



# Slave Reparations



**\$1200**  
TO  
**1250 DOLLARS!**  
FOR NEGROES!!

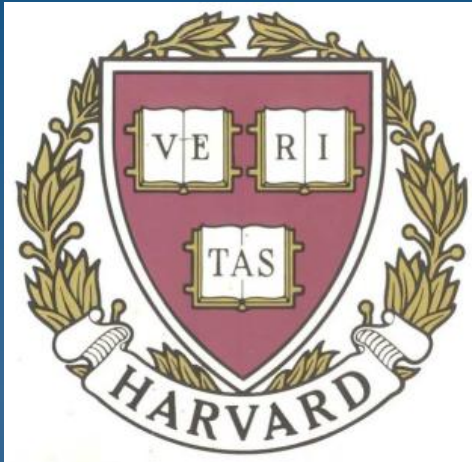
THE undersigned wishes to purchase a large lot of NEGROES for the New Orleans market. I will pay \$1200 to \$1250 for No. 1 young men, and \$850 to \$1000 for No. 1 young women. In fact I will pay more for likely

**NEGROES,**

Than any other trader in Kentucky. My office is adjoining the Broadway Hotel, on Broadway, Lexington, Ky., where I or my Agent can always be found.

**WM. F. TALBOTT,**  
LEXINGTON, JULY 2, 1852.

# Who Owes Reparations?



# Reparations For What?



**\$1200**  
TO  
**1250 DOLLARS!**  
FOR NEGROES!!

THE undersigned wishes to purchase a large lot of NEGROES for the New Orleans market. I will pay \$1200 to \$1250 for No. 1 young men, and \$750 to \$1000 for No. 1 young women. In fact I will pay more for likely

**NEGROES.**

Than any other trader in Kentucky. My office is adjoining the Broadway Hotel, on Broadway, Lexington, Ky., where I or my Agent can always be found.

**WM. F. TALBOTT,**  
LEXINGTON, JULY 2, 1852.

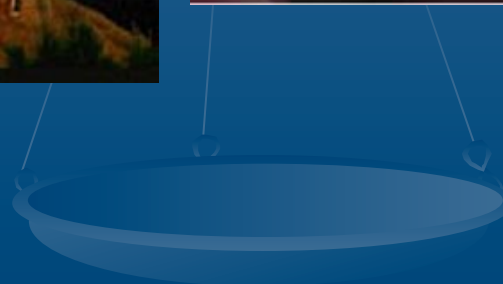


# What Form Of Reparations?



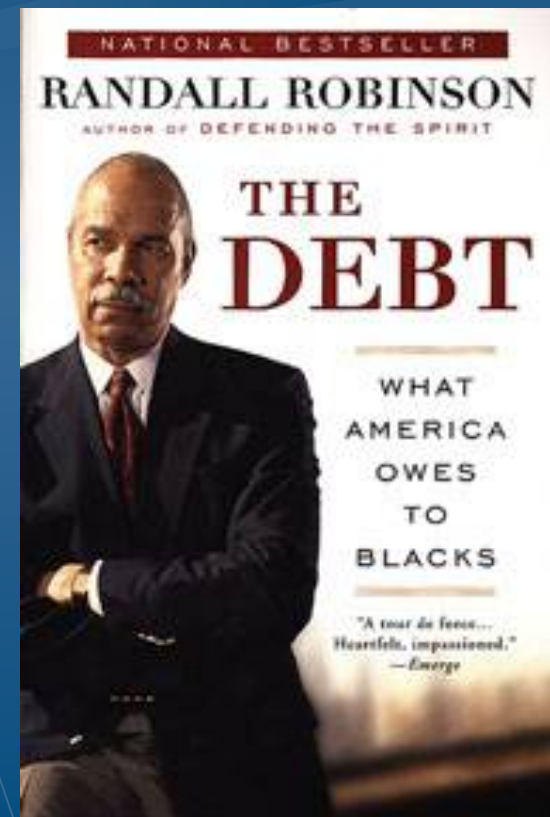
# What Kind Of Obligation?

M O R A L I T Y



# Robinson's Thesis

The United States government has a moral obligation to benefit the current generation of African Americans because of the wrongful harms that were inflicted on past generations of Africans and African Americans by the institution of slavery and its aftermath.



# Horowitz's Challenge

Explain why white Americans today should have to contribute to making reparations for slavery when they played no role in causing slavery to occur in the first place





# One Strategy

Change the subject

From harm to slaves to benefits they produced

“Well before the birth of our country, Europe and the eventual United States perpetrated a heinous wrong against the peoples of Africa and sustained and *benefited* from the wrong through the continuing exploitation of Africa's human and material resources”

# Why Might This Help?

Even if present-day white Americans did not contribute to *causing* the harm, they might still be reaping some of the *benefits*.

If they are profiting from slavery, it might be fair to make them give the profits back - if not to the slaves then to their descendants

# The Key Empirical Claim

White Privilege: white Americans today are enjoying benefits that were created by slave labor

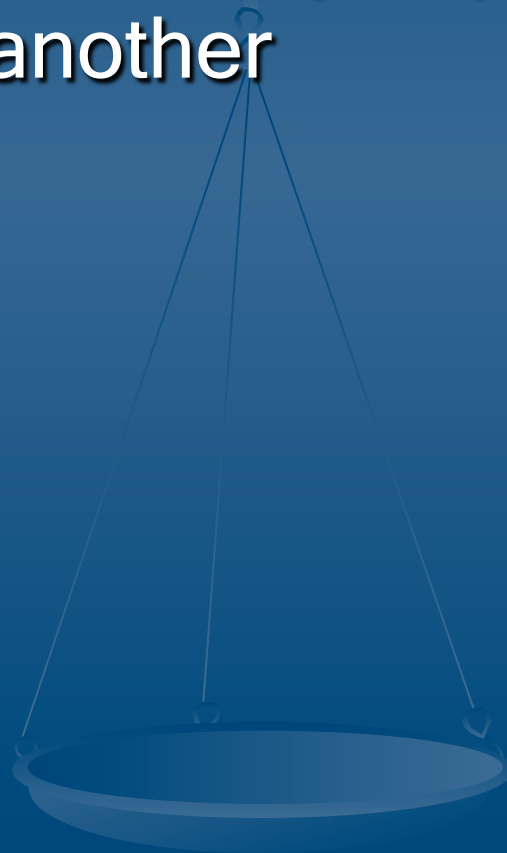


# Benefits Derived From Slave Labor



# The Key Normative Claim

The Principle of Unjust Enrichment: one person should not be unjustly enriched at the expense of another



# An Example



the stolen paintings

you are an artist

you take a vacation

I break into your house

I steal some of your work

I display it in my gallery

I charge money to see it

I am unjustly enriched

Question: are you entitled  
to recover the profits from  
me?

# An Argument

Most people would say that I owe you the money in the “stolen paintings” case.

This seems to show that people are obligated to give up enrichment that they did not justly acquire.

But contemporary white Americans have acquired benefits as a result of the unjust practice of slavery and its aftermath

So they are obligated to give them up, too.

# An Argument



P1: I would owe you the money in the stolen paintings case

P2: the stolen paintings case is analogous to the slave reparations case

C: white Americans owe slave reparations to black Americans



# Horowitz's Challenge

Explain why white Americans today should have to contribute to making reparations for slavery when they played no role in causing slavery to occur in the first place



# A Second Strategy



Shift attention from contemporary Americans as private individuals to contemporary Americans as citizens of the United States government

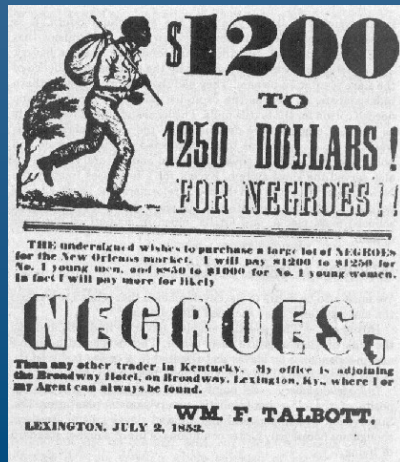
The government may have obligations that individuals lack

# Step #1: The Compensation Principle

If P wrongfully harms Q, then P incurs a moral obligation to compensate Q for the harms that P has wrongfully caused.



# Step #2: The Historical Claim



Previous generations of Americans wrongfully harmed previous generations of Africans and African Americans through the institution of slavery and its aftermath.

# What Follows From Steps 1 and 2?

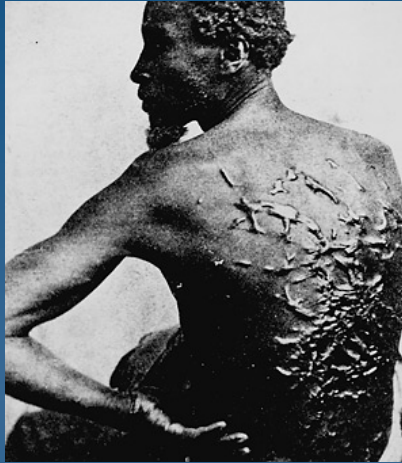
Apply the Compensation Principle to the Historical Claim

Result: if past wrongdoers were still alive and if their victims were still alive, they would owe compensation to them

Problem: the Reparations Position claims there is a debt from one present group to another present group, but all we can derive from Steps 1 and 2 is a debt from one past group to another past group

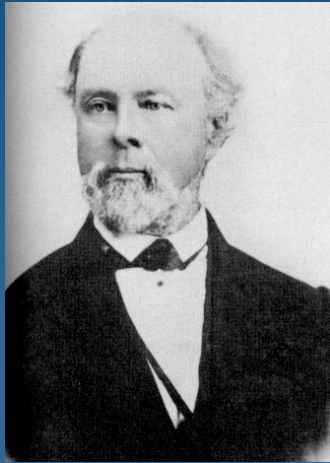
This leads to two challenges for the defender of the Compensation Argument

# First Challenge



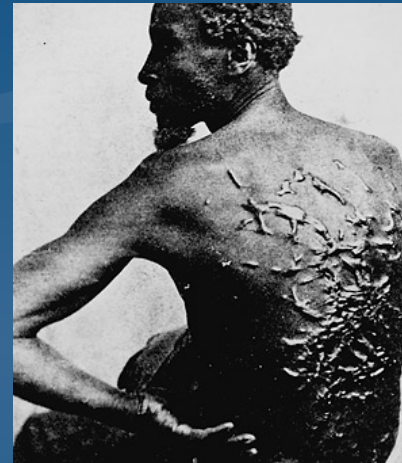
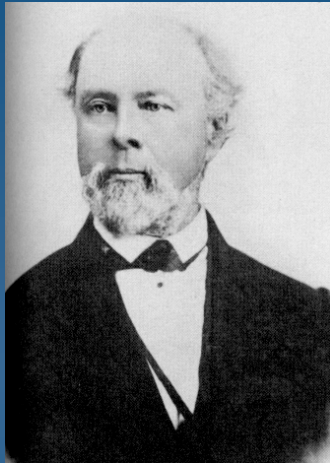
Why does the fact that the man on the left would be owed compensation mean that the man on the right would be owed compensation?

