald Reagan.[2]

Yes, with Black reparations, the bill is larger, the delay for restitution longer, the political landscape tetchier. And a circular logic can strengthen the existing inertia: if these payments were warranted and doable, they would have happened already. But support for reparations is growing, and the bills for such restitution are increasing, meaning that any such payments will become more painful in the future. While today is not the best time to make restitution – that would have been many years ago – it is the next-best time.

At no point in the history of the United States have Black Americans been given an equal playing field. Undoubtedly, the creation of the modern racial wealth gap traces to slavery. As Regina S. Baker and Fenaba R. Addo write, the existence of this horrific enterprise "directly served" to build a wealth gap by tipping both sides of the scale: "Whereas slavery denied the opportunity for black Americans to generate income to create wealth, it produced capital that enabled white Americans to develop wealth over generations."[3]

However, the reparations claim is not just for slavery, as Darity and Mullen state in the opening chapter of *The Black Reparations Project*. They identify four phases, post-slavery, that detail the injustices of Black life in America: "the Wagon Train Period" of the US government's inequitable distributed land to white Americans via the Homestead Act of 1862; "the Bloodlust Period" of racial terrorism against Blacks, reaching a peak in the Red Summer of 1919; "the Picket Fence Period" of New Deal policies opening up wealth-building paths of education and home-ownership to white Americans via the GI Bill, while denying Black Americans through practices like redlining and predatory lending; and "the Freeway Period" of highway construction that decimated Black communities in cities across the country.[4]

What have been the aftereffects? A recent historical analysis of the US Black–white wealth gap by Ellora Derenoncourt and colleagues estimated that, in 1940, the median Black household possessed zero wealth.[5] Similar striking findings persist to the modern era, such as in Boston, where a survey in the 2010s found the median household wealth for US Black households in the city was eight dollars.[6]

[2] A. Kirsten Mullen and William A. Darity Jr. "Learning from Past Experiences with Reparations," in Darity, Mullen, and Hubbard, 111–37.

[3] Regina S. Baker and Fenaba R. Addo, "Barriers to Racial Wealth Equality," American Bar Association, 6 Jan. 2023, at https://americanbar.org/groups/crsj/publications/human_rights_magazine_home/wealth-disparities-in-civil-rights/barriers-to-racial-wealth-equality.

[4] Darity and Mullen, "Where Does Black Reparations in America Stand?", 14–17.

[5] Ellora Derenoncourt, Chi Hyun Kim, Moritz Kuhn, and Moritz Schularick, "Changes in the Distribution of Black and White Wealth since the US Civil War," *Journal of Economic Perspectives*, 37, 4 (2023), 71–90.

[6] Ana Munoz, Marlene Kim, Mariko Chang, Regine Jackson, Darrick Hamilton, and William Darity, "The Color of Wealth in Boston" (26 March 2015), at SSRN: https://doi.org/10.2139/ssrn.2630261.

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It is against this backdrop – and an increased understanding of the depths of the racial wealth gap – that support for reparations has been increasing in recent years. A survey in the year 2000 found that only 4 percent of white Americans supported reparations for slavery.[7] A 2021 Pew Research poll found that, despite the persistence of a large racial gap in support, 18 percent of white Americans favored such an effort.[8] Moreover, nearly half of all young adults aged between eighteen and twenty-nine supported reparations.[9]

In their book *From Here to Equality: Reparations for Black Americans in the Twenty-First Century*, William A. Darity Jr. and A. Kirsten Mullen proposed the Black–white wealth gap as the measuring stick for the reparations bill, arguing that any restitution should be sufficient to close it.[10] At the publication of *The Black Reparations Project*, this wealth gap was $840,900 per household, or $357,477 per capita, which would come to a total bill of about $14 trillion.[11]

In chapter 2 of *The Black Reparations Project*, Thomas Craemer and collaborators, building upon the framework first offered by David Swinton, estimate (and sum) the annual costs to Black Americans as a result of slavery and post-slavery discrimination. Each of these costs contains a series of sub-costs: in the slavery era, the value of the slaves' expropriated labor, the value of lost opportunities to acquire capital, the value of lost freedom, and pain and suffering are all terms.[12] Corresponding considerations appear for the discriminatory post-slavery period.

