

Talking About Reparations:

A Civil Conversation

Overview

Constitutional Rights Foundation is proud to have partnered with [Carolina K-12](#), a program of UNC-Chapel Hill's Carolina Public Humanities, to develop lesson plans about moments and themes from North Carolina history that resonate through the past and present of the United States.

In this lesson, students examine and evaluate arguments for and against the passage of H.R. 40, ("Commission to Study and Develop Reparation Proposals for African-Americans Act"). First, they read a selection of excerpts from scholars and writers who have thought extensively about this question. Next, they participate in a Civil Conversation (CivCon) based on the reading. In this structured discussion method, under the guidance of a facilitator (the teacher), participants are encouraged to engage intellectually with challenging materials, gain insight about their own point of view, and strive for a shared understanding of issues.

This lesson can be used as a supplement to any lesson or unit on the following topics: the institution of slavery in the United States; the Civil War (including Gen. Sherman's Special Field Orders No. 15); Reconstruction; the era of Jim Crow; the civil rights movement in the United States; the legislative process; and contemporary struggles against racism and racial inequality in the U.S.

Objectives

Students will be able to:

- Summarize arguments for and against the passage of HR 40 ("Commission to Study and Develop Reparation Proposals for African-Americans Act").
- Appraise arguments for and against the passage of HR 40.
- Participate in a CivCon, which will enable them to:
 - a. Gain a deeper understanding of a controversial issue.
 - b. Use close reading skills to analyze a text.
 - c. Present text-based claims.
 - d. Develop speaking, listening, and analytical skills.
 - e. Identify common ground among differing views.

Preparation

In order to participate effectively and meaningfully in this lesson, students should have some background knowledge about slavery in the United States, as well as a basic understanding of racial discrimination after slavery, particularly through Jim Crow laws.

Materials

- [Handout A: Perspectives on Reparations](#) – one per student.
- [Handout B: Civil Conversation Guide](#) – one per student.
- [Civil Conversation Teacher's Guide](#)

Procedure

I. Introduction

Briefly overview the purpose and rationale of the Civil Conversation activity. Use the Overview above to help you.

II. Reading: Perspectives on Reparations

- A. Give each student a copy of [Handout A: Perspectives on Reparations](#).
- B. Distribute a copy of [Handout B: Civil Conversation Guide](#) to each student to complete as they read Handout A. (Each student should fill in his/her own guide.)

III. Activity: Civil Conversation

- A. Divide the class into groups of 3–4 students. You may want to have each group select a leader who will get the discussion started, ensure the group stays on-task, and finishes on time.
- B. Determine how much time the groups have to complete the discussion. (You will know what’s best for your students, depending on the length of the reading and how experienced your students are in student-directed discussion.)
 - **Time:** Conversations for classroom purposes should have a time limit, generally ranging from 15 to 45 minutes and an additional five minutes to reflect on the effectiveness of the conversations. The reflection time is an opportunity to ask any students who have not spoken to comment on the things they have heard. Ask them who said something that gave them a new insight that they agreed or disagreed with.
 - **Small Groups:** This discussion strategy is designed to ensure the participation of every student. Groups of 3-4 students are ideal. If you are scaffolding text for various reading levels, group students who will use the same text together.
- C. Review the rules of a Civil Conversation (listed under Step 3 on the Guide) and direct the groups to follow the instructions on the Guide to get started.
- D. Let groups know you will be circulating to listen in on their conversations and that each person in a group is expected to participate. The goal is for everyone to contribute equally to the conversation.
- E. If necessary, remind groups of the time and urge them to move to the next steps.

IV. Assessment/Closure

- A. After the groups have completed their discussions, debrief the activity by having the class reflect on the effectiveness of the conversation:
 - What did you learn from the Civil Conversation?
 - What common ground did you find with other members of the group?
 - Ask all participants to suggest ways in which the conversation could be improved. If appropriate, have students add the suggestions to their list of conversation rules.
- B. If you want to provide some whole-class debriefing or reflection on the topic without opening up a whole-class debate, you might ask students to answer the following question on a small piece of paper or a sticky note: *What is a question you have (or something you’re still wondering) about H.R. 40 now that you’ve had a chance to examine some perspectives on it in class?*

- You can then collect the notes and either read common questions aloud, or you can review them after class and then use them as the basis for subsequent research or classroom activities.
- C. For assessment, look for the following on each student’s Civil Conversation Guide:
- Step 2 – A, B: Basic understanding of text.
 - Step 2 – C, D: Text-based arguments.
 - Step 2 – E: Appropriate and compelling questions about the text.
 - Step 4 – A: Level of participation (should be “about the same as others”).
 - Step 4 – B: Answer is appropriately related to topic/issue presented in text.
 - Step 4 – C, D: Specificity/text-based.
- D. For additional assessment, you may want to collect the article/text students used to assess the annotations they made in terms of connections to prior knowledge/experience, questions they had while reading, and comments they made.