# Second Challenge



Why does the fact that the man on the left would owe compensation mean that the man on the right would owe compensation?

Why does the fact that the man on the left would owe compensation to the man on the right in the top row mean that the man on the left would owe compensation to the man on the right in the bottom row?





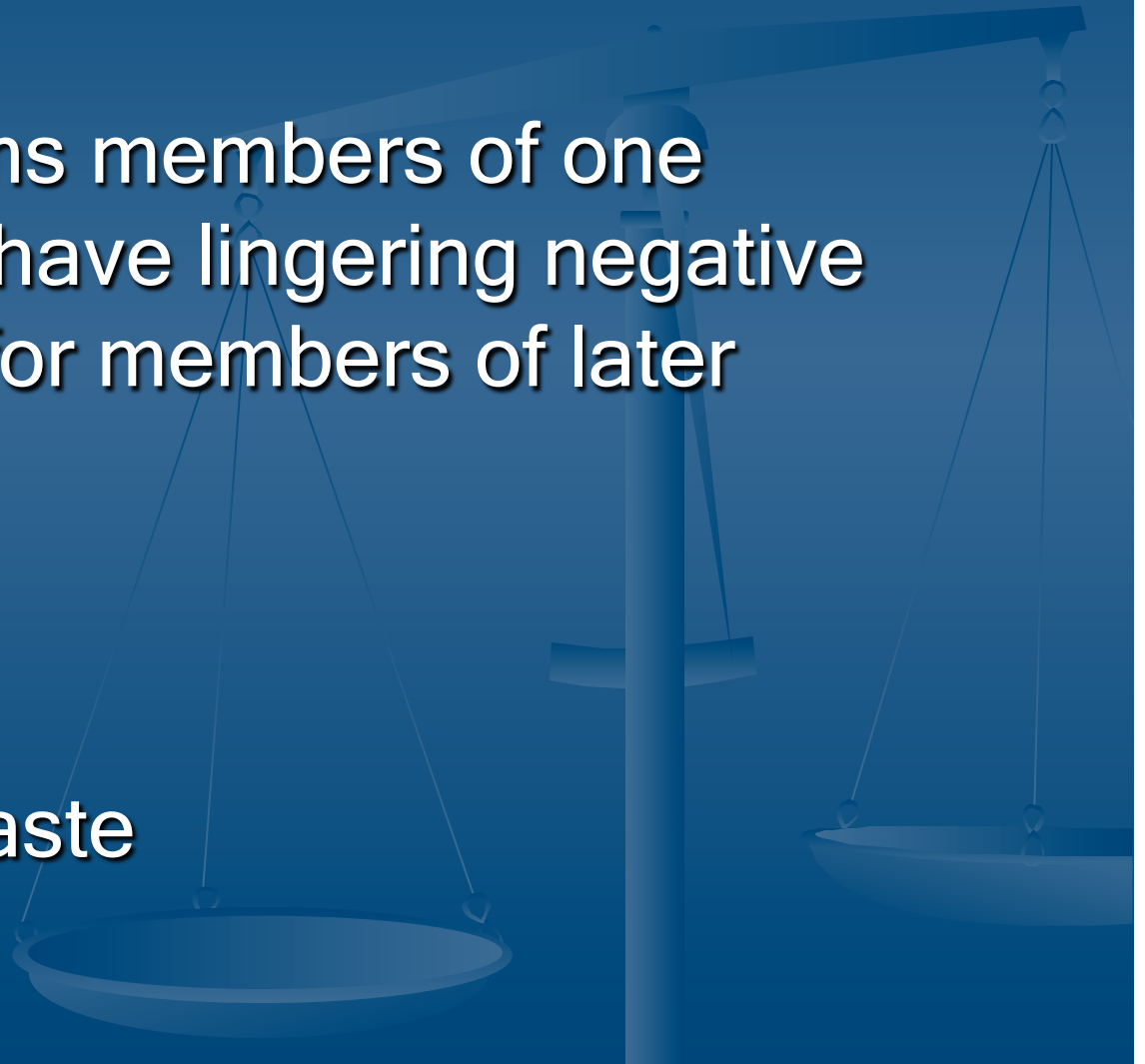
# Responding to the First Challenge

## Key Concept

An act that harms members of one generation can have lingering negative consequences for members of later generations.

## Example

Burying toxic waste



playmobil®



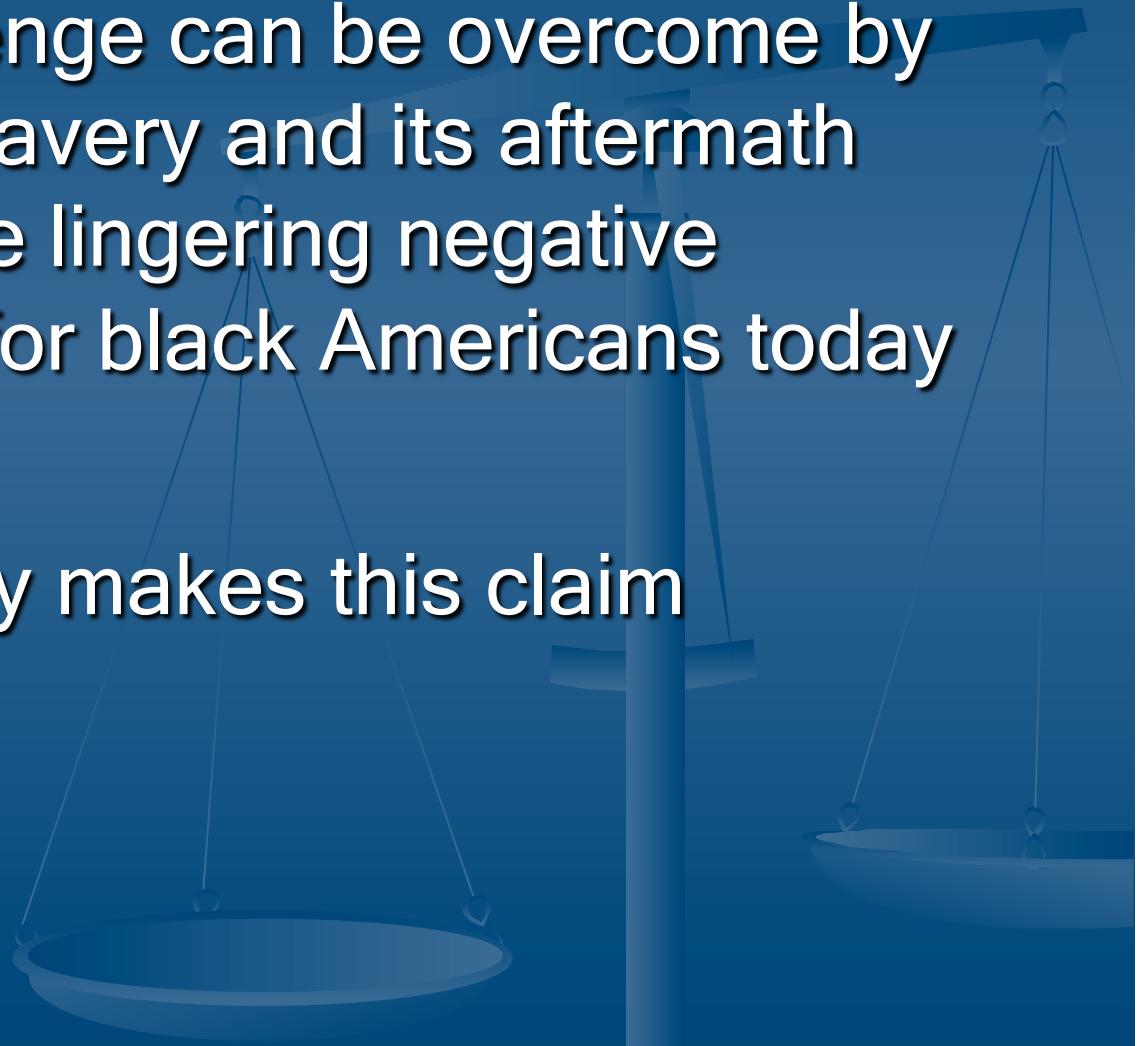
4+  
3180



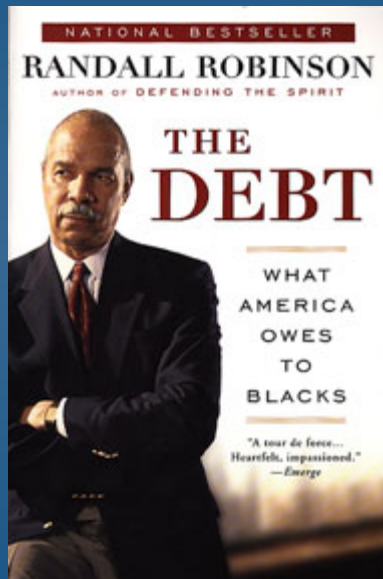
# Responding to the First Challenge

The First Challenge can be overcome by the claim that slavery and its aftermath continue to have lingering negative consequences for black Americans today

Robinson clearly makes this claim



# Responding to the First Challenge



“The black living suffer real and current consequences as a result of wrongs committed by a younger America”.

“slavery, with its sadistic patience, asphyxiated memory, and smothered cultures, has hulled empty a whole race of people with inter-generational efficiency.”

“[slavery] produces its victims *ad infinitum*, long after the active stage of the crime has ended.”

“Blacks scored behind [in a 1998 MD public school study of standardized test scores] in the two counties because of slavery’s lasting legacy to them.”

