

WHO WE ARE: A CHRONICLE OF RACISM IN AMERICA

Bonus Episode: Revisiting Reparations

JEFFERY ROBINSON:

This is Who We Are: A Chronicle of Racism in America, a product of Ben and Jerry's and produced by Vox Creative.

Jeffery Robinson here, founder of The Who We Are Project. If you've listened to our earlier episodes, then you know that The Who We Are Project works to study, address and learn from America's history of anti-blackness. We did it with the podcast, and soon we have a documentary film coming out as well. Today, reparations has become a subject of study on the floor of the House of Congress, where just one month ago white supremacist insurrectionists attempted to destroy our democratic process.

As H.R. 40 becomes a possibility — and we'll get to that — I wanted to discuss reparations: the history, the future. And to do it with two esteemed experts on the subject. If you've ever talked to someone who's asked if reparations are possible, or needed even, I really hope you'll share this conversation with them.

And finally, a word of personal news: this spring I'll be leaving the ACLU to work on The Who We Are Project full-time. There is a great deal more to come from the project, and I hope you'll stay with us as these things come out.

For now, here's my discussion with Dr. Daniels and Nkechi Taifa.

JEFFERY ROBINSON:

It's my pleasure to be here today with Dr. Ron Daniels and Nkechi Taifa.

I'm going to ask y'all to introduce yourselves briefly, so folks know who I'm talking to. Dr. Daniels, would you go first?

DR. RON DANIELS:

I am Dr. Ron Daniels. I'm president of the Institute of the Black World 21st Century and I serve as convener of the National African American Reparations Commission. And I have a long history of engagement spanning more years than I would like to talk about, but that includes being the executive director of the Center for Constitutional Rights. I was deputy campaign manager for Reverend Jesse Jackson's campaign. I am now also a retired distinguished lecturer from York College, City University of New York.

JEFFERY ROBINSON:

Thank you so much for joining us. And I've got another guest, too. Would you introduce yourself, please?

NKECHI TAIFA:

Well, I am likewise thrilled to be here, too, Jeffery and Dr. Daniels. I am Nkechi Taifa. I am an attorney. I'm an advocate, a policy analyst and activist. And I am the author of a new memoir, "Black Power, Black Lawyer." But I'm the founder and president of The Taifa Group and I'm a proud founding member of N'COBRA, the National Coalition of Blacks for Reparations in America. And I am an inaugural commissioner on NAARC, the National African American Reparations Commission.

JEFFERY ROBINSON:

I am so thrilled to have you both. And I have teased you both about the acronym NAARC and saying, "Did you have to do that?" But you know what?

Nkechi, let me come to you first. We all saw what happened on Jan. 6 at the Capitol,¹ and then we saw some very different images on Jan. 20 at the Capitol.² And what I'm wondering is, given that this is a transitional moment — new administration, new year, some new hope — how are you feeling about where America is right now?

NKECHI TAIFA:

I recently penned an article, "Of Terror and Promise," and I think that kind of characterizes how I'm feeling right now. I'm frankly terrified that we have here the 2020 pain that not only I, but the entire world felt with the murders of George Floyd and Breonna Taylor and Ahmaud Arbery — and the list goes on and on³ — culminating in that Jan. 6 siege on the Capitol by racist white supremacist terrorists.

But, you know, for us, the terror has always been there. But now the casket has been opened wide so that now, with Jan. 20, I'm feeling promise and optimism. Promise because no longer should there be any question in our minds as to the resurfacing of white supremacy terrorism. But optimism because with this knowledge, with this clarity, we can move forward with our eyes wide open, continuing our battle for justice and equity and humanity and reparations.

JEFFERY ROBINSON:

And Dr. Daniels, are you feeling similar? Are you feeling different? How are you looking at the world today?

