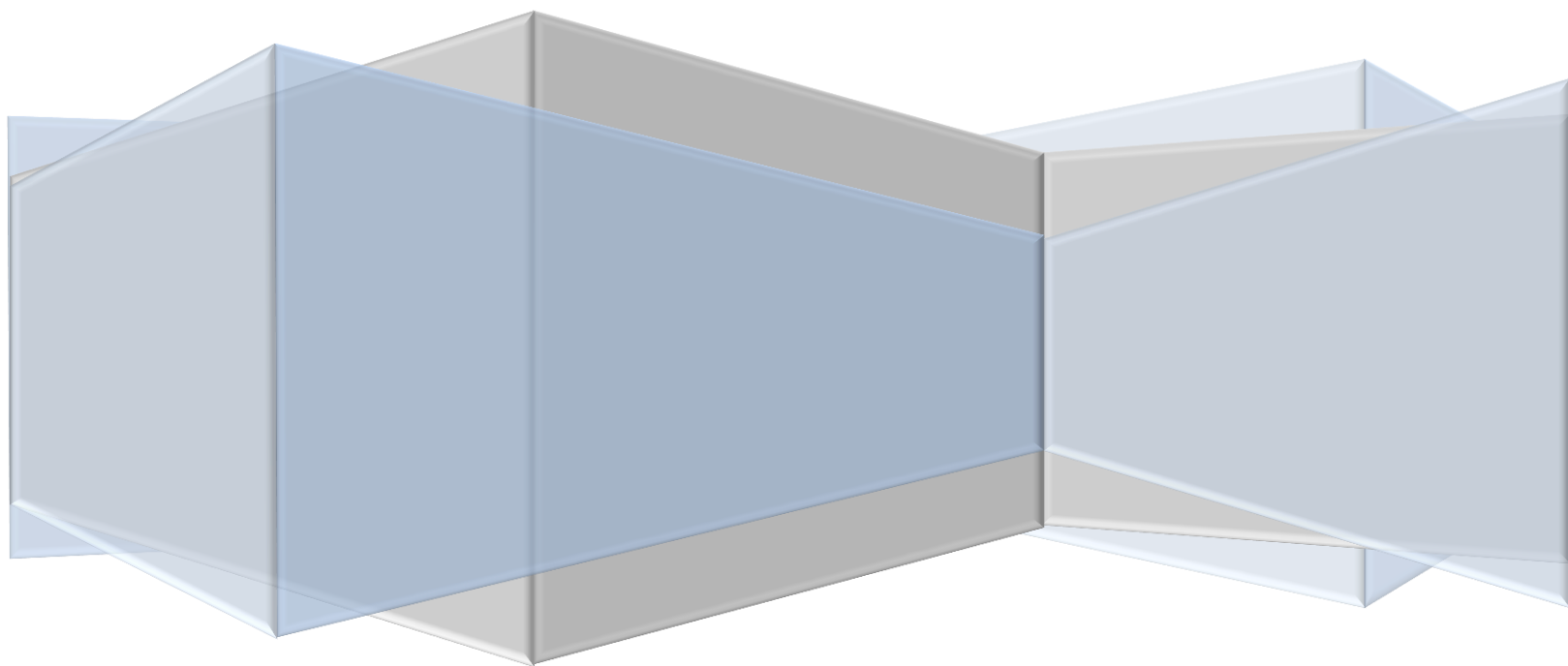


The Evergreen State College Master of Public Administration Program

Healing Slavery

An Implementation Process

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DISCLAIMER

When the term *slavery* is used in this discussion, it is in reference to the enslavement of Africans in the United States between 1620 and 1865. Although slavery still occurs in the U.S., this discussion is limited in scope to enslaved Africans and their descendants who were also enslaved. In order for discussion around reparations to be meaningful, it is important that there be a fundamental understanding and agreement on the following:

- Slavery occurred in the United States
- Slavery was accepted and legal in the United States
- Race is a social construct
- Systemic racism is real and is complex
- Some systemic racism in the United States is rooted in slavery
- Psychological trauma can be passed down
- Effective, sincere apologies can have a healing effect and require acknowledgment, apology, remedy, and forgiveness
- Healing is a process
- Apologies are sometimes a necessary part of the healing process

If these statements can be accepted by the reader, then an authentic examination on reparations can take place in this document.