# Step #3: The Causal Claim

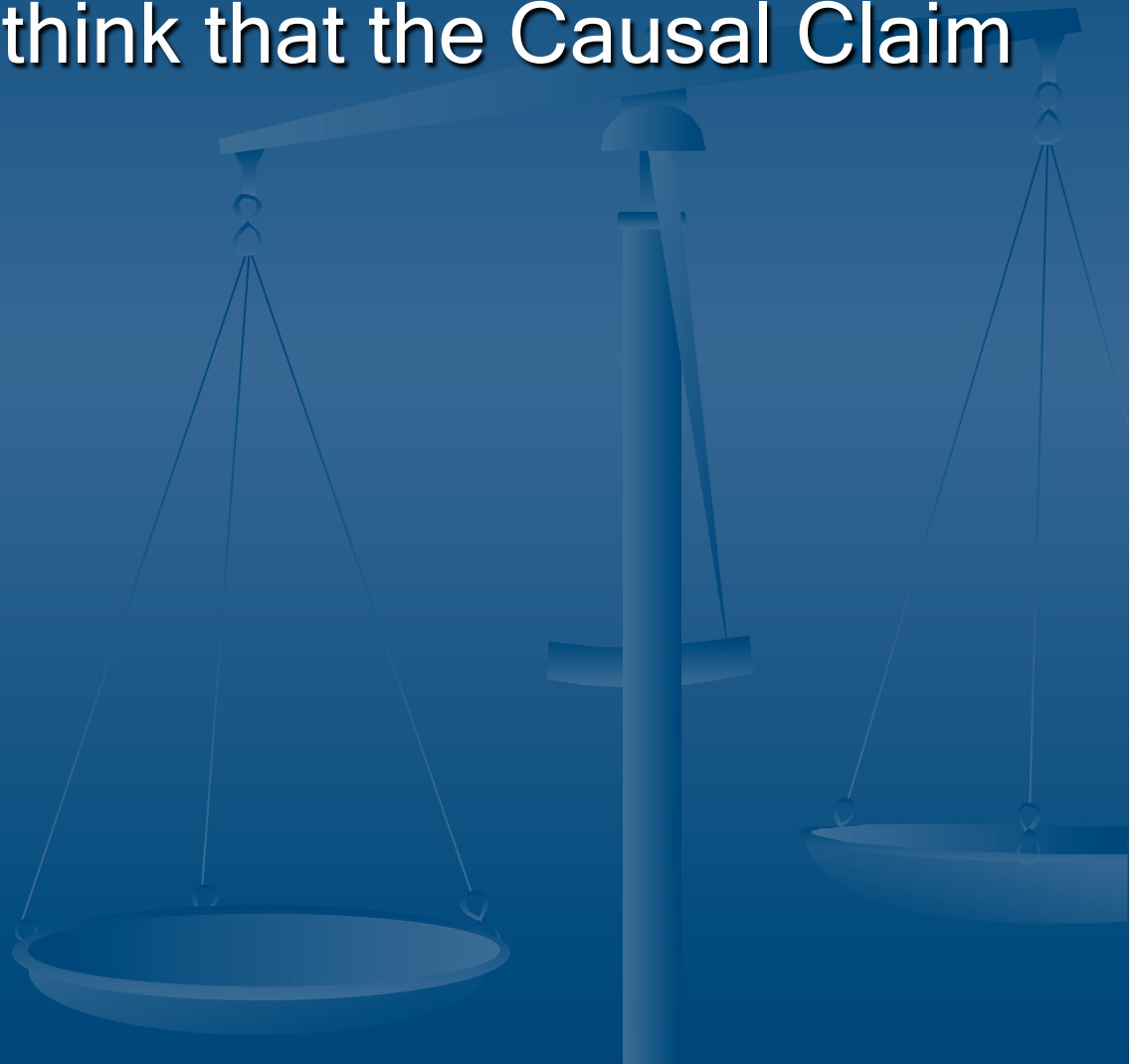
The acts by which previous generations of American citizens wrongfully harmed previous generations of Africans and African Americans continue to cause harmful consequences for black Americans today.

Why the Causal Claim is crucial to the Compensation argument

If current black Americans are not being negatively affected by slavery and its aftermath, then there's nothing for them to be compensated for

# A Problem

Why should we think that the Causal Claim is true?



# Robinson's Argument for the Causal Claim







# Is There a Good Argument for the Causal Claim?

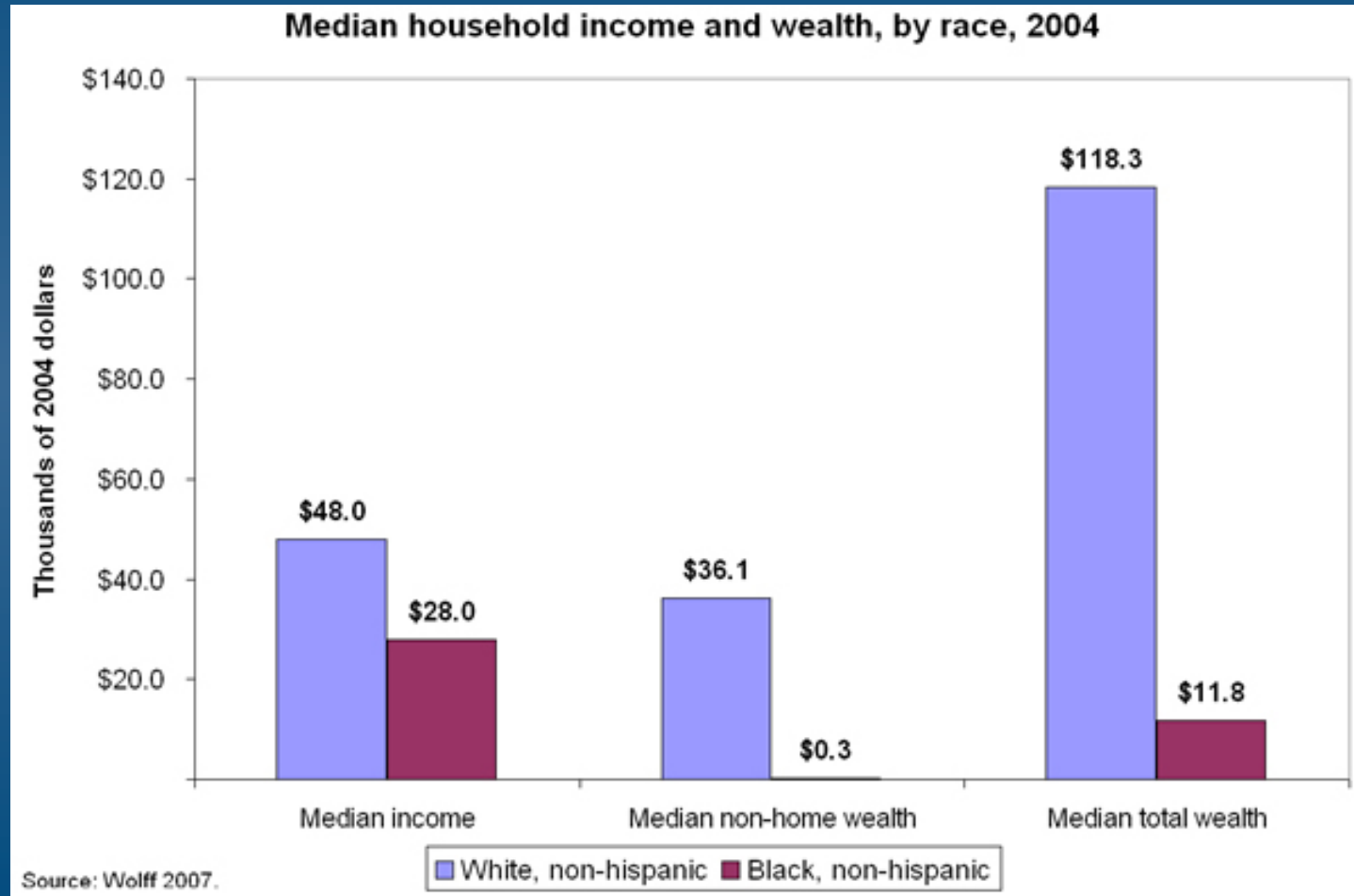
One argument maintains that the Causal Claim provides the best explanation of some fairly uncontroversial data

The data concern contemporary black and white levels of well-being in the United States

The explanation appeals to the legacy of slavery and its aftermath

If the facts are accepted and if the Causal Claim best explains them, then we have good reason to accept the Causal Claim