DR. RON DANIELS:

¹ On January 6, 2021, President Donald Trump held a "Save America" rally during which he falsely claimed he won the presidential election. Afterward, supporters stormed the Capitol, vandalizing and threatening lawmakers. Many of the rioters were part of white supremacist groups. Sources: <https://www.washingtonpost.com/nation/interactive/2021/capitol-insurrection-visual-timeline/>; <https://www.npr.org/sections/insurrection-at-the-capitol/2021/01/19/958240531/members-of-right-wing-militias-extremist-groups-are-latest-charged-in-capitol-si>

² On January 20, 2021, Joe Biden, Jr. and Kamala Harris were sworn in as President and Vice President of the United States. Source: <https://www.nytimes.com/2021/01/20/us/politics/biden-president.html>

³ A 2020 analysis by researchers at Yale and the University of Pennsylvania found that police killed Black people at 2.6 times the rate at which they killed white people in the U.S. over the last five years. Source: <https://news.yale.edu/2020/10/27/racial-disparity-police-shootings-unchanged-over-5-years>

I guess it was Dickens' "A Tale of Two Cities," where this was a tale of two dates, really. The best of worlds and the worst of worlds, really. Certainly, the white nationalists — and I'm describing it as a white nationalist terrorist assault, a domestic terrorist assault — was one that brought back horrifying memories within sort of the collective memory of Black America because we've gone through this.⁴

So much of Washington, D.C. was built by enslaved labor,⁵ and here you now have people charging into this building and raising the real symbol — their real symbol — the Confederate battle flag in the middle of the Capitol of these United States.

Now, when we go to the other day, on Inauguration Day, we saw the promise. We saw the possibilities of America because you had an amazing rainbow of people who were assembled to deliver an entirely different message about, again, the promise. And I agree with sister Nkechi that the promise is important because we have to have memory — which is another reason why The Who We Are Project is so incredibly important.

JEFFERY ROBINSON:

I am looking right now at two things. Number one, the Dred Scott decision, where the United States Supreme Court said Black people have no rights that the white man is required to recognize.⁶ And when you talk about that concept at the creation of a country, I just want to go back to the secession statement of the State of Texas when they were leaving the Union because of slavery. They said this: the United States "were established exclusively by the white race, for themselves and their posterity; that the African race had no agency in their establishment; that they were rightfully held and regarded as ... inferior and dependent ..."

So these words, which sound so horrifying as we listen to them today, were part of the foundational meaning of the United States of America.

DR. RON DANIELS:

⁴ Former Confederate soldiers formed the Ku Klux Klan in the wake of the Civil War. They enacted a deadly campaign of terror across the U.S. South until they largely defeated Black political leadership and reclaimed state power. Sources: <https://revealnews.org/episodes/democracy-under-siege/>; <https://calendar.eji.org/racial-injustice/dec/24>

⁵ In 2005, Congress put together a report to study the history of the enslaved people who built much of Washington, D.C. The forward to the report stated, "Indifference by earlier historians, poor record keeping, and the silence of the voiceless classes have impeded our ability in the twenty-first century to understand fully the contributions and privations of those who toiled over the seven decades from the first cornerstone laying to the day of emancipation in the District of Columbia." Source: <https://www.smithsonianmag.com/smart-news/white-house-was-fact-built-slaves-180959916/>

⁶ In 1846, when Dred Scott's enslaver refused to let him purchase his freedom, Scott worked with antislavery lawyers to sue. He argued that his residence in a free state had freed him. The state court initially ruled in Scott's favor, but the ruling was overturned. The suit eventually reached the U.S. Supreme Court. The court's decision admitted that African Americans could be citizens of and vote in some states but asserted that they could not be citizens of the U.S. at the federal level. It also revoked the principle that slavery could continue in the U.S. South but wouldn't be allowed to expand to new territories. Sources: <https://www.law.cornell.edu/supremecourt/text/60/393> <https://www.britannica.com/event/Dred-Scott-decision/Reception-and-significance>

The Naturalization Act of 1790 spelled it out very clearly that this land was for white men. It was repealed in the Chinese Exclusion Act, the California Land Act.⁷ You go back and you can see it. I mean, it's shocking when I tell students this. Like Malcolm X would say, I am presenting you with documented evidence and here it is, and you can see it live for yourself. And once you get that ingrained, what we know is that for whatever the flaws of the initial documents were — the Declaration of Independence, which is horrible in some of its language, and the Constitution — at least it is a document that, at least, provides the possibility for people to organize and to make change.

JEFFERY ROBINSON:

Let's talk about reparations, because with that background, Nkechi, what led you to focus on reparations? Why did you bring yourself to this path?