Perspectives on Reparations

It is a hard truth of the United States that the legal enslavement of Black people was embedded in American history for nearly 250 years until the passage of the 13th Amendment in 1865. Fortunes were made on the exploitation of slavery's unpaid labor, and early promises for compensation to enslaved people went unfulfilled.

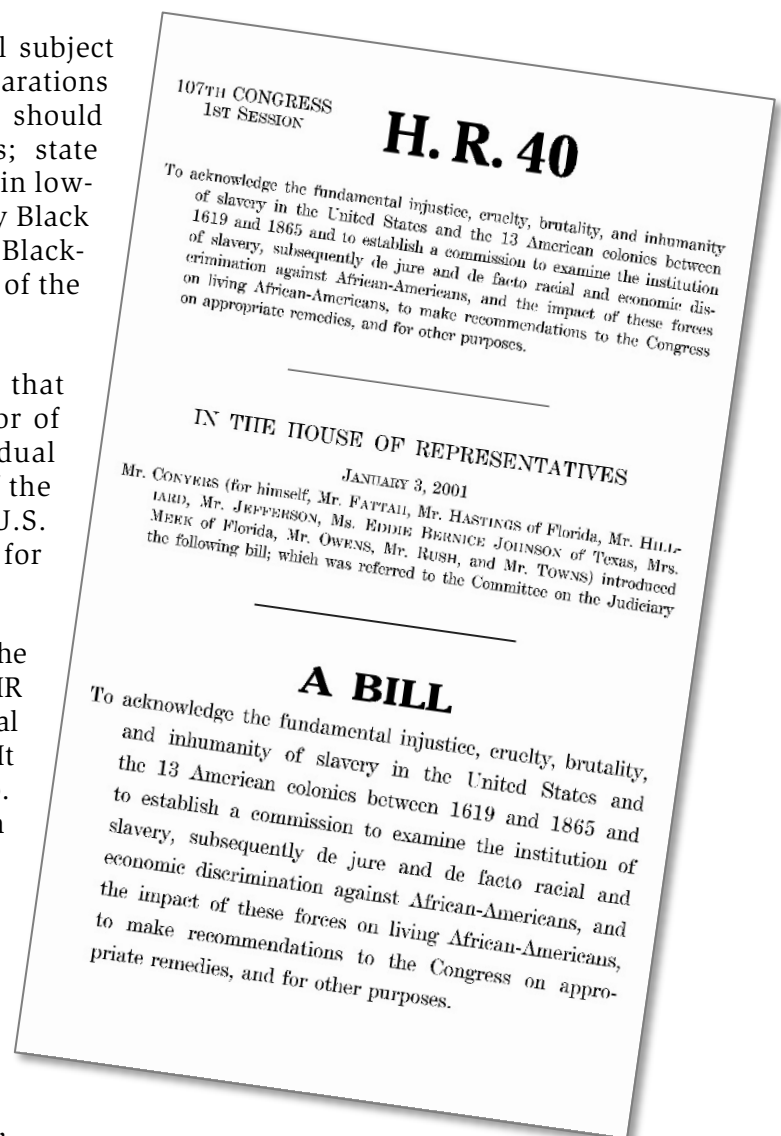
Additional hard truths to acknowledge today include racial discrimination that Black people faced in law and society even after slavery's end. For decades, too, a significant gap between the average wealth (savings, investments, and real property) of white households versus Black households has persisted. In some key instances, this gap has been caused or exacerbated by state and federal policy. For all these reasons, many today argue for reparations for the descendants of American slaves.

Reparations, however, are a controversial subject for public policy. Not all proponents of reparations agree, either, on what form reparations should take. Proposals include direct payments; state and national apologies; public investment in low-income Black communities and historically Black colleges and universities; subsidies to Black-owned businesses; or a combination of all of the above.

However, surveys in recent years show that only 29 percent of Americans are in favor of direct cash payments to individual descendants of slaves. Barely over half of the American population believes that the U.S. government owes even an apology for slavery.

To address the issue, a subcommittee of the U.S. House of Representatives has adopted HR 40, a law that would create a congressional commission to study reparations proposals. It was originally introduced in 1989 by Rep. John Conyers (D-MI), and since his death in 2019 has been sponsored by Rep. Sheila Jackson Lee (D-TX) with over 170 cosponsors. The co-sponsorship is also entirely partisan: All co-sponsors are Democrats and none are Republicans.

In a landmark 2014 article in *The Atlantic*, "The Case for Reparations," author Ta-Nehisi Coates argued for reparations and supported HR 40 because, at a minimum, it would provide a vehicle for a public hearing on the crime of slavery.