# Some Facts About Wealth



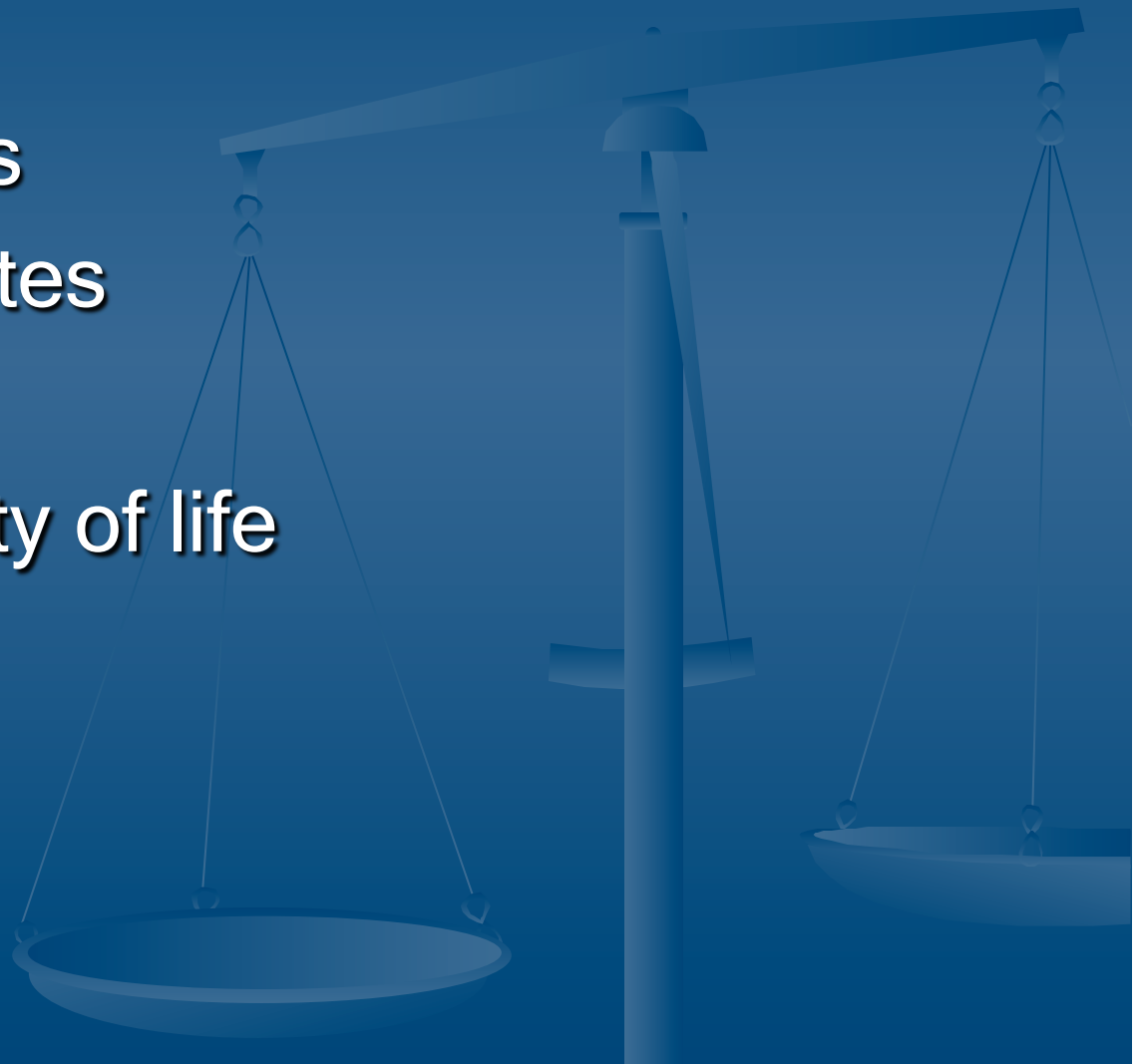
# Other Forms of Inequality

Education levels

Incarceration rates

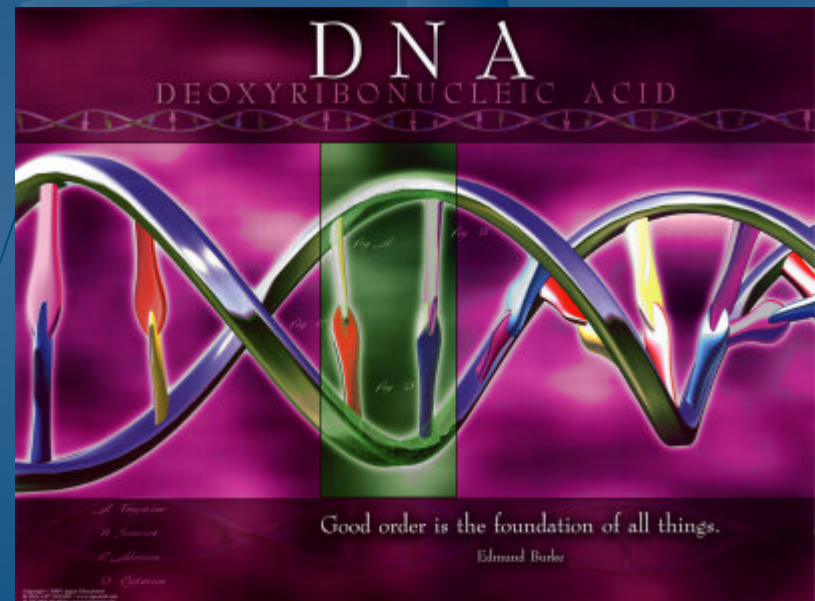
Physical health

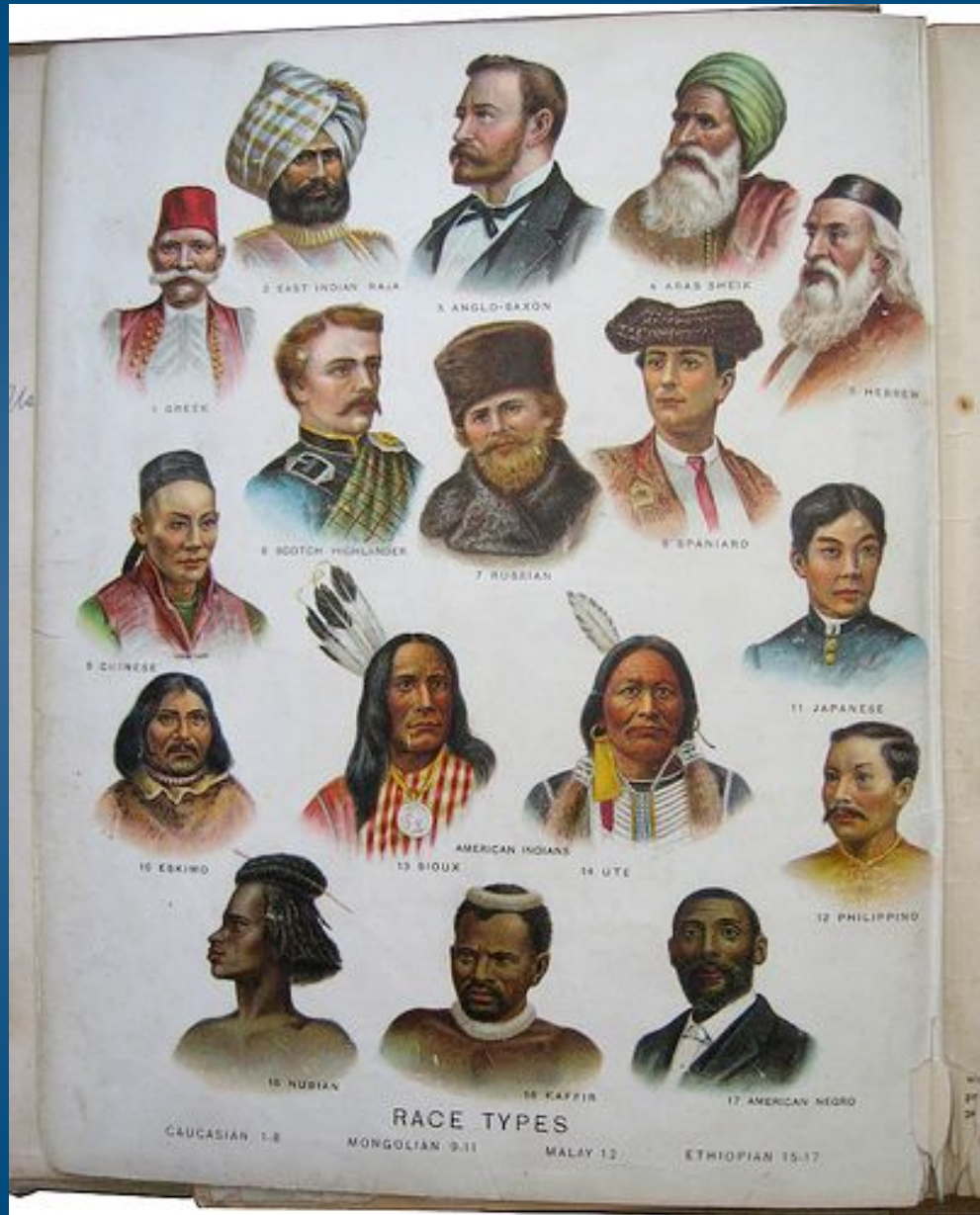
Perceived quality of life



# Two Possible Explanations

genetic explanation:  
genetic differences  
between black and  
white people account for  
the differences





# Two Possible Explanations

environmental  
explanation:  
differences in the social  
environment make it  
more difficult for black  
Americans to flourish

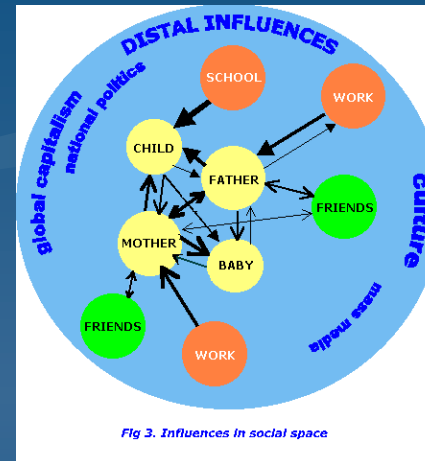
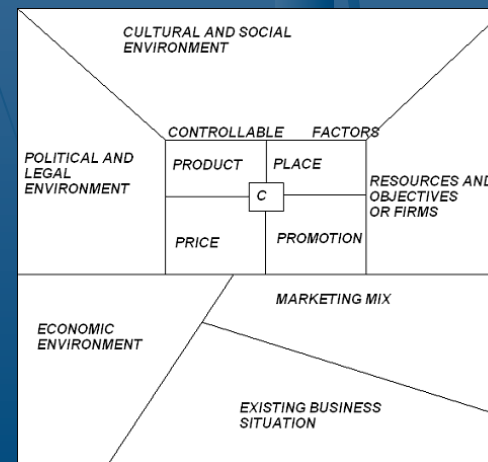


Fig 3. Influences in social space



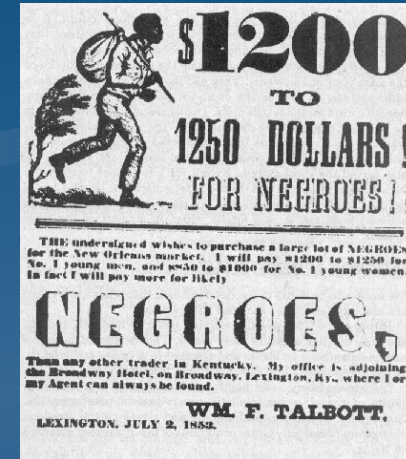
# Two Possible Explanations

The genetic explanation seems to have been thoroughly discredited



# Two Possible Explanations

The most plausible version of the environmental explanation seems to be one that appeals to the legacy of slavery and its aftermath