NKECHI TAIFA:

I was influenced by the Black Power Movement at a very early age of my life. Actually, as a teenager. I'm 16 years old, standing on the street corners in Washington, D.C. selling Black Panther Party newspapers as a high school student. And this was around 1971, or something along those lines. And one day I just sat down on the curb and actually opened up the tabloid to their "10-Point Program: What We Want, What We Believe." And I will never forget point number three that stated, "We want an end to the robbery by the capitalists of our Black ... communit[ies]." It said that we believe that this racist government has robbed us and now we are demanding our overdue debt of 40 acres and two mules promised a hundred years ago as restitution for slave labor.⁸

Even at that young age, the absence of justice continuously flustered me. So little did I know that standing on the street corner that afternoon 50 years ago, that I would one day be in the company of leading academicians and economists and historians and attorneys and psychiatrists and, yep, politicians, promoting the right and the need for reparations.

JEFFERY ROBINSON:

⁷ The Naturalization Act of 1790 limited the acquisition of citizenship to "any alien, being a free white person." It excluded people designated as not white, enslaved people, indentured servants, and most women. It did not address the citizenship status of people born in the U.S. and not designated as white. Source: https://encyclopedia.densho.org/Naturalization_Act_of_1790

The federal Chinese Exclusion Act, which was formally called the Immigration Act of 1882, banned Chinese people from entering the U.S. and prevented Chinese immigrants already in the U.S. from gaining citizenship through naturalization. It was not repealed until 1943. Source: <https://www.britannica.com/topic/Chinese-Exclusion-Act>

The California Land Act of 1851 required people owning land through a Mexican land grant to prove their title to a U.S. commission within two years. The extended and often expensive legal process resulted in many Mexican landowners losing all or much of their land. Source: Karen Clay and Werner Troesken, "Ranchos and the Politics of Land Claims," in *Land of Sunshine: an Environmental History of Metropolitan Los Angeles* (Pittsburgh: University of Pittsburgh Press, 2005), pp. 52-66

⁸ Sources: http://freedomarchives.org/Documents/Finder/DOC513_scans/BPP_1970s_Articles/the.story.of.the.black.panther.party.pdf and Huey P. Newton, *To Die for the People* (New York: Random House, 1972)

Dr. Daniels, I know that you had a slightly different path. And tell us about how you came to be a central figure in those who are pushing for reparations in America.

DR. RON DANIELS:

This really speaks for why reparations are also about a kind of internal healing of even people of African descent. The fact that we did not, or I did not, know about reparations as a college student speaks volumes about the destruction of culture and memory and identity and all of those things.

So I went on a course of meeting people who were leading the struggle around Black Power, particularly those in the Student Nonviolent Coordinating Committee. That led me to a brain surgeon. That brain surgeon was named Queen Mother Audley Moore. And I want to say her name again: Queen Mother Audley Moore.

And Queen Mother Audley Moore — you're talking about a woman who was so brilliant and capable and an instrumental figure. And so she was the one who gave us lessons and told us about it: What does it mean? And how do you do it? And why don't we have it? And how important this was.⁹

And then after that, you know moving on to — I wasn't a founding member of N'COBRA, but I've been a lifetime member. You know, N'COBRA was the leading organization without question pushing reparations as a coalitional formation for many, many, many years.

JEFFERY ROBINSON:

So what is the National African American Reparations Commission?

DR. RON DANIELS:

It is a group of people many of whom have been working on reparations for many, many years who have a vision of seeing NAARC, the National African American Reparations Commission, as a body that can help frame the conversation and the discourse on reparations.

One of the most important ways we've done that is by developing a 10-Point Reparations Program. That 10-Point Reparations Program was inspired by the Caribbean Reparations Commission, that in 2014, the 15 nations of the Caribbean came together and said, "We declare, even though we are dependent, even though we are still dependent on these former colonial powers, you created this mess. Y'all need to clean it up." And so they demanded reparations for Native genocide and for African

⁹ "Audley 'Queen Mother' Moore [was] the founder of the modern reparations movement. [...] From 1955 until her death in 1997, she consistently produced tangible models for how the federal government might reconcile and redress the atrocities of slavery. These efforts led to a sustained organizing career that included petition drives for bills like H.R. 40, reparations pamphlets and a speaking tour. She also engaged in extensive grass-roots education efforts, introducing a wide range of activists, politicians and lawyers, such as Harvard Law professor Charles Ogletree Jr., to the importance and viability of reparations claims." Source: <https://www.washingtonpost.com/outlook/2019/06/24/black-woman-who-launched-modern-fight-reparations/>

enslavement. They put together a 10-point program. And so we began to move to say we need a commission in this country, and we have developed a 10-point program.¹⁰

In addition to that, strong advocates for H.R. 40. And also we work on issues of local reparations, municipal reparations, corporations, universities. So we have kind of a broad mission. But the most important thing about it is, it is comprised of really just incredible folk who have been working on this issue for many, many, many years.

