

**HOUSING AND THE LAW: LESSON 8: INTRODUCTION: HANDOUT 1****AT HISTORIC HEARING, HOUSE PANEL EXPLORES REPARATIONS<sup>1</sup>**

By: Sheryl Gay Stolberg

*The New York Times*

June 19, 2019

Page | 1

WASHINGTON — Frail but sharp at 88, the Rev. Doris Sherman woke up at 4 a.m. on Wednesday to travel here from Philadelphia for an event that, even after the nation elected its first black president, she never thought she would see: a meeting in the capital of the United States on **reparations** for African-Americans.

Dressed all in white, the color of the suffragist movement — it was a coincidence, she said — Ms.

Sherman, who is black, reflected on the unfulfilled Civil War-era promise to former slaves of “40 acres and a mule.” As a schoolteacher for 30 years before entering the ministry, she recalled so many black parents struggling to provide day care, their children “left back and left out.”

If the government did anything, she said, it should do something for the children. “We don’t want that mule now,” she said. “We don’t want that 40 acres. We are asking for remembrance. Remember the struggle. Remember the injustice and remember the now.”

Ms. Sherman was among hundreds of other mostly black spectators — so many that they filled three overflow rooms — who descended on Capitol Hill for Wednesday’s historic hearing, the first time Congress has considered a bill, H.R. 40, that would create a commission to develop proposals to address the lingering effects of slavery and consider a “national apology” for the harm it has caused.

The sometimes raucous session before a subcommittee of the House Judiciary Committee lasted nearly three and a half hours and dug into the darkest corners of the nation’s history, exposing the bitter cultural and ideological divides in Washington and beyond. Republican lawmakers and witnesses — including Burgess Owens, the retired football star — were jeered



<sup>1</sup> Sheryl G. Stolberg, “At Historic Hearing, House Panel Explores Reparations,” *The New York Times* (June 29, 2019). Retrieved from <https://www.nytimes.com/2019/06/19/us/politics/slavery-reparations-hearing.html>.

when they argued that black people could pull themselves up by their own bootstraps and that reparations might damage their psyches.

“We’ve become successful like no other because of this great opportunity to live the American dream,” Mr. Owens, who is black, told the panel. “Let’s not steal that from our kids by telling them they can’t do it.”

That the hearing took place at all was remarkable, a reflection of the shifting landscape in the Democratic Party and the wrenching national debate over racial justice in the era of President Trump. Nearly 60 House Democrats, including Speaker Nancy Pelosi, support the bill. And at least 11 Democratic presidential candidates — with former Vice President Joseph R. Biden Jr. a notable exception — have embraced either the concept of reparations or the bill to study it.

“We have not had a conversation about reparations on this scale or level since the Reconstruction Era,” William A. Darity Jr., a professor of public policy at Duke University who is writing a book on reparations, said in a tele phone interview. “To be blunt, I am more optimistic than I have ever been in my life about the prospect of the enactment of a reparations program that is comprehensive and transformative.”

The first time the federal government considered reparations for black people was in 1865, when 400,000 acres of coastal land were awarded to former slaves, the result of a special order issued by the Union general, William T. Sherman. It lasted less than a year. When President Abraham Lincoln died, he was succeeded by Andrew Johnson, who rescinded Sherman’s order.

In the late 1800s, the idea of pensions for former slaves — similar to **pensions** for Union soldiers — took hold, championed for a time by a Nebraska congressman. But the idea fizzled in the face of strong opposition from federal agencies.

In 1989, Representative John Conyers Jr., who retired in 2017, introduced legislation to create a commission to develop proposals for reparations. He introduced it every year for nearly 30 years. It went nowhere. Even President Barack Obama opposed reparations, calling the idea impractical.



It is that bill, titled the “Commission to Study and Develop Reparation Proposals for African-Americans Act,” and now sponsored by Representative Sheila Jackson Lee, Democrat of Texas, that the subcommittee has before it. It would authorize \$12 million for a 13-member commission to study the effects of slavery and make recommendations to Congress.

“I just simply ask: Why not?” Ms. Jackson Lee said Wednesday. “And why not now?”