The authors focus on estimating two terms: (1) the value of expropriated labor during US slavery and (2) the value of lost freedom during the same period. Using Census data to estimate the size of the enslaved population from 1776 to 1860, and deriving annual wage rates for unskilled free labor, they calculate the wages owed to the slave population. They then calculate the cost of the lost freedom for the enslaved, based on the $20,000 reparations payments made to the Japanese Americans who were forced into internment camps in the United States during World War II, an average fee of $0.76 per hour of internment (in 1988 dollars). Craemer and his coauthors' estimate for reparations for American slaves is the sum of these two terms, the cost of lost wages and the cost of lost freedom, at minimum $54.9 trillion.[13]

It is worth remembering that Craemer's estimate, despite nearly quadrupling Darity and Mullen's estimate, is conservative. For example, no calculation for pain and

[7] Michael Dawson and Rovana Popoff, "Reparations: Justice and Greed in Black and White," *Du Bois Review*, 1 (2004), 4–91.

[8] Carrie Blazina and Kiana Cox, "Black and White Americans Are Far Apart in Their Views of Reparations for Slavery," *Pew Research Center*, 28 Nov. 2022, at www.pewresearch.org/short-reads/2022/11/28/black-and-white-americans-are-far-apart-in-their-views-of-reparations-for-slavery/#:~:text=Americans%20view%20the%20prospect%20of,descendants%20should%20not%20be%20repaid.

[9] Ibid.

[10] Darity and Mullen, *From Here to Equality*.

[11] Darity and Mullen, "Where Does Black Reparations in America Stand?", 19.

[12] David H. Swinton, "Racial Inequality and Reparations," in Richard F. America, ed., *The Wealth of Races: The Present Value of Benefits from Past Injustice* (Westport, CT: Greenwood Press), 107–23; Thomas Craemer, Trevor Smith, Brianna Harrison, Trevon Logan, Wesley Bellamy, and William A. Darity Jr., "Wealth Implications of Slavery and Racial Discrimination for African American Descendants of the Enslaved," in Darity, Mullen, and Hubbard, *The Black Reparations Project*, 22–62, 26–27.

[13] Ibid., 58.

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suffering is included in this calculation, and the 3 percent compounding interest rate it applies is shy of the 6 percent interest rate used in contracts of that time.[14]

The most appropriate metric for estimating what is owed the living descendants of the enslaved is the racial wealth gap.[15] Its calculation is cleaner, and it reflects not the atrocities for which their ancestors should have been compensated but rather "the ongoing consequences of the harms that limit their lives in the present moment."[16] Still, Craemer's estimation method proves useful as an illustration. Positive interest rates, compounded, will grow a debt. This is tautological, but it is important to conceive the speed with which these estimates increase. In 1860, the interest-adjusted lost wages were $174 billion; the bill for interest-adjusted lost freedom was $326 billion.[17] In total, half a trillion dollars were owed. But with the 164-year-long postponement of restitution, the nominal bill has grown more than 100 times.

One may hope that Darity and Mullen's calculation appears less dire as time passes, that estimating a bill based on the racial wealth gap means that the costs of delaying payment are less severe. A starry-eyed optimist might even believe that, with enough effort in the modern day, these initial wealth disparities can be alleviated, if not extinguished, through indirect means, like greater education for Black Americans, enhanced financial literacy, increases in entrepreneurship, or the storied tradition of pulling up on bootstraps.[18]

But the trends are not favorable. Analyzing 2019 wealth data in *The Black Reparations Project*, Darity and Mullen estimated $14 trillion as necessary to close the gap.[19] Now, new wealth numbers from 2022 show that the mean Black–white racial wealth gap, up to $1.15 million from $841,900, is in fact outpacing inflation.[20] Between just 2019 and 2022, the real wealth disparity grew by about 23 percent.[21]

This growth is unsurprising. Wealth disparities do not disappear on their own. Derenoncourt et al. find that the racial wealth gap, on average, is in fact larger today than it was at the end of the civil rights era.[22] The authors write that even in the best of circumstances – a scenario in which Black Americans have faster income

[14] "Articles of Agreement between Thomas F. Mulledy, of Georgetown, District of Columbia, of One Part, and Jesse Beatty and Henry Johnson, of the State of Louisiana, of the Other Part," Georgetown Slavery Archive, 19 June 1838, at http://slaveryarchive.georgetown.edu/items/show/1.