JEFFERY ROBINSON:

Is H.R. 40 the first effort at reparations in America?

NKECHI TAIFA:

Absolutely not. It's always been important to me for people to understand that the demand for reparations in the United States is not novel and not new.

It didn't start with H.R. 40. The claim didn't drop from the sky with Ta-Nehisi Coates' brilliant treatise in *The Atlantic Magazine*, "The Case for Reparations."¹¹ It didn't start with Randall Robinson's book, "The Debt: What America Owes to Blacks."

Reparations is a long-standing principle of U.S. law and international law.¹² But domestically speaking, two of the first formal records of petitions for reparations in the US, that were pursued and won, came from formerly enslaved Black women — Henrietta Wood and Belinda Royall. And Wood had been an enslaved woman in Kentucky, but she was freed as an adult. But she was then later kidnapped and sold back into enslavement. After the Civil War, she successfully sued her kidnapper and she won financial damages. Belinda, she sued her ex-enslaver for proceeds from his estate, which primarily was prosperous as a result [of the fact] that she helped to build it herself.¹³

Then we had Callie House and Reverend Isaiah Dickerson back then in 1898, which I would say led the first mass-based reparations movement called the National Ex-Slave Mutual Belief Bounty and Pension Association (which I swear, it had 600,000

¹⁰ Source: <https://caricomreparations.org/caricom/caricom-10-point-reparation-plan/>

¹¹ "The Case for Reparations." Source: <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>

¹² Providing a remedy for harm done is a tenet of U.S. law, but the law individualizes harm and requires proof of a "close connection," a framework which has often been used to dismiss reparations claims. Source: <https://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1110&context=twlj>

"It is a general principle of public international law that any wrongful act — i.e. any violation of an obligation under international law — gives rise to an obligation to make reparation. [...] Reparation can take various forms, including restitution, compensation or satisfaction. These remedies can be applied either singly or in combination in response to a particular violation." Source: https://www.icrc.org/en/doc/assets/files/other/irrc_851_gillard.pdf

¹³ Sources: <https://law.resource.org/pub/us/case/reporter/F.Cas/0030.f.cas/0030.f.cas.0479.pdf>; www.jstor.org/stable/4491599

dues-paying members that were seeking compensation for enslavement from federal agencies).¹⁴

And, you know, it goes on into the 1920s. We had Marcus Garvey and the Universal Negro Improvement Association. He was talking about repatriation, but he wasn't talking about jumping in the Atlantic Ocean naked. He was talking about it with redress, okay, with reparations.¹⁵

A lot of people don't think about Dr. Martin Luther King in this aspect. But he proposed "A Bill of Rights for the Disadvantaged," which stressed the importance of redress for both historical victimization and exploitation of Black folk, as well as our present-day depredation.¹⁶

But I must say, it was the founding of N'COBRA, the National Coalition of Blacks for Reparations in America, in 1987 that really opened the floodgates.¹⁷

N'COBRA helped to bring it to the mainstream. What happened? If I just might say, this was around the time when the Japanese American redress bill was being discussed and debated in Congress. And it passed in 1988. And we all were looking around and saying, "Well, if they could do it for the Japanese Americans, oh my goodness, there's no reason whatsoever why this should not be done for Black people."

The Japanese American redress bill granted \$20,000 to each Japanese American detention camp survivor, a fund to be used to educate the Americans about the sufferings of the Japanese Americans during World War II, a formal apology from the United States government, and a pardon for all of those who resisted detention camp internment.¹⁸

¹⁴ There were at least half a dozen pension organizations within the movement, but the National Ex-Slave Mutual Relief, Bounty and Pension Association of the United States of America is the most well-documented. It formed in the mid-1890s with two goals: to provide mutual aid to formerly enslaved people and to pressure Congress to compensate formerly enslaved people, especially the elderly. The association collected membership fees to pay for lobbying, national officer travel, and health care and burial expenses for members. The government accused movement leaders of promoting false hope. A U.S. official said in 1899, "there has never been the remotest prospect that the bill would become a law." Sources: <https://www.archives.gov/publications/prologue/2010/summer/slave-pension.html>; Mary Frances Berry, *My Face Is Black Is True: Callie House and the Struggle for Ex-Slave Reparations* (New York: Alfred A. Knopf, 2006)