SLAVERY WAS BAD

This statement is not meant to be flippant. The fact that slavery was bad (Google) often gets minimized with arguments that distract from the evil of slavery. Anyone who has heard that the Civil War was not about slavery but was an economic war (Kelly) has experienced the minimization of slavery by distraction. The atrocities of America's ugly history of slavery cannot be denied. The documented accounts of those who experienced slavery mark a sadistic time in American history. Descriptions of terror, torment, and trauma haunt the collective American Psyche, acting as a nexus for racism, hate crimes, white guilt, and systemic oppression. Some groups seek to deny slavery, having it removed from textbooks (Paulson). Denial deepens the wounds. The history of slavery also acts as a nexus for social justice policy. Some seek to right the wrong through politics, spending decades demanding that "the federal government undertake an official study of the impact of slavery on the social, political and economic life of our nation" (Conyers). Reactions to slavery, particularly reparations for slavery, have caused a visible divide amongst the citizenry, much the same way it did during the Civil War.

What is often overlooked is that the U.S. has already moved towards righting the wrong by granting reparations (Sherman). The argument for or against reparations was settled before the Civil War ended but, instead of implementing the already agreed upon reparations, the argument over whether or not reparations should be granted continues. This is a distraction from the purpose of reparations, for the victim to be made whole again by the loss inflicted upon them by the criminal (Wiki), to make whole again the enslaved African. Instead of anyone being made whole, arguments over the legitimacy of reparations continue to minimize slavery and halt the healing of the descendants of slavery and the descendants of slave owners. This adds to the collective trauma driving disunion amongst U.S. citizens. It is of moral, social, and economic imperative that reparations for slavery in the United States be implemented.

REFOCUSING THE ARGUMENT

It is no longer necessary to argue whether or not enslaved Africans should receive reparations; enslaved Africans are long dead as are their immediate tormentors, the slave owners. It is no longer necessary to argue whether or not reparations should be granted; reparations have already been granted with Sherman's popularly known "40 acres and a Mule" field order. This historic declaration marked the beginning of a long battle over how to make those terrorized by slavery whole again. Details outlining reparations have been explicit, then vague, and finally swept under the rug but, the debate over whether or not reparations should be granted has fueled 149 years of debate, analysis, and legal jargon. Reparations have already been granted on several fronts including the executive level, by proxy with the Homestead Act, and by General Sherman with Field Order Number 15. Unfortunately, those reparations went unpaid, dividing people by race and fueling a continued tension amongst the citizens of the United States. The ongoing battle continues into modern times.

If the United States were to formally accept its original finding to provide reparations and re-focus its efforts on the implementation of reparations, then a 149 year injustice could be laid to rest. Arguments against reparations are moot because reparations have already been granted. It is prudent though to justifying the need to refocus efforts towards implementation of reparations using historic precedence in support of the decree of reparations.

HISTORIC PRECEDENCE

The precedent for reparations was set when General William Tecumseh Sherman made his popularly known "Forty Acres and a Mule" Field Order No. 15 in 1865. He was winning battles during the Civil War, soldiers looting what they could and land being acquired by the government from treasonous Confederates who previously owned property under U.S. law (National Archives). There was so much land that it could become a part of the western expansion

efforts outlined in the Homestead Act of 1862 with a General Order, such as Sherman made first granting reparations.

