

Why Are Reparations Controversial?



Myers, Barton. "Sherman's Field Order No. 15," 1868, Sketch. Accessed from: [New Georgia Encyclopedia](#).

Supporting Questions

1. How did Black Codes and Jim Crow Laws harm Black people after slavery ended?
2. How have organizations and governments used reparations?
3. What are the potential impacts of reparations?
4. Why are reparations currently being discussed?

8th Grade American History Inquiry

Why are reparations controversial?

C3 Framework Indicators	D2.His.14.6-8. Explain multiple causes and effects of events and developments in the past. D4.8.6-8. Apply a range of deliberative and democratic procedures to make decisions and take action in their classrooms and schools, and in out-of-school civic contexts.
Cognitive Skills	Informational/Explanatory Thesis, Selecting Relevant Sources, Explanation of Evidence, Argumentative Claim
Staging the Compelling Question	Generate questions surrounding the concept and forms of <i>reparations</i> .

Supporting Question 1	Supporting Question 2	Supporting Question 3	Supporting Question 4
UNDERSTAND			
How did Black Codes and Jim Crow laws harm Black people after slavery ended?	How have organizations and governments used reparations?	What are the potential impacts of reparations?	Why are reparations currently being discussed?
Formative Performance Task	Formative Performance Task	Formative Performance Task	Formative Performance Task
Create a mind map demonstrating the different impacts of Black Codes and Jim Crow Laws on Black people.	Create a list of ways in which a government or organization has paid or could pay reparations to groups or individuals.	Write 1-2 paragraphs explaining the impacts of reparations in the form of monetary reparations, public apologies, and/or acts of community building.	Write an evidence-based claim considering why reparations are currently being discussed in the country today.
Featured Sources	Featured Sources	Featured Sources	Featured Sources
Source A: Artifact, Alabama Poll Tax Receipt Source B: Article, "Voter Suppression" Source C: Article, "Exploiting Black Labor after the Abolition of Slavery" Source D: List of Jim Crow Laws	Source A: Article, "Sherman's Field Order #15" Source B: Article, "A Formerly Enslaved Woman Successfully Won a Case for Reparations" Source C: Article, "Georgetown Students...Create Reparations Fund"	Source A: Article, "Japanese Americans' Campaign for Reparations" Source B: Op-Ed, "Reparations Are an Opportunity..." Source C: Interview, Barack Obama	Source A: Gallup survey data, "Americans' Views on Reparations" Source B: Gallup survey data, "Black Americans' Attitudes about Race"

Summative Performance Task	ARGUMENT Construct an argument (e.g., detailed outline, poster, essay) that evaluates the controversies surrounding reparations using specific claims and relevant evidence from historical and contemporary sources, while acknowledging competing views.
	EXTENSION To extend their arguments, students can research international examples of reparations (or reparations debates).
Taking Informed Action	UNDERSTAND Embedded in the inquiry's supporting questions. ASSESS Deliberate on the potential impact of reparations. ACT Create a student guide explaining the situation and reparations, including a list of credible resources for learning more about reparations.

Overview

Inquiry Description

This inquiry leads students through an investigation of the use of reparations to make amends for the enslavement, exploitation, and generational racism Black people have endured. The compelling question—*Why are reparations controversial?*—asks students to evaluate the controversy surrounding reparations payments, engage with narratives of Black people, and compare precedents set by organizations and governments. This investigation spans the Antebellum Era through the 21st century to highlight the ongoing struggle for equality.

As students move through the inquiry, they are asked to consider the treatment of enslaved people and the echoing effects of systemic oppression. Building from previous learning about the institution of slavery in America, students analyze the impacts of racism on generations of people of color and the legal institutions and systems which continued to take advantage and oppress marginalized groups. Using a range of primary and secondary historical sources, students examine arguments surrounding the practice, as well as the forms that reparations may take. The four supporting questions, the formative performance tasks, and the featured sources are designed to build the students’ reasoning as they grapple with the compelling question.