¹⁵ "In the 'Declaration of the Rights the Negro People of the World' adopted in 1920 by the Universal Negro Improvement Association, Point 15 declared: 'We strongly condemn the cupidity of those nations of the world who, by open aggression or secret schemes, have seized the territories and inexhaustible natural wealth of Africa, and we place on record our most solemn determination to reclaim the treasures and possession of the vast continent of our forefathers.'" Source: www.jstor.org/stable/41069773

¹⁶ Source: <https://www.theguardian.com/commentisfree/2018/apr/04/martin-luther-king-ir--economic-bill-of-rights>

¹⁷ Sources: <https://ssrn.com/abstract=1626991>; <https://www.nytimes.com/2001/06/04/us/calls-for-slavery-restitution-getting-louder.html>

¹⁸ From 1942 to 1945, the U.S. government forced people of Japanese descent, including families of U.S. soldiers fighting overseas, to live in concentration camps. Source: <https://densho.org/american-concentration-camps/>

There is precedent. Ain't no one can say that the United States cannot pay reparations.

And so, N'COBRA worked very closely with Congressman John Conyers in using the exact strategy. It was strategic to use the strategy that was successful with the Japanese Americans, establishing a commission to study the issue.

Oh, I'm sorry. I know, I get so passionate.

DR. RON DANIELS:

She's explosive. She's dynamic.

JEFFERY ROBINSON:

On this episode of Who We Are, we're exploring reparations, the history and future of H.R. 40, and the fight to make reparations for the descendants of enslaved Black Americans a reality. My guests are political activist and professor Dr. Ron Daniels, convener of the National African American Reparations Commission, or NAARC; and I'm also speaking with civil rights attorney Nkechi Taifa, who also serves as an NAARC commissioner. She is the author of the recently published memoir, "Black Power, Black Lawyer." Both have a long history of working for reparations in this country.

JEFFERY ROBINSON:

And there is a dark side to that history, as well, because what many Americans fail to realize is that we have already paid reparations for slavery in this country. We just paid it to slave owners in the 1862 Compensated Emancipation Act that Abraham Lincoln pushed through Congress six months before the Emancipation Proclamation. And under that act, \$1 million in 1862 money was paid to slave owners for loss of property.¹⁹

DR. RON DANIELS:

Whenever a people is faced with the destruction of their spirit, their person, their culture, their identity — then they are due reparations. And reparations is the repair for damages, the harm inflicted upon people that deals with the destruction of identity, spirituality, of culture, of people's physical personhood.

JEFFERY ROBINSON:

80 million acres of land given away to white settlers by 1900.²⁰

¹⁹ In 1862, President Lincoln signed a bill into law ending slavery in Washington, D.C. that did not offer to pay any restitution to formerly enslaved people but promised to give \$300 per formerly enslaved person to the people who had enslaved them. The U.S. government paid out nearly \$1 million to former enslavers. Sources: <https://www.nytimes.com/2019/04/16/opinion/when-slaveowners-got-reparations.html>; <https://www.govinfo.gov/content/pkg/CREC-2012-04-16/html/CREC-2012-04-16-pt1-PgE527.htm>

²⁰ In a move to further colonize indigenous land, the Homestead Act of 1862 invited "adult citizens" to move west and claim 160 acres of land. Any eligible settler who built a house, farmed for five years, and paid a fee, would be declared the owner of the land. Source: <https://www.ourdocuments.gov/doc.php?flash=false&doc=31>

The settlers were overwhelmingly white, but when the 1866 Civil Rights Act clarified that African Americans were citizens, a few communities did migrate west in hopes of accessing land ownership and avoiding the racist violence of the U.S. South. Nicodemus, Kansas, was among the largest Black homesteads, with 300 to 400 residents in the 1880s, and is the only one where people still live. Sources: <https://www.nps.gov/articles/african-american-homesteaders-in-the-great-plains.htm>

DR. RON DANIELS:

I mean, that, and Black people were not able to benefit from that. The GI Bill, even though we fought in every war. And the FHA and redlining.²¹ So people should understand that point, by the way, because some people think it's only for enslavement. And it's not to belittle or to in any way minimize that, but what we're dealing with is the legacy. The legacy of ongoing derivatives from that. And as Dr. Patricia Newton would remind us over and over again, it is the epigenetic damage to not only our psyche — to our bodies, to our genes. Science is now pointing out that trauma can be passed on from generation to generation.²²

It's well-established in international law that compensation, restitution — all of these things are due before there is something called reconciliation.²³

JEFFERY ROBINSON:

Where does the name H.R. 40 come from?