The Homestead Act of 1862, the year before the Emancipation Proclamation was signed, was an attempt to expand U.S. land holdings in the west. It also served as a form of compensation to Union soldiers who were allowed to count their time in service towards the 5 years of required occupancy of land necessary to maintain a claim of ownership. During the Civil War, “any adult citizen, or intended citizen, who had never borne arms against the U.S. government could claim” up to 160 acres of government land (National Archives). At that time, Sherman led Union troops on a successful sweep through the South, acquiring massive amounts of land and livestock under the jurisdiction of Executive Order - Concerning the Confiscation Act passed on November 13, 1862 by President Lincoln. Sherman was granted the right to seize property and he had the authority to turn it over to the newly freed slaves as a remedy and solution to the atrocities he witnessed – thousands of freed slaves with no home, no money, and nothing but the clothes on their backs.

General Orders 3, the historic marker of Juneteenth, states "that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and free laborer" (New York Times). This order issued by General Granger more than two years after the Emancipation Proclamation, reiterated the law that freed enslaved Africans and grants former enslaved Africans “an absolute equality of rights”, meaning litigious rights as well. Although this order was specific to Texas and occurred after Sherman’s order of reparations, it further supports the intent of the initial reparations granted. Sherman’s promise may have sought to change the situation of the newly freed slave from that of a subordinate, impoverished man into that of an equal and free participant in the American experience. Unfortunately, his promise of restitution went unpaid but, the current legal precedence for reparations can be sited to support reparations. Consider two major settlements allowing reparations totaling \$1.2 billion. The first was a 1980 Supreme Court decision that ordered the Federal Government to pay \$105 million to the Sioux Indians for land seized in 1877. The second was a 1988 pledge that Congress made to the surviving Japanese-Americans who were forced into concentration camps during WWII. The restitution paid was “\$20,000 to each of the 60,000 survivors” (Williams). The United States has a history of paying reparations, also called restitution, to its citizens.

To review, the legal precedent is the initial order of reparations by Sherman in 1863. This offer goes unpaid, but is followed by the statements of Granger in his General Order Number 3, giving equal rights to former slave, implicitly reinforcing the former slave’s rights to seek legal justice. Reparations are a form of legal justice. In more

recent history, reparations are offered by two different, high government branches, Congress for interned Japanese-Americans and the Supreme Court for the Sioux nation. These two branches, paired with Lincoln's Executive order freeing the slaves means that all three branches of the United States government have shown intent to support reparations, to some extent, to former slaves of the Confederacy. It would seem that Sherman's order initiated the reparations and that subsequent actions by all branches of government have supported Sherman's authority to grant reparations.

Sherman's extension of the Homestead Act was the beginning of the healing process for the United States, a legal settlement to make wronged individuals whole again. Making wronged individuals whole again through the act of granting restitution is a kind of justice. Restitution as a form of justice is a practice of the American legal system and has a long history as evinced above but, Americans should to begin to view slavery as a collective trauma initiated on enslaved Africans and carried through its citizens. A common understanding of the collective trauma slavery is needed in order to propose reparations.

Today, African-American descendants of slaves face the constant injustice of lack of reparations. As the U.S and numerous other countries histories have shown, reparations are a necessity for the healing and continued prosperity of a country. Linda Bloom, Licensed Clinical Social Worker and Charlie Bloom, MSW are bestselling authors and relationship experts when it comes to healing. They outline the steps to heal intimately felt wrongs. Since slavery is a very intimate and deeply felt wrong, it is important to examine these steps and adjust them to the U.S. population. The steps developed by Bloom are paraphrased as follows:

1. Acknowledge actions. The sooner the better. The longer you have been living a lie, the deeper the damage, the more difficult the possibility of a full recovery, and the longer the healing process takes. Acknowledging the transgression creates a higher level of trust.
2. Get honest. Commit yourself to zero tolerance for dishonesty. This will take time and will require patience.
3. Address the questions asked. Don't be defensive in response to a need for information. Keep in mind that the intention in this process is to communicate in a way that will restore good will.
4. Listen. Don't analyze, evaluate, or judge. Listening without disputing is not equivalent to agreeing.
5. Be patient. The process will probably take longer than expected and require compassion. In the end however, it is likely to bring about a deepening of connection. Resist the temptation to urge one to "get over it."
6. Take responsibility for actions. Acknowledge the truth of what was done and avoid any explanations, rationalizations, excuses, or justifications.
7. Stay focused on the intention. The work of recovery from a breach of integrity takes time and effort and can be humbling. The stakes are high, and the benefits from doing the work are enormous. A successful healing can transform.