No one can know what would come out of such a debate. Perhaps no number can fully capture the multi-century plunder of black people in America. Perhaps the number is so large that it can't be imagined, let alone calculated and dispensed. But I believe that wrestling publicly with these questions matters as much as — if not more than — the specific answers that might be produced. An America that asks what it owes its most vulnerable citizens is improved and humane. An America that looks away is ignoring not just the sins of the past but the sins of the present and the certain sins of the future. More important than any single check cut to any African American, the payment of reparations would represent America's maturation out of the childhood myth of its innocence into a wisdom worthy of its founders.

The following is an excerpt from a 2020 interview by National Public Radio's Noel King with Duke University Professor of Public Policy William A. Darity about his book *From Here to Equality*, coauthored with A. Kirsten Mullen. In it, Darity and Mullen outline who they believe deserves reparations, and why direct payments as reparations are essential. (Prof. Darity has since criticized HR 40 because, in part, it does not guarantee direct payments.)

KING: Part of the promise of this book is that you will offer a road map to reparations. Put simply, who do you think should get reparations?

DARITY: We propose that there are two criteria for eligibility. The first is what we refer to as a lineage standard. An individual would have to demonstrate that they have at least one ancestor who was enslaved in the United States. And then the second is an identity standard. An individual would have to demonstrate that for at least 12 years before the enactment of a reparations program, the individual would've had to have self-identified as black, Negro or African American.

KING: And then would you make the argument that checks should be cut to individuals, to families, or should there be a large pool of money that could go toward supporting education, supporting homeownership?

DARITY: We feel strongly that direct payments must be a major component. We have talked about support for education, support for entrepreneurial activity, some resources that go to historically black colleges and universities. But the preponderance of the funds must go to individual recipients. And they must go in such a way that we, in fact, eliminate the racial wealth gap. That's the big objective of the reparations project.

In 2019, a subcommittee of the House of Representatives Judiciary Committee held a hearing on HR 40. Ta-Nehisi Coates and others testified. Writer and columnist Coleman Hughes testified against the bill and made his argument, as a Black man and descendant of enslaved people, against reparations for slavery.

In 2008, the House of Representatives formally apologized for slavery and Jim Crow. In 2009, the Senate did the same. Black people don't need another apology. We need safer neighborhoods and better schools. We need a less punitive criminal justice system. We need affordable health care. And none of these things can be achieved through reparations for slavery.

What we should do is pay reparations to black Americans who actually grew up under Jim Crow and were directly harmed by second-class citizenship — people like my grandparents.

But paying reparations to all descendants of slaves is a mistake. Take me for example. I was born three decades after Jim Crow ended into a privileged household in the suburbs.

I attend an Ivy League school. Yet I'm also descended from slaves who worked on Thomas Jefferson's Monticello plantation. So reparations for slavery would allocate federal resources to me but not to an American with the wrong ancestry — even if that person is living paycheck to paycheck and working multiple jobs to support a family. You might call that justice. I call it justice for the dead at the price of justice for the living.

At the hearing on HR 40, Katrina Colston Browne, a white woman, testified in support of the bill. After learning she had ancestors who were slave traders in Rhode Island, she made *Traces of the Trade*, a documentary film for public television about her family and the debt she feels she has to African Americans.

Whether it's in our textbooks, or in the narratives we have about our family histories, no one wants to feel implicated. We don't want the shame of it, and we don't want to feel responsible for what our distant ancestors may have done. We want to be related to good guys, not bad guys. We want to be proud of, not ashamed of our country. . . . My belief is that we can hold both pride and shame in healthier balance. The Philadelphian in me knows there is much to be proud of, as well as much to squarely acknowledge.

And I don't believe there's shame in not wanting to feel shame. Humans hate feeling shame. And that's because we want to be moral and good, and we want to be seen as moral and good. That's a good thing. But let's not let it keep us in denial.

Questions for Discussion

1. What is the opinion expressed by each author above? What reasons do they give for their opinions?
2. Which opinion do you find most persuasive? Which opinion do you find least persuasive? What are your reasons for your answers?

Sources

Coates, Ta-Nehisi. "The Case for Reparations." *The Atlantic*, June 2014.

<https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>

Colston Browne, Katrina. Written Testimony for "HR 40 and the Path to Restorative Justice: A hearing in the Subcommittee on the Constitution, Civil Rights, and Civil Liberties, of the Committee on the Judiciary, of the U.S. House of Representatives," submitted 17 June 2019. 19 June 2019.

<https://docs.house.gov/meetings/JU/JU10/20190619/109648/HHRG-116-JU10-Wstate-BrowneK-20190619.pdf>

Hughes, Coleman. "My Testimony on Reparations." *Quillette*, 20 June 2019. <https://quillette.com/2019/06/20/my-testimony-to-congress-on-reparations/>

King, Noel. "'From Here to Equality' Author Makes a Case, and a Plan, for Reparations." NPR, 17 June 2020.

<https://www.npr.org/2020/06/17/879041052/william-darity-jr-discusses-reparations-racial-equality-in-his-new-book>