NKECHI TAIFA:

It refers to the 19th-century promise to provide the freed peoples with 40 acres and a mule — or two mules, whatever it was — which never happened.²⁴ But that concept traveled throughout the years, throughout the centuries. So when Congressman John Conyers sought to introduce a bill to provide reparations for Africans in this country, he chose the number 40 as symbolic. And each year since then he has ensured, and now his [successor] Congresswoman Sheila Jackson Lee has ensured, that that 40 would be part of H.R.²⁵

JEFFERY ROBINSON:

Dr. King analyzed the 1862 Homestead Act, which, as I said, gave away 80 million acres of land virtually for free to white settlers. When Dr. King analyzed that, he said, "At the

https://www.washingtonpost.com/opinions/the-disappearing-story-of-the-black-homesteaders-who-pioneered-the-west/2018/07/05/ca0b51b6-7f09-11e8-b0ef-fffcabeff946_story.html

²¹ President Roosevelt signed the GI Bill into law in 1944 to give an economic boost to all veterans returning home from World War II. But in practice, African American veterans and their families were excluded from several of the primary benefits that helped white veterans accumulate wealth. For example, the Veterans Administration adopted the Federal Housing Administration's racial exclusion policies, meaning they would not insure mortgages for African American veterans to live in the new subdivisions they were financing. Source: <https://www.npr.org/transcripts/526655831>

²² Whether and how trauma can be passed down epigenetically is still under debate within the scientific community, but it is well-demonstrated that legacies of trauma are at least passed down behaviorally. Sources: <https://www.nytimes.com/2018/12/10/health/mind-epigenetics-genes.html>; <https://pubmed.ncbi.nlm.nih.gov/26765546/>

²³ Source: <https://www.corteidh.or.cr/tablas/r31595.pdf>

²⁴ In 1865, General Sherman issued an order designating land in Georgia and South Carolina for settlement by formerly enslaved people. Roughly 40,000 formerly enslaved people settled on 400,000 acres of this land. Less than a year later, President Andrew Johnson reversed the order. Federal troops moved in to push thousands of African American landowners off the land. Some fought back, but ultimately only around 2,000 African Americans were able to keep the land they had been promised. Source: <https://www.blackpast.org/african-american-history/forty-acres-and-mule/>

²⁵ H.R. stands for House of Representatives. Sen. Cory Booker has introduced similar legislation, S.1083, to the Senate. Bills are presented to the President to be signed into law when both the House of Representatives and the Senate pass identical versions.

very same time that America [sic] refused to give the Negro any land, through an act of Congress ..." And he was talking about the Homestead Act, "Our government was giving away millions of acres of land in the West and the Midwest, which served [sic] ..." And this quote is so powerful, "Which served to undergird its white peasants with an economic floor. But not only did they give the land, they gave land grant colleges with government money to teach them how to farm. Not only that, they hired county agents to train them in their expertise in farming. Not only that, they gave them low interest rates so that they could mechanize their farms. And not only that, today [sic]," meaning in the 1960s, "these farmers are being paid millions of dollars in federal subsidies not to farm. And these are the people telling Black folks to pull themselves up by their own bootstraps [sic]."

So he recognized the concept of assisting a population with government help and how that was done for whites — but not Blacks.

JEFFERY ROBINSON:

H.R. 40 was originally introduced by John Conyers. What did the original H.R. 40 call for?

NKECHI TAIFA:

Well, the original H.R. 40 called for a commission to study. It was a study bill. Congressman John Conyers used to say, "We study everything. We study what's in the air. We study what's under the water. Why can't we just study this issue?" This issue has been studiously avoided, and I'm quoting Congressman John Conyers with respect to that.

DR. RON DANIELS:

What I think is important to understand is this movement developing and exploding. So that in the presidential primaries, for example, who would have — I mean, all of a sudden, as sister Nkechi was saying, it was like, I mean, reparations is like everybody tripping over themselves. We had to stop and say, "Please don't tell us what it should look like. We're going to have a commission where they do that. Just support H.R. 40." And so people have done that.²⁶ And joining, to our dismay, there's an organization called the American Civil Liberties Union whose national board took a vote and said, "We are down with reparations and we think the way to do it is through H.R. 40." And we heard that news and said, "What? The American Civil Liberties Union is on board?"