But Professor Darity’s optimism may be overstated.

Even if it passes the House, the bill has little chance of getting through the Republican-controlled Senate, where Senator Mitch McConnell of Kentucky, the majority leader, spoke out against it on Tuesday, telling reporters he does not favor reparations “for something that happened 150 years ago, for whom none of us currently living are responsible.”

Mr. McConnell’s remark prompted a sharp rebuke from the hearing’s star witness, the writer Ta-Nehisi Coates, whose 2014 article “[The Case for Reparations](#)” in *The Atlantic* rekindled the debate, arguing that African-Americans had been exploited by nearly every American institution. Mr. Coates, who is black, ticked off a list of government-sponsored discriminatory policies — including those in Mr. McConnell’s birthplace of Alabama — such as redlining and **poll taxes**.

“He was alive for the redlining of Chicago and the looting of black homeowners of some \$4 billion,” Mr. Coates said. “Victims of their plunder are very much alive today. I am sure they would love a word with the majority leader.”

“While emancipation dead-bolted the door against the bandits of America, Jim Crow wedged the windows wide open,” he added. “That’s the thing about Senator McConnell’s ‘something.’ It was 150 years ago, and it was right now.”

Advocates for reparations say their cause is misunderstood, and emphasize that it does not necessarily mean the government would be writing checks to black people, though Mr. Coates said he was not opposed to the idea.

Rather, they say, the government could offer various types of assistance — zero-interest loans for prospective black homeowners, free college tuition, community development plans to spur the growth of black-owned businesses in black neighborhoods — to address the social and economic fallout of slavery and racially discriminatory federal policies that have resulted in a huge wealth gap between white and black people.

“When a black woman or man is arrested, they may land in jail for how many days because they don’t have the home, the mortgage to get the bail — and cash bail is discriminatory,” Julianne Malveaux, an economist, told the subcommittee, her voice rising in anger. “I want y’all Congress people to deal with issues of economic structure.”

Wednesday’s hearing was laden with symbolism. This year is the 400th anniversary of the [first documented arrival of Africans to the port of Jamestown](#) in what was then the colony of Virginia. Wednesday, June 19, was [Juneteenth](#), the holiday that celebrates the end of slavery in the United States. And the bill carries the designation H.R. 40, a reference to “40 acres and a mule.”

As passions flared, the subcommittee chairman, Representative Steve Cohen of Tennessee, repeatedly told the spectators to simmer down. And politics was at work: A Democratic presidential candidate, Senator Cory Booker, who is carrying the bill in the Senate, was the first witness, declaring himself “brokenhearted and very angry” at the nation’s reluctance to deal with what he called “a cancer on the soul of our country.”

“I believe right now we have a historic opportunity to break the silence,” Mr. Booker said. “To speak to the ugly past and talk constructively about how to move this nation forward.”

One Republican congressman, Representative Louie Gohmert of Texas, lashed out at “today’s claim that the Republicans are the party of racism,” noting that southern segregationist Democrats were responsible for the era of Jim Crow.

Another Republican, Representative Mike Johnson of Louisiana, drew hisses when he suggested that black leaders like Frederick Douglass and Booker T. Washington “encouraged people to take control of and responsibility for their own lives, because that gives every human being a greater sense of meaning, purpose and satisfaction.”

The actor and activist Danny Glover told of his great-grandmother, Mary Brown, a slave who was freed by Lincoln’s Emancipation Proclamation of 1863. A documentary filmmaker, Katrina Browne, who is white, recounted her painful discovery that her Rhode Island ancestors had been “the largest slave trading family in United States history,” and brought more than 12,000 Africans to the Americas in chains.

Her message to the lawmakers: “It is good for the soul of a person, a people and of a nation to set things right.”

**Figure 1:** Hundreds of spectators – so many that they filled three overflow rooms – were on hand for the historic hearing. Credit: Michael A. McCoy for The New York Times

**Figure 2:** Asmara Sium and her son Khalab Blagburn attended the hearing on reparations, which exposed bitter cultural and ideological divides. Credit...Michael A. McCoy for The New York Times