

How Americans Should Think About Reparations for American Slavery

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Thank you for your time, and thank you for agreeing to take my presentation remotely. I should say at the beginning I speak as an American academic, a political philosopher and historian of the United States, and not on behalf of my institution, Tel Aviv University, itself a recipient of Holocaust reparations.

I was trained in political philosophy, that is to look for the questions not asked, and see how asking **those** questions changes our thinking on the questions **usually** asked in public debate. My goal in these few minutes is to shock you and perplex you into thinking a bit differently about some very familiar questions.

Now the pressure for reparations for American slavery comes from two sides. First, from moral outrage – for even though American slavery was ended by law in 1865, slavery then still outrages us today. It is part of a legacy that in other respects and for other reasons we Americans are not ashamed of but proud to claim. That is to say, as Americans, we participate in and aim to perpetuate institutions – the union of the states, the Constitution, the free market, that, a century and a half ago, actively worked to hold innocent men, women, and children in wrongful slavery.

Second, pressure for slavery reparations comes from the recognition of persistent, castelike inequality between the descendants of persons held as slaves in the United States and other Americans. As I wrote in 2018, “the descendants of American slaves live shorter lives than other Americans, are less likely to have [stable families](#), are more likely to be [victims of violence](#), have [lower incomes](#), [less wealth](#), and lower levels of [educational attainment](#).” As Americans,

dedicated, as Lincoln said, to the proposition that all men and women are created equal, this persistent inequality outrages us.

The outrage is all the worse because it is incoherent. It is incoherent because we do not have a current term or a word that marks out the people whose unequal condition today outrages us. The relevant category is not a racial category, we do not feel the same obligation to mitigate inequalities toward Black immigrants and their descendants, even Black immigrants from other places outside the United States where black men, women, and children were held in legal slavery by Whites or Europeans. The people whose relative deprivation outrages us are not an organized community or people separate from other Americans: we are not speaking of a nation, or of what in political science is called an intentional community. We all know or should know the exchange from Jordan Peele's 2019 horror movie Us, a film that is an allegory of the relation between privileged and less privileged Black Americans. "What are you people?" asks father of the Black upper middle class family Gabe Wilson of their newly emerged clone rivals and enemies. "We're Americans."

The problem of reparations is to find some way of mitigating inequalities that distinguish some Americans from other Americans, in order to atone for a moral outrage that still stains the institutions that we Americans cherish and wish to continue. When we put the problem that way, we see that two frequently cited modern examples of reparations provide limited guidance in thinking about reparations for American slavery.

In 1988 the United States government agreed to pay reparations to those Japanese-Americans who were interned by the United States during World War 2. The payments were modest, almost token, \$20,000 for each survivor of internment still alive in 1988, and were not intended to nor could mitigate persistent inequalities. Why were the payments so modest? Partly

I think, because the kind of persistent inequalities that concern us regarding the descendants of persons held as slaves in the United States are simply not found in relation to Japanese Americans, whether we speak about those individuals who were interned, the generation of those interned, or their descendants.

There is also the example of Holocaust reparations, cited in Te-Nihisi Coates's well known 2014 essay "[The Case for Reparations](#)." Those reparations were paid from one community to two other communities, from the German state to the Jewish community organized in various bodies such as the World Jewish Congress and the Claims Conference; and from the German state to the State of Israel, the national state of the Jewish people. The whole point is to repair by compensation in money and goods the relation between one people and another, between Germans and Jews and between the Federal Republic of Germany and the State of Israel, even when the recipients are or were individuals, and when their claim is calculated on the basis of individual deprivation by Nazi crimes.

This matters because the State of Israel could use the payments it received for the benefit of Jewish Israelis, it had a parliament, a government, and a bureaucracy to debate and decide how to use reparations for the common benefit of the Jewish people, the collective victim of Nazi outrages. For slavery reparations the problem is within a single community, the American people, and is an attempt to deal with the outrages that some Americans inflicted on other Americans through the American institutions that for other reasons and in other respects we esteem and wish to perpetuate. Unlike in the case of Holocaust reparations, reparations for American slavery, in whatever form it takes, will have to be worked out by the same institutions and for the same American people as both victims and as perpetrators. Unlike in the case of reparations for Japanese internment, also paid on behalf of Americans to Americans, the problem

to be addressed by slavery reparations is not symbolically to atone but to respond to persistent inequalities which reparations should do something visible and tangible to mitigate.

What about affirmative action? I was asked to be here today because I published an essay in 2018, [“The Whipped-Cream Boys of Affirmative Action,”](#) arguing that affirmative action programs of the kind that exist today are not a suitable vehicle for mitigating the persistent inequality between the descendants of persons held as slaves in America and other Americans. First, and most important, they haven’t worked: in fact, those inequalities such as crime victimization are in important respects, as bad if not worse today in 2022 as they were in 1965, when President Johnson announced his affirmative action policy in a speech at Howard University. The failure of affirmative action programs is obscured because government, media, think tanks and universities use racial categories such as Black and white to study inequality instead of gathering separate data on the descendants of persons held as slaves in the United States. Second, because affirmative action policies are defined in racial terms they are not an answer to the real problem: Reparations are for victims – and while it is true that slavery in America (and everywhere else on the globe where slavery was practiced) was racialized -- in the United States of 2022 programs such as affirmative action that designate beneficiaries by race are not reaching those harmed by the persistent legacy of American slavery.

In my view, California’s response to the question of reparations should be to seek out programs that, in the light of more than half a century of modern experience, have some prospect of mitigating the relevant inequalities. Here I think, the best thing to focus on is education at the K-12 level: make it easier for the descendants of persons held in slavery in the United States to get a good school education. My authority is California economist Thomas Sowell, a descendant of persons held as slaves in the United States, born in 1930 in Gastonia, South

Carolina amid the last living memories of American slavery. As Sowell details in his 2020 book [*Charter Schools and their Enemies*](#), the 2019 California charter school reform legislation goes the wrong way, making harder for impoverished parents, and, I would add, especially for impoverished parents descended from persons held in slavery in America, to ensure that their children are enrolled in schools that will teach them adequately. Rather, Californians need to make sure that every California child, and in particular every California child the descendant of persons held in slavery in the United States, is guaranteed a free K-12 education. Education does not mean time in a classroom chair between birth and prison or the streets. Education must mean actual scholastic attainment that will give these children and all California children the skills and talents required for a fulfilled adult life.

Charter schools and easy access to them, Sowell shows, are a vital part of such an education policy. Because of the importance of school for remedying inequalities, California should annul or obliterate other public policies that stand in the way of educating each California child the descendant of persons held in slavery in the United States – and I speak as a unionized teacher well aware of the benefits of unionization for teachers, especially uncommitted, distracted, or incompetent teachers.

At the postsecondary level, I think the thing the state can do is to identify and increase access to programs that pipeline students from the classroom to rewarding careers. Such programs are often co-ops, where job placement is part of the curriculum and students work at their careers through their time in school. The State of California, in my view should identify inequalities in access to those programs. The State should then formulate, apply, study, reformulate, and reapply policies to mitigate those inequalities in the State of California.

Race is fundamental to understanding the history and legacy of American slavery,

but thinking beyond racial categories is vital to formulating and implementing public policies that will mitigate the inequalities that are the legacy of American slavery. If the Civil War settled one thing, it made all of us, Black and white, Americans. Thus it made the problem of repairing relations between the victims and the perpetrators and perpetrating institutions a problem for all of us together as Americans. We Americans of 2022 want to find a policy response that will make it possible for us to go on together as Americans.