And then we hear Human Rights Watch, Center for American Progress. And we're saying, "Wow." And then, I got to say, then we got hooked up with the American Civil

²⁶ In 2019, multiple Democratic presidential candidates, including Kamala Harris, supported Rep. Lee's reparations legislation and said they would sign it into law if elected. Joe Biden, Jr. did not endorse the bill, but his communications director told the press he thought the U.S. should "gather the data necessary to have an informed conversation about reparations." The House Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties is set to hear testimony on H.R. 40 on February 17, 2021.

Sources: <https://www.politico.com/2020-election/candidates-views-on-the-issues/economy/reparations/>;
<https://www.congress.gov/bill/116th-congress/senate-bill/1083/cosponsors>;
<https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=111198>

Liberties Union. And then we started having these forums around the country helping to build out support for it.

We've got this powerful coalition that meets every week, H.R. 40 strategy group. And, I must say, the energetic, visionary, tireless leadership of Congresswoman Sheila Jackson Lee. Congresswoman Sheila Jackson Lee — in her heart, in her spirit — sees herself fulfilling the vision of Congressman John Conyers. People underestimate his legacy.²⁷

JEFFERY ROBINSON:

One of the things that I have heard many people who want to detract from the possibility of reparations — a lot of people — say: “Well, how are you going to administer it? Who's going to get it? Is it just going to be checks?”

NKECHI TAIFA:

Well, that is really the purpose and the genius of the commission itself.

We don't need to jump the horse or put the horse before the cart. It is the commission that is to evaluate all of this and come forward with recommendations for the Congress. The commission is made up of experts in the area and people who have been long-standing on the issue, to come together and to brain trust all of this information together to get proposals and ideas and recommendations and suggestions from the field.

DR. RON DANIELS:

In some ways, getting the commission is one thing — and then the struggle really begins to impact the commission.

You know, some people say there are things that we would classify as ordinary public policy, and all that. So that's why we have framed a 10-point program. That's why we've talked about creating a Reparations Finance Authority as a structure of people in the African American community comprised, again, of experts and people who are reputable and who would be potentially the recipients of various forms of reparations. That's why we talk about both direct benefits as a possibility, but a lot of focus really on those kinds of things that could accrue to the totality of the Black community.

JEFFERY ROBINSON:

Because it was the community that was attacked and destroyed with slavery, and the vestiges of slavery.

DR. RON DANIELS:

²⁷ When Representative John Conyers, Jr. died in 2019 at the age of 90, Representative Sheila Jackson Lee honored him on the House Floor. She highlighted that Rep. Conyers not only introduced H.R. 40 in 1989, he was also a founding member of the Congressional Black Caucus in 1971 and was first to propose Medicare for all in 2003 through the United States National Health Insurance Act. Source: <https://www.congress.gov/congressional-record/2019/10/31/extensions-of-remarks-section/article/e1388>

Absolutely.

JEFFERY ROBINSON:

It was our community.

DR. RON DANIELS:

And that is a very, very important concept, you know. And I've even come to appreciate that even more as we've — because I've got to tell you, one of the things about this is, and I'm somewhat of a historian, but we keep learning more.

JEFFERY ROBINSON:

It's one of the things that The Who We Are Project is dedicated to because my view is that this history may be hidden, but it's hidden in plain sight. It's hidden in records. It's hidden in survivors. And all it takes is for us to acknowledge it and to listen to it.

We have people saying, well, for example, people from our community, the Black community, are dying from COVID at much higher rates. So let's pass a bill that will help everyone with the issues related to COVID. Why isn't good public policy looking forward? Why does that replace the need for reparations?

NKECHI TAIFA:

Public policy is important. It's critical. I work as a policy analyst in the public policy field every single day, but that is not reparations. That is what should be happening anyway, in the ordinary course of human development.

But reparations — that repair, that specific look back to the historical with its continuing vestiges into the present — is what is reparatory justice. But what is that something extra? What is that something that is healing? What is that something that acknowledges and apologizes and makes sure that it doesn't happen again, and that there's satisfaction and all those. What is that something extra? And that something extra is reparations.