[15] William A. Darity Jr., A. Kirsten Mullen, and Marvin Slaughter, "The Cumulative Costs of Racism and the Bill for Black Reparations," *Journal of Economic Perspectives*, 36, 2 (2022), 99–122. [16] Ibid., 100. [17] Craemer, Smith, et al., 37–39, 42–45.

[18] William Darity, Darrick Hamilton, Mark Paul, Alan Aja, Anne Price, Antonio Moore, and Caterina Chiopris, "What We Get Wrong about Closing the Racial Wealth Gap," Samuel DuBois Cook Center on Social Equity and Insight Center for Community Economic Development (2018), at https://socialequity.duke.edu/wp-content/uploads/2019/10/what-we-get-wrong.pdf.

[19] Darity and Mullen, "Where Does Black Reparations in America Stand?", 19.

[20] Aditya Aladangady, Andrew C. Chang, and Jacob Krimmel, "Greater Wealth, Greater Uncertainty: Changes in Racial Inequality in the Survey of Consumer Finances," FEDS Notes, Washington, Board of Governors of the Federal Reserve System, 18 Oct. 2023, at https://doi.org/10.17016/2380-7172.3405.

[21] Fenaba R. Addo, William A. Darity Jr., and Samuel L. Myers Jr., "Setting the Record Straight on Racial Wealth Inequality," American Economic Association Papers and Proceedings (unpublished).

[22] Derenoncourt et al., "Changes in the Distribution of Black and White Wealth since the US Civil War," 72.

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growth and achieve savings rates and capital gains similar to those of their white counterparts – a full wealth convergence "remains a distant goal over the next two centuries."[23] These scenarios are unrealistic for many reasons, not least of which is the discrimination that Black Americans face across all arenas of society, but particularly in labor markets, where they persistently have an unemployment rate that doubles that of white Americans.[24] In truth, the nature of wealth is that those who start in a good position can fortify their stronghold. "Reality is less optimistic," Derenoncourt and collaborators write, "given that we live in an era of high wealth-to-income ratios in which differences in capital gains on existing assets play a dominant role for wealth growth."[25] The rich keep getting richer, and Black Americans get left further behind.

As stated in the introduction, the bill for Black reparations is larger than other reparations claims, and the delay for restitution for this population has been longer. But it is crucial to understand, as shown by the trends of both Craemer's and Darity and Mullen's calculations, that these are not two independent phenomena. Rather, in both instances, one of the reasons why the Black reparations bill is so high is *because* of the length of the delay. Instead of representing two unique arguments against the feasibility of Black reparations, these points are an intertwined indictment of the US government and its failures: its failure to, at any point, compensate Black Americans for the atrocities enacted upon them, and its failure to curb these injustices for nearly two and a half centuries, and counting. The effects of wealth on financial, mental, and physical well-being cannot be overstated. Wealth provides financial security in the case of catastrophe. It unlocks educational opportunities and career advancement *sans* accrual of debt. It expands the menu of financial options one can choose from and, particularly, allows access to other wealth-building opportunities, like home-ownership, entrepreneurship, and investment. And it is remarkably durable, enabling one generation to pass wealth forward at low cost to its successor.

No, Black reparations now is the best way to eliminate this gap. For cynical politicians, the sole argument for further delay is a wager that these desires dissipate. But changing popular opinion suggests that that is a poor bet. Those fearful of a large bill should see the merits in doing something soon. These demands are not going away, and the price is only going up.

A wealth gap is similarly durable, but overcoming it requires just one thing: an infusion of wealth. Alternative suggestions range from the inadequate – what good is enhanced financial literacy if one has minimal finances? – to the ludicrous, if stretched to the point required. Consider, for example, the idea that greater savings on the part of Black households can do the trick: the racial wealth gap is so large that to close it at the mean, the typical Black household would have to save 100 percent of its income for *25 consecutive years*.[26]

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[23] Ibid., 87.

[24] Olugbenga Ajilore, "On the Persistence of the Black–White Unemployment Gap," Center for American Progress (2020), at www.americanprogress.org/article/persistence-black-white-unemployment-gap.

[25] Derenoncourt et al., "Changes in the Distribution of Black and White Wealth since the US Civil War," 87.

[26] Calculated using the most recent (2022) Survey of Consumer Finances data featured in Aladangady, Chang, and Krimmel.

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