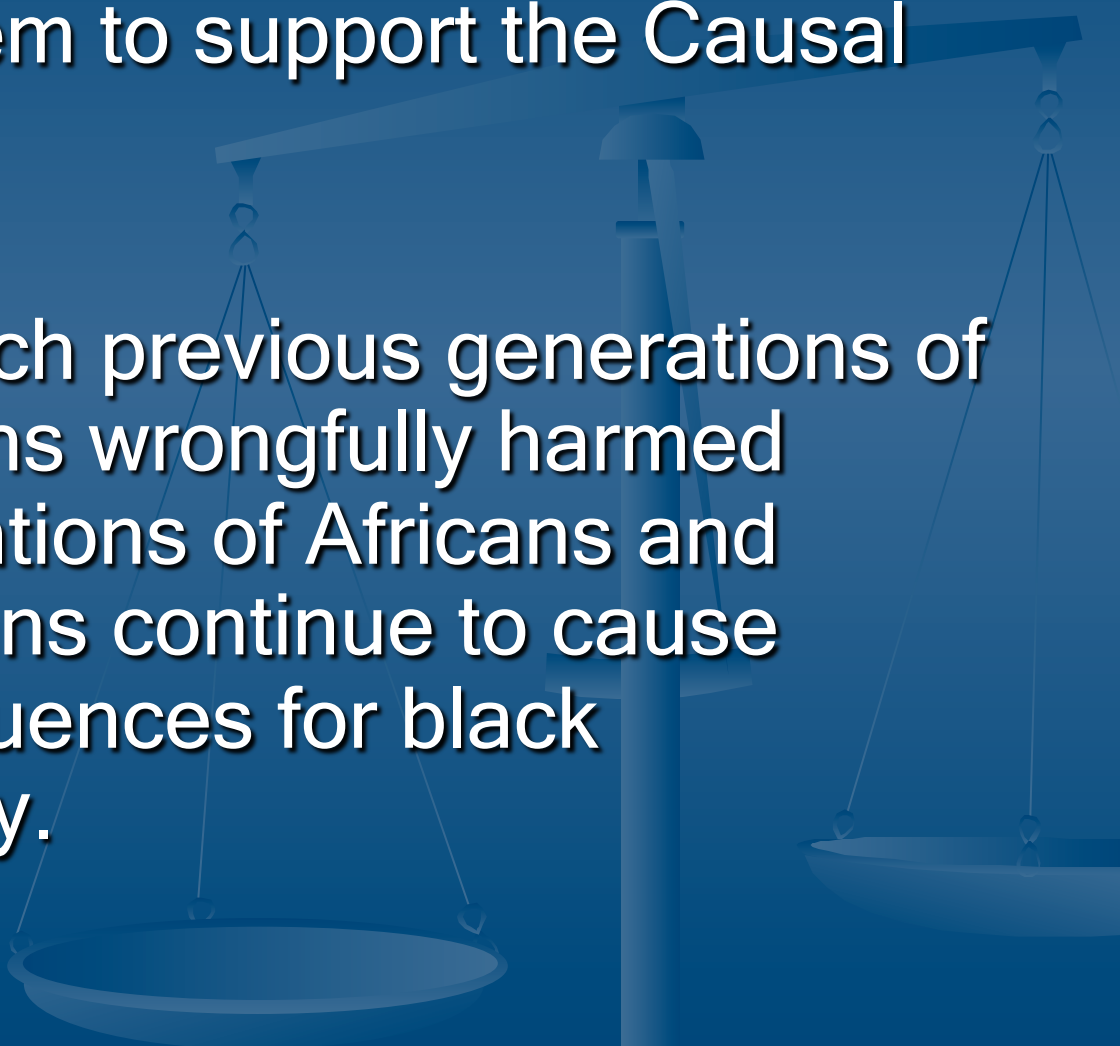




# Two Possible Explanations

So the facts seem to support the Causal Claim

The acts by which previous generations of American citizens wrongfully harmed previous generations of Africans and African Americans continue to cause harmful consequences for black Americans today.

A faint, semi-transparent image of a scale of justice is visible in the background. The scale is positioned on the right side of the slide, with its central pillar and horizontal beam extending across the middle. The two pans are visible, hanging from the beam. The entire image is rendered in a light blue color that blends with the dark blue background.

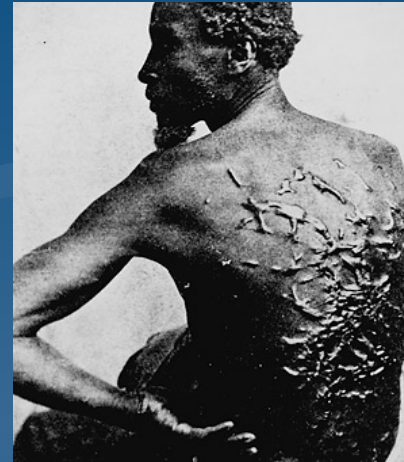
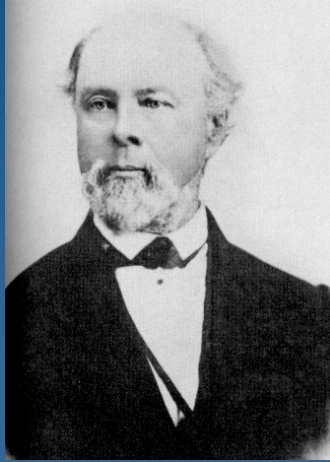
# What Follows from Steps 1, 2 and 3?

If P wrongfully harms Q, then P incurs a moral obligation to compensate Q for the harms that P has wrongfully caused (the Compensation Principle).

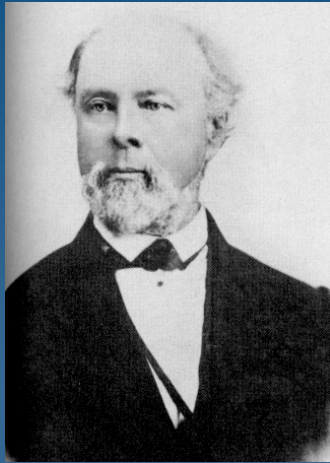
Previous generations of Americans wrongfully harmed previous generations of Africans and African Americans through the institution of slavery and its aftermath (the Historical Claim).

The acts by which previous generations of American citizens wrongfully harmed previous generations of Africans and African Americans continue to cause harmful consequences for black Americans today (the Causal Claim).

# What Follows from Steps 1, 2 and 3?



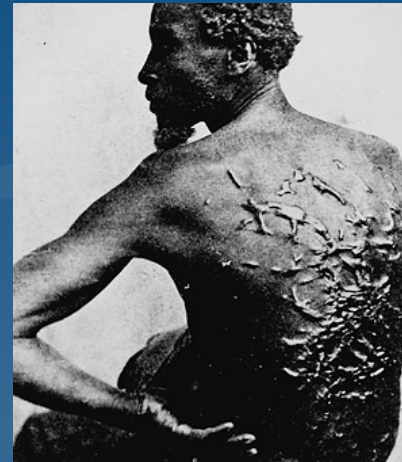
# What Follows from Steps 1, 2 and 3?



owes



(Steps 1 and 2)



owes

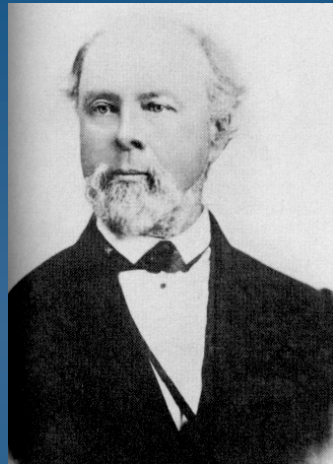
(Steps 1-3)



harms linger (Step 3)



# Responding to the Second Challenge



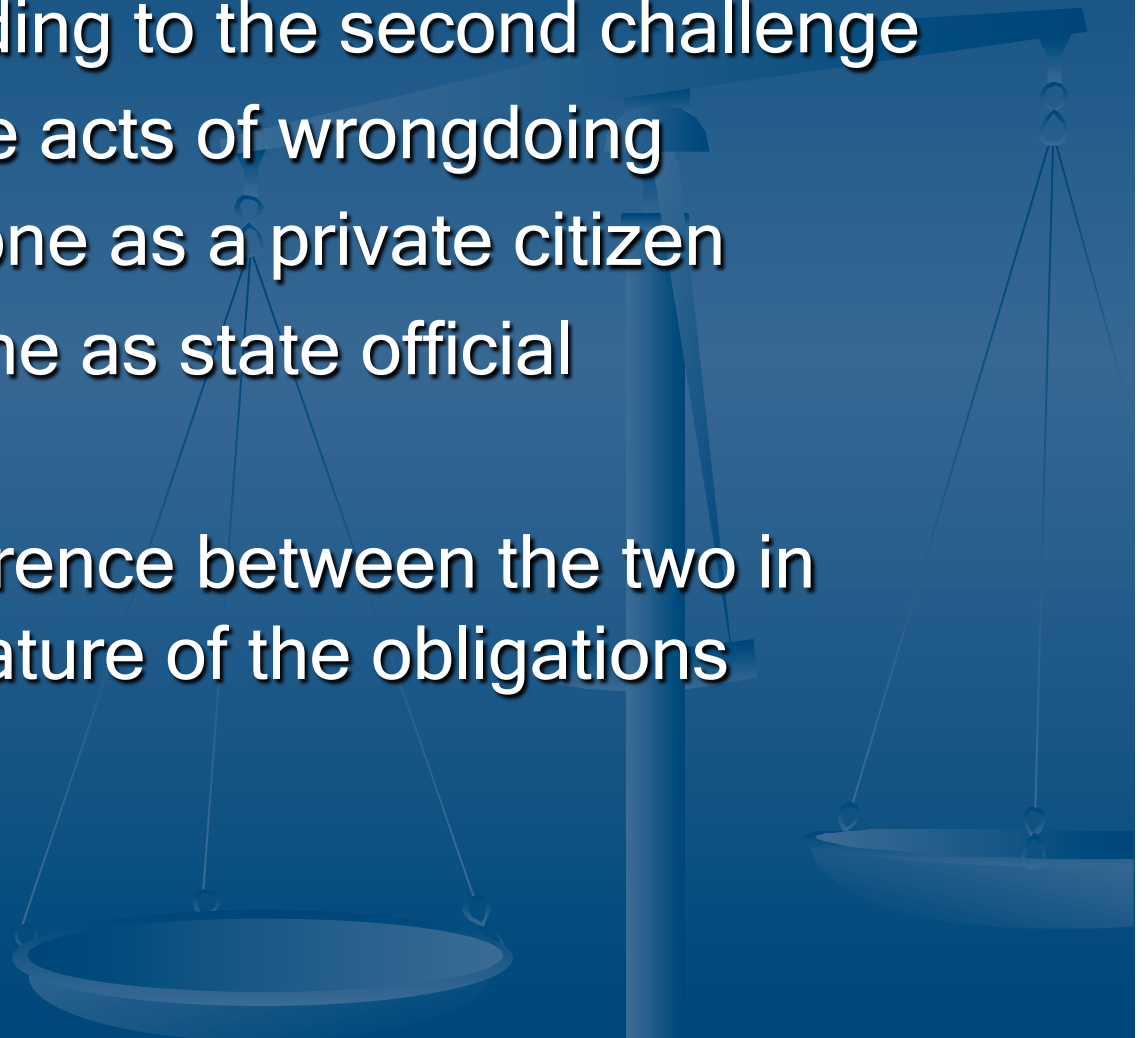
Why does the fact that the man on the left would owe compensation mean that the man on the right would owe compensation?