DR. RON DANIELS:

Indeed, Congresswoman Sheila Jackson Lee, I think — and she is so good on this, she is so good on it — she said, "It is reparations that strikes at the very essence of structural institutional racism." So it is the overarching umbrella, if you will. Equity is about, what do you do moving forward from now on? Reparations is about that which has already occurred and has created this gap in the first place that has to be dealt with and has to be treated.

And to return just for a minute on this concept of community — we still need to work obviously for the fulfillment of our Native American and our First Nation sisters and brothers.

So there are ways in which we can focus on community benefits that will help build out and strengthen the Black community in ways that could not be done just by starting now and looking forward to the future. And let me just underline what sister Nkechi said, all of this is good. An equity lens is good, but we have to make sure. And that's the other reason why NAARC exists: to be able to say it's good, but it's not a substitute for reparations.

JEFFERY ROBINSON:

What happens if H.R. 40 doesn't pass this time?

NKECHI TAIFA:

Well, we have a strategy for that. In fact, while we are in the legislative process right now, we're also calling upon the Biden and Harris administration to look at the issue and to actually pass by executive order the exact specifics that are currently contained within H.R. 40 and S. 1083. To pass it by executive order so that the commission can get started and be about the necessary tasks, so that we don't have to wait another year or two years — or even four years — for the work to begin. So we're on a two-tier type strategy, I guess you could say. Legislative as well as executive.

JEFFERY ROBINSON:

And if H.R. 40 then is passed after the next election, that work can be put to use by that new congressional commission.

DR. RON DANIELS:

Well, not only that. Even though Congress is the legislative body, I mean, look what's happening right now. President Biden is proposing a legislative agenda. And on that legislative agenda, out of the blocks, is immigration policy, for example, and for COVID. Well, similarly, that synergy exists.

JEFFERY ROBINSON:

So in the past, you have talked about people that came before us and the heroic work that they did to bring us to this point. And I think, I just feel like — standing on the shoulders of those people, living the benefits that we have in our lives that those people helped us get — we have no excuse if we can't push this forward now. If you are interested in true racial justice in America, now is the moment. And it's on us this time. History is going to judge us 50 years from now. They're going to be looking back at the people who were alive right now, and capable of doing something right now, to say, "Well, what did they do?"

DR. RON DANIELS:

It is a function of us doing the work. And I guess my final thought in that regard is to think of what King said the night before he passed away. He said, "I may not get there with you." So it's really not — I think about our ancestors. This is what we talked about in terms of the history of Bloody Sunday and Elaine, Arkansas and all of these places. I

may not get there with the future generations. I may not see it myself. But my duty and responsibility is to do the work, is to continue the forward flow of history.

NKECHI TAIFA:

I'm going to quote Frederick Douglass, who said, "If there is no struggle, there is no progress. Those who profess to favor freedom, yet depreciate agitation are those who want the crops without plowing up the ground; they want [the] rain without the thunder and the lightning; they want the ocean without the mighty roar of its waters."

And Frederick Douglass said, "This struggle may be a moral one; or it may be a physical one; or it [might] be both moral and physical, but it [has got to] be a struggle." Because he said then, and it still stands true today, he said, "Power concedes nothing without a demand. It never did and it never will." And that's what we're doing now. We are demanding justice. We are demanding reparations, reparatory justice.

JEFFERY ROBINSON:

I cannot thank both of you enough for having this conversation. And I think it puts it into perspective for me.

And so, I see both of you and I see where American history and the talk and concern about reparation has grown simply in your lifetimes and by the work that y'all have done. And I have come to, I think, a level of peace within myself. I know I'm not going to live to see the America that I want to see, but I can give a huge shove in the right direction. And I got a 23-year-old nephew/son, and I don't have another 50 years to wait for America to get it right. We've got to get it right now.

This is The Who We Are Project. The National African American Reparations Commission and N'COBRA, you will be hearing from all of us. Take care and be safe.

NKECHI TAIFA:

Ashay.

DR. RON DANIELS:

Ashay.

JEFFERY ROBINSON:

To learn more about The Who We Are Project and hear more about what we're up to, go to thewhoweareproject.org.

Our production team at Vox Creative includes:
Director of Creative Strategy Amber Davis
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Executive Creative Director Heather Pieske
Production Coordinator Taylor Henry
And Technical Producer Isaac Kaplan-Woolner

And again, my guests have been Nkechi Taifa and Dr. Ron Daniels. You can find out more about their work in the show notes.