If one reviews the steps to heal, then it may seem that the reaction of the U.S. government, from Emancipation Proclamation to present day, is grossly negligent. It may also seem that a deeper need for reparations has arisen from the unaddressed trauma of slavery.

RECOMMENDATIONS

Though there is historical precedence for reparations and it is supported in some way by every branch of the government, the implementation reparations for African Americans remains incomplete. Interned Japanese survivors and the Sioux people are examples of how to start the healing process. Through restitution, healing can begin for the descendants of enslaved Africans, leading U.S. citizens towards a more unified union. The following recommendations are a possible starting point for the healing process:

STEP 1 *Acknowledge actions.* Recommendation: This step is as simple as a State of the Union address recognizing that slavery occurred in the United States, it was an atrocity, and that a plan to offer reparations will come. This might need to go as far as the Promotion of National Unity and Reconciliation Act of 1995, implemented in South Africa under Mandela to create and implement a plan for healing after apartheid (USIP.org).

STEP 2 *Get honest. Commit yourself to zero tolerance for dishonesty.* Recommendation: This step would require a law similar the laws passed in Germany making denying the Holocaust a crime. There would need to be a law in place that banned denial of slavery.

STEP 3 *Address the questions asked.* Recommendation: This step could be accomplished by enacting Congressman Conyers decades long battle to pass bill H.R. 40 (Conyers), allowing the study of the lasting effects of slavery and proposals for reparations to be reviewed by a committee.

STEP 4 *Listen.* Recommendation: This step could also be accomplished by enacting Congressman Conyers bill H.R. 40. In addition, a time constraint could be put on this project to offer an end to the long wait for reparations. It has already been a century since reparations were offered. For healing to begin, an end date for a decision should be in sight.

STEP 5 *Be patient.* Recommendation: This step could be marked with updates from the committees formed in steps one and three. Although there is a close date for a decision, proposed in step 4, a campaign messaging to the American public that healing can come from this process should occur. This was seen in South Africa's "Promotion of National Unity and Reconciliation" (CULS). Dr. DeGruy's descriptions of her post-apartheid visits to South Africa confirmed that the campaign was effective. She recalls hearing the same message of unity and acknowledgement from South Africans and this marker of healing can be read in her book, *Post Traumatic Slave Syndrome*.

STEP 6 *Take responsibility for actions.* Recommendation: Acknowledgement, already done in step one, should evolve in step six. Taking responsibility could be accomplished with legislation banning the Confederate flag, a symbol of slavery (Coates). The unveiling a monument to freedom, similar to the National Slave Memorial, only less celebratory of slavery, could also help the healing process for the descendants of enslaved Africans.

STEP 7 *Stay focused on the intention.* Recommendation: Once the committee started in step 3 has reviewed proposals for reparations, a new campaign focusing on the healing that could come from the reparations decision should begin. The decided restitution could be meager in dollar amount, but it should be generous in respect. This could be a plaque, it could be a tax break, but it would need to be something that would last longer in the hearts and souls of the descendants of enslaved Africans than a mere payout.

SUMMARY

The institution of slavery transformed the U.S. collective consciousness and the public still rears from the divide this mighty scourge caused. Healing is a process and the steps may not be simple but, they are possible and they are necessary. After all, the United States of America is considered “the world's foremost economic and military power, with global interests and an unmatched global reach” (BBC). If the U.S. is a world leader, then the U.S. should lead by example, follow its own laws, and uphold the reparations granted 149 years ago by General William Tecumseh Sherman.

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