# Responding to the Second Challenge

the key to responding to the second challenge  
public v private acts of wrongdoing  
private acts done as a private citizen  
public acts done as state official

key claim:

there is a difference between the two in  
terms of the nature of the obligations  
they generate



## Step 4: The Surviving Public Obligation Principle (SPOP)

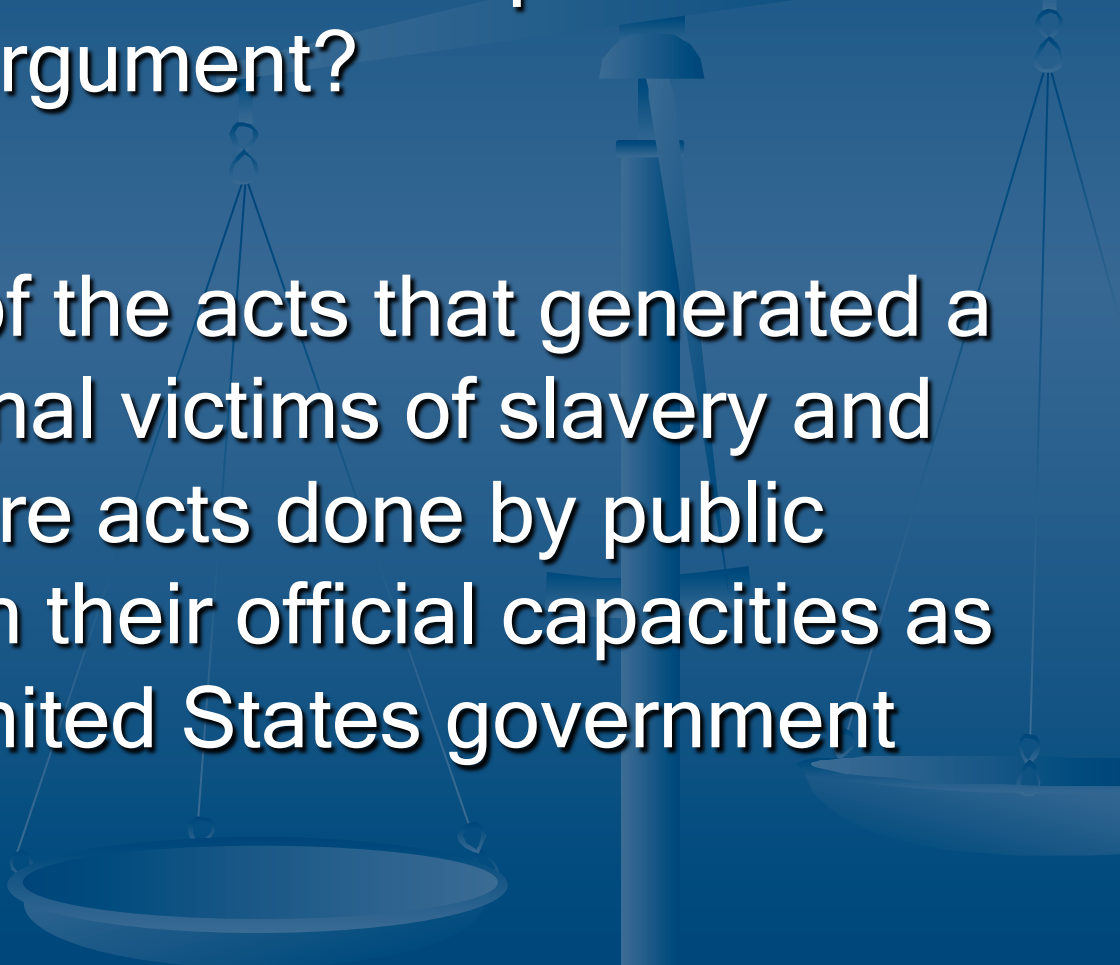
SPOP: if a government incurs a moral obligation as a result of the authorized actions of (some of) its public officials, then this obligation doesn't cease to exist when the officials in question die.

“The life and responsibilities of a nation are not limited to the life spans of its mortal constituents.” (Randall Robinson)

## Step 4: The Surviving Public Obligation Principle (SPOOP)

Question: why is SPOOP so important to the compensation argument?

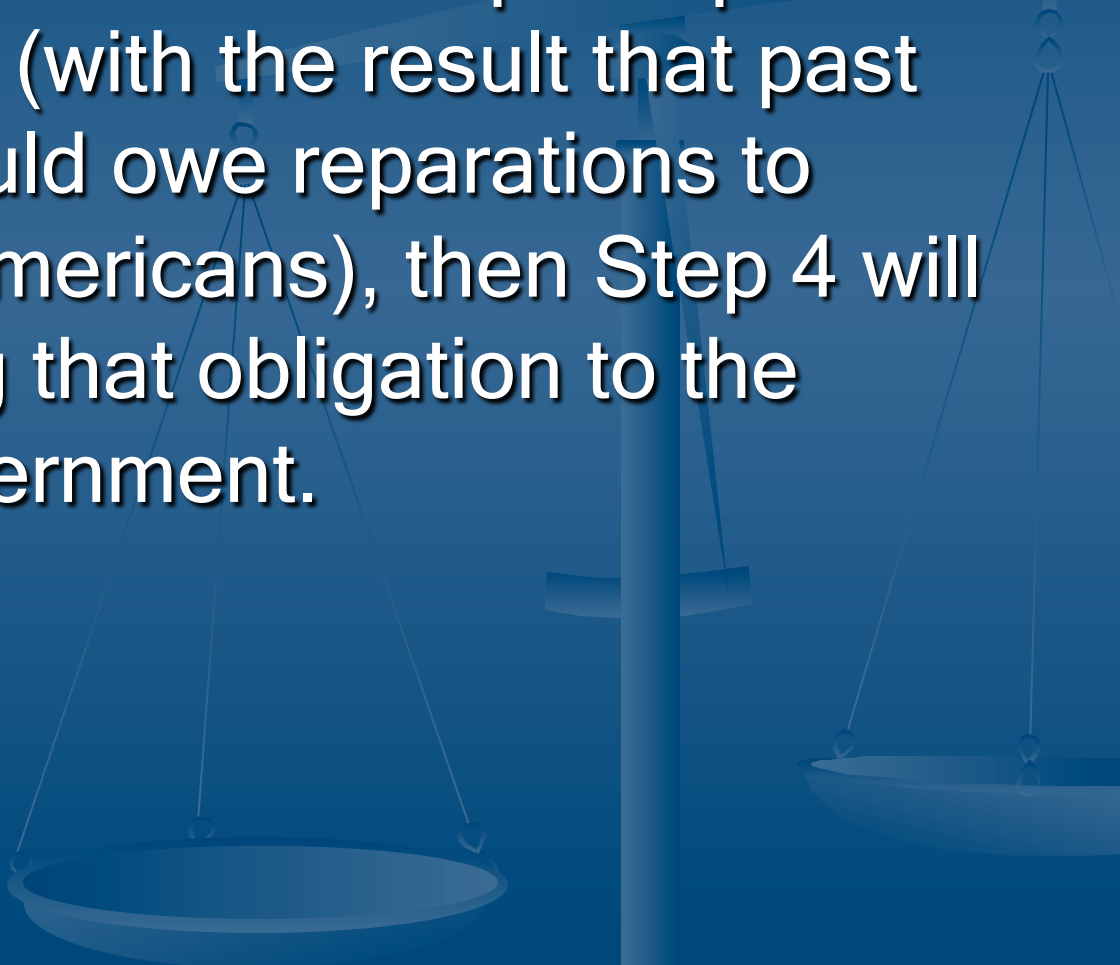
Answer: many of the acts that generated a debt to the original victims of slavery and its aftermath were acts done by public officials acting in their official capacities as agents of the United States government



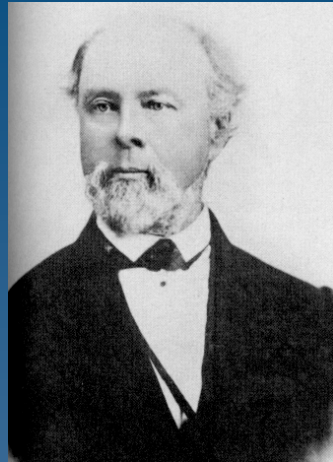


# Step 4: The Surviving Public Obligation Principle (SPOPOP)

This suggests that if we accept Steps 1-3 of the argument (with the result that past wrongdoers would owe reparations to present black Americans), then Step 4 will justify extending that obligation to the present US government.

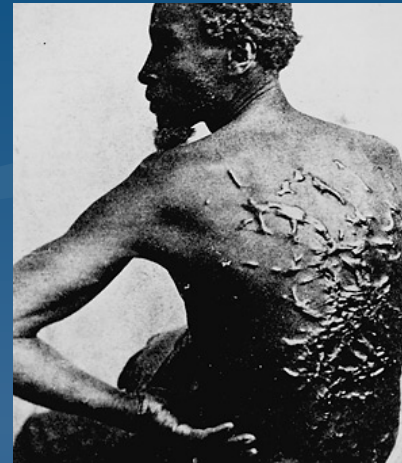
A faint, stylized image of a scale of justice is visible in the background, centered behind the text. The scale has two pans hanging from a central beam, and a vertical pillar supporting the beam. The image is rendered in a light blue color, matching the background.

# What Follows from Steps 1-4?



owes

(Steps 1 and 2)



harms linger (Step 3)

debt is transferred to  
(Step 4)

owes

(Steps 1-3)



owes

(Steps 1-4)

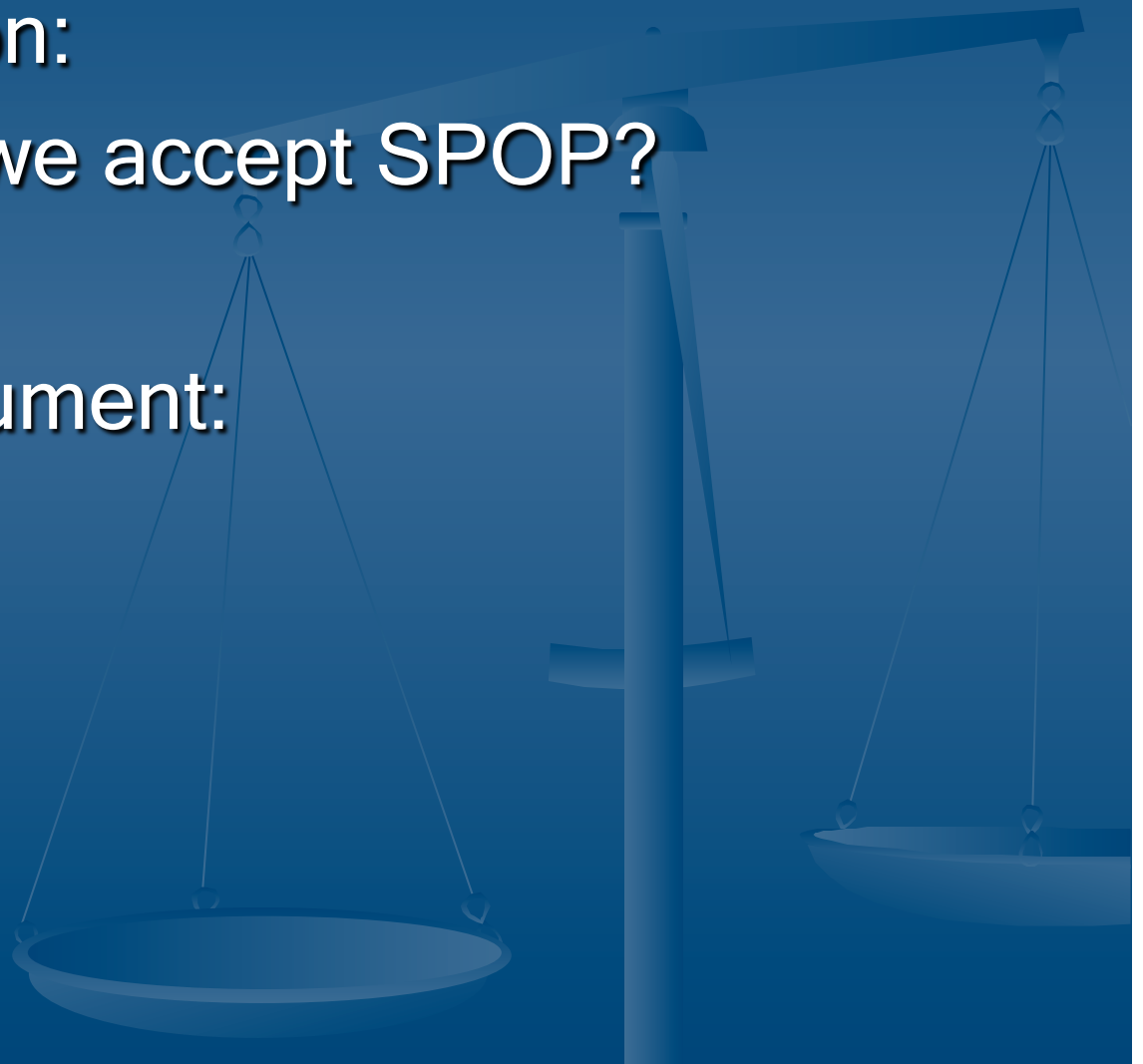


# Step 4: The Surviving Public Obligation Principle (SPOP)

The key question:

why should we accept SPOP?

Robinson's argument:





# Step 4: The Surviving Public Obligation Principle (SPOP)



# a summary of the argument



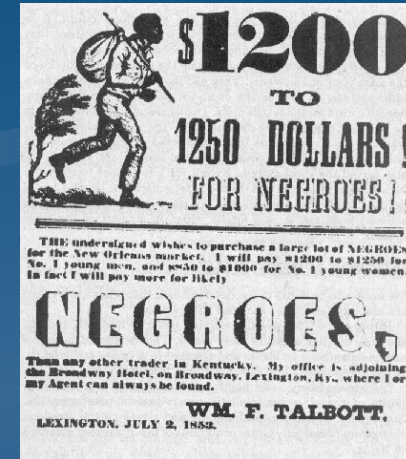
# Step #1: The Compensation Principle

if a government wrongfully harms someone as a result of the authorized actions of some of its public officials, then it incurs a moral obligation to compensate its victim for the harms that it has wrongfully caused.



# Step #2: The Historical Claim

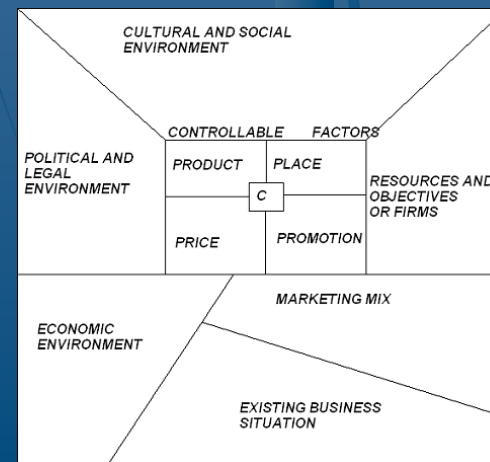
in the past, the United States government wrongfully harmed previous generations of Africans and African Americans by supporting the institution of slavery and subsequent forms of legalized segregation and discrimination.





# Step #3: The Causal Claim

the acts by which the United States government wrongfully harmed previous generations of Africans and African Americans by supporting the institution of slavery and subsequent forms of legalized segregation and discrimination in the past continue to cause harmful consequences for the currently living generation of black Americans today.



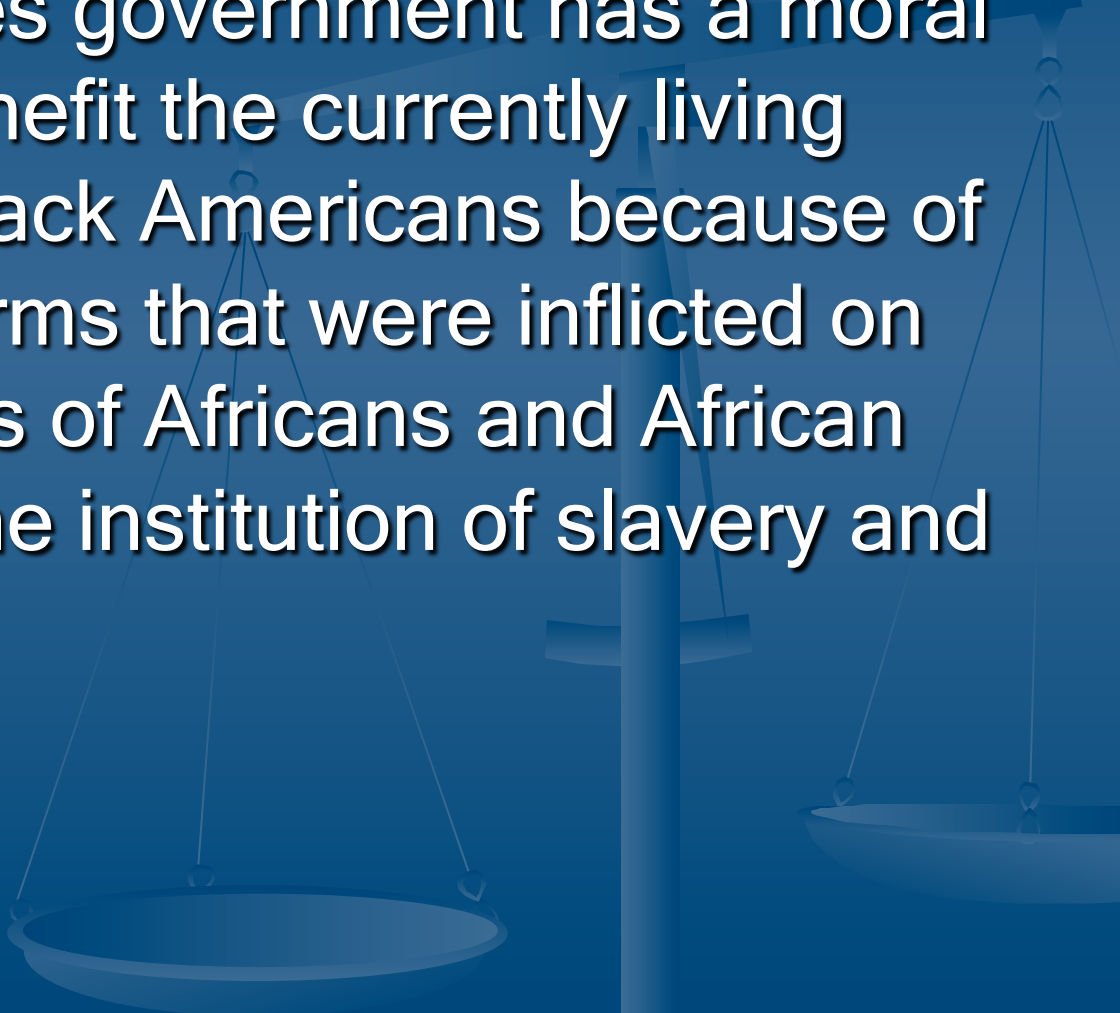
# Step 4: the surviving public obligation principle

if a government incurs a moral obligation as a result of the authorized actions of (some of) its public officials, then this obligation doesn't cease to exist when the officials in question die.



# conclusion

the United States government has a moral obligation to benefit the currently living generation of black Americans because of the wrongful harms that were inflicted on past generations of Africans and African Americans by the institution of slavery and its aftermath

A faint, light blue background image of a scale of justice is visible behind the text. The scale consists of a central vertical pillar with a horizontal beam across it. Two pans are suspended from the beam by thin lines. The scale is positioned on the right side of the slide, with the pans hanging down.

# Objecting to Robinson's Argument



# Dave's Top Ten Objections to Slave Reparations



1 XXXXXXXXXXXXX

2 XXXXX

3 XXXXXXXXXXXXX

4 XXXXXXXXXXXXX

5 XXXX

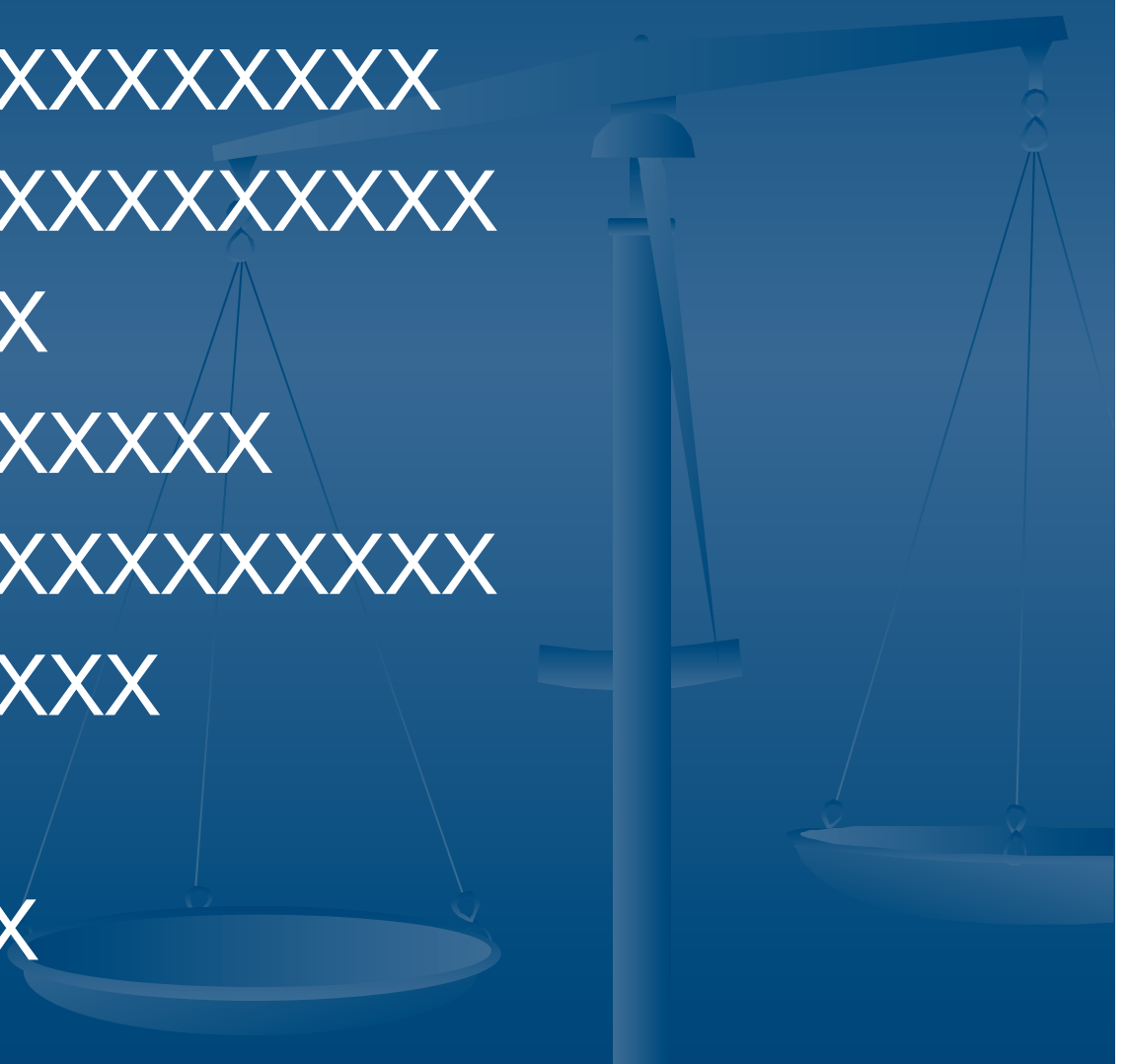
6 XXXXXXXXX

7 XXXXXXXXXXXXX

8 XXXXXXX

9 X

10 XXX





# Horowitz's First Objection

**There Is No Single Group Responsible For The Crime Of Slavery.**

Black Africans and Arabs were responsible for enslaving the ancestors of African-Americans.

There were 3,000 black slave-owners in the ante-bellum United States. Are reparations to be paid by their descendants too? There were white slaves in colonial America. Are their descendants going to receive payments?



# Horowitz's Third Objection

**Only A Minority Of White Americans Owned Slaves, While Others Gave Their Lives To Free Them.**

Only a tiny minority of Americans ever owned slaves. This is true even for those who lived in the antebellum South where only one white in five was a slaveholder. Why should their descendants owe a debt? What about the descendants of the 350,000 Union soldiers who died to free the slaves? They gave their lives. What morality would ask their descendants to pay again? If paying reparations on the basis of skin color is not racism, what is?





# Horowitz's Fourth Objection

**Most Living Americans Have No Connection  
(Direct or Indirect) to Slavery.**

The two great waves of American immigration occurred after 1880 and then after 1960. What logic would require Vietnamese boat people, Russian refuseniks, Iranian refugees, Armenian victims of the Turkish persecution, Jews, Mexicans[,] Greeks, or Polish, Hungarian, Cambodian and Korean victims of Communism, to pay reparations to American blacks?



# Horowitz's Fourth Objection





# Horowitz's Seventh Objection

The Reparations Claim Is One More Attempt to Turn African-Americans into Victims. It Sends a Damaging Message to the African-American Community and to Others.

The renewed sense of grievance -- which is what the claim for reparations will inevitably create -- is not a constructive or helpful message for black leaders to send to their communities and to others. *To focus the social passions of African-Americans on what some other Americans may have done to their ancestors 50 or 150 years ago is to burden them with a crippling sense of victim-hood.* How are the millions of non-black refugees from tyranny and genocide who are now living in America going to receive these claims, moreover, except as demands for special treatment - an extravagant new handout that is only necessary because some blacks can't seem to locate the ladder of opportunity within reach of others, many of whom are less privileged than themselves?



# Horowitz's Second Objection

**There Is No Single Group That Benefited Exclusively from Slavery.**

The claim for reparations is premised on the false assumption that only whites have benefited from slavery. If slave labor has created wealth for Americans, then obviously it has created wealth for black Americans as well, including the descendants of slaves. The GNP of black America makes the African-American community the tenth most prosperous "nation" in the world. American blacks on average enjoy per capita incomes in the range of twenty to fifty times that of blacks living in any of the African nations from which they were kidnapped.



# Horowitz's Fifth Objection

The Historical Precedents Used to Justify the Reparations Claim Do Not Apply, and the Claim Itself Is Based on Race Not Injury.

The historical precedents generally invoked to justify the reparations claim are payments to Jewish survivors of the Holocaust, Japanese-Americans and African-American victims of racial experiments in Tuskegee, or racial outrages in Rosewood and Oklahoma City. ***But in each case, the recipients of reparations were the direct victims of the injustice or their immediate families.*** This would be the only case of reparations to people who were not immediately affected and whose sole qualification to receive reparations would be racial. During the slavery era, many blacks were free men or slave-owners themselves, yet the reparations claimants make no attempt to take this fact into account. If this is not racism, what is?



# Horowitz's Sixth Objection

The Reparations Argument Is Based on the Unsubstantiated Claim That All African-Americans Suffer from the Economic Consequences of Slavery and Discrimination.

No scientific attempt has been made to prove that living individuals have been adversely affected by a slave system that was ended nearly 150 years ago. But there is plenty of evidence that the hardships of slavery were hardships that individuals could and did overcome. The black middle class in America is a prosperous community that is now larger in absolute terms than the black underclass. ***Its existence suggests that present economic adversity is the result of failures of individual character rather than the lingering after-effects of racial discrimination or a slave system that ceased to exist well over a century ago.*** West Indian blacks in America are also descended from slaves but their average incomes are equivalent to the average incomes of white (and nearly 25 percent higher than the average incomes of American-born blacks). How is it that slavery adversely affected one large group of descendants but not the other? How can government be expected to decide an issue that is so subjective?



# Horowitz's Eighth Objection

Reparations To African Americans Have Already Been Paid.

Since the passage of the Civil Rights Acts and the advent of the Great Society in 1965, trillions of dollars in transfer payments have been made to African-Americans in the form of welfare benefits and racial preferences (in contracts, job placements and educational admissions) - all under the rationale of redressing historic racial grievances. It is said that reparations are necessary to achieve a healing between African-Americans and other Americans. If trillion-dollar restitutions and a wholesale rewriting of American law (in order to accommodate racial preferences) is not enough to achieve a "healing," what is?



# Horowitz's Ninth Objection

## What about the Debt Blacks Owe to America?

Slavery existed for thousands of years before the Atlantic slave trade, and in all societies. But in the thousand years of slavery's existence, there never was an anti-slavery movement until white Anglo-Saxon Christians created one. If not for the anti-slavery beliefs and military power of white Englishmen and Americans, the slave trade would not have been brought to an end. If not for the sacrifices of white soldiers and a white American president who gave his life to sign the Emancipation Proclamation, blacks in America would still be slaves. If not for the dedication of Americans of all ethnicities and colors to a society based on the principle that all men are created equal, blacks in America would not enjoy the highest standard of living of blacks anywhere in the world, and indeed one of the highest standards of living of any people in the world. They would not enjoy the greatest freedoms and the most thoroughly protected individual rights anywhere. Where is the acknowledgment of black America and its leaders for those gifts?





# Horowitz's Tenth Objection

The Reparations Claim Is A Separatist Idea That Sets African-Americans against the Nation That Gave Them Freedom.

Blacks were here before the Mayflower. Who is more American than the descendants of African slaves? For the African-American community to isolate itself from America is to embark on a course whose implications are troubling. Yet the African-American community has had a long-running flirtation with separatists, nationalists and the political left, who want African-Americans to be no part of America's social contract. African-Americans should reject this temptation.

***For all America's faults, African-Americans have an enormous stake in this country and its heritage. It is this heritage that is really under attack by the reparations movement. The reparations claim is one more assault on America, conducted by racial separatists and the political left. It is an attack not only on white Americans, but on all Americans - especially African-Americans.***

America's African-American citizens are the richest and most privileged black people alive, a bounty that is a direct result of the heritage that is under assault. The American idea needs the support of its African-American citizens. But African-Americans also need the support of the American idea. For it is the American idea that led to the principles and created the institutions that have set African-Americans - and all of us - free.