It is important to note that this inquiry requires prerequisite knowledge of the institution of slavery, race-based social hierarchies, the contributions of both free and enslaved Blacks to the culture and infrastructure of the country, and the systems put into place after 1865 that perpetuated a social caste system. If needed, teachers can provide applicable sections from Howard Zinn’s *A Young People’s History of the United States* and/or Ronald Takaki’s *A Different Mirror for Young People*.

Note: This inquiry is expected to take ten to twelve 45-minute class periods. The inquiry time frame could expand if teachers think their students need additional instructional experiences (e.g., supporting questions, formative performance tasks, featured sources, writing). Teachers are encouraged to adapt the inquiry to meet the needs and interests of their students. This inquiry lends itself to differentiation and modeling of historical thinking skills while assisting students in reading the variety of sources.

Structure of the Inquiry

In addressing the compelling question, “Why are reparations controversial?” students work through a series of supporting questions, formative performance tasks, and featured sources in order to construct an argument supported by evidence while acknowledging competing perspectives.

Context of the Inquiry

This inquiry was developed through a collaboration between C3Teachers and a team of Summit Learning curriculum fellows. This collection of inquiry projects was designed to meet the needs of states and districts, who are increasingly calling for ethnic and gender studies’ inclusion in their school curriculums. Schools need culturally

relevant materials that represent the histories and experiences of the communities they serve. The focus on culturally relevant curriculum is an inclusive focus. Culture is not a thing that some people have and others do not. This project, and others in the collection, represent a diverse set of identities and perspectives.

Additional Resources

Kattah, M.L. (n.d.). Reparations Debate. *Teaching Tolerance*. Teacher Resources. Accessed from:

<https://www.tolerance.org/learning-plan/reparations-debate>.

- Teachers can find additional sources on reparations from *Teaching Tolerance*.

Matthews, D. (23 May 2014). Six times victims have received reparations--including four in the US. *Vox*. News Article. Accessed from:

<https://www.vox.com/2014/5/23/5741352/six-times-victims-have-received-reparations-including-four-in-the-us>.

What Students Are Saying About Reparations, What They Want to Learn in School, and Individuality. (12 December 2019). The Learning Network. *New York Times*. News Article (Current Events Conversation). Accessed from:

<https://www.nytimes.com/2019/12/12/learning/what-students-are-saying-about-reparations-what-they-want-to-learn-in-school-and-individuality.html>

Willis, T.A. (8 September 2019). What Do Reparations Look Like. *Morningside Center for Teaching Social Responsibility*. Teacher Resources. Accessed from:

<https://www.morningsidecenter.org/teachable-moment/lessons/what-do-reparations-look>.

Cognitive Skills

The Summit Learning Cognitive Skills Rubric is an assessment and instruction tool that outlines the continuum of skills that are necessary for college and career readiness. Cognitive Skills are interdisciplinary skills that require higher-order thinking and application.

The rubric includes 36 skills and 8 score levels applicable to students in grades 3 through 12. Through Summit Learning, students practice and develop Cognitive Skills in every subject and in every grade level. The use of a common analytic rubric for assessment of project-based learning allows for targeted, standards-aligned feedback to students and supports the development of key skills over time. For more information, see the Cognitive Skills rubric here: <https://cdn.summitlearning.org/assets/marketing/Cognitive-Skills-Document-Suite.pdf>

The inquiry highlights the following Cognitive Skills.

Summit Learning Cognitive Skills	
Argumentative Claim	Developing a strong opinion/ argument through clear, well-sequenced claims.
Informational/Explanatory	Constructing explanations or conveying ideas and information through clear, well-organized, relevant ideas.

Thesis	
Selection of Evidence	Using relevant and sufficient evidence to support claims.
Explanation of Evidence	Analyzing how the selected evidence support the writer's statements (e.g., claims, controlling ideas).

C3 Framework Indicators

In addition to those noted in the Blueprint, this inquiry highlights the following C3 Framework Indicators.

C3 Framework Indicators

D2.Civ.10.6-8. Explain the relevance of personal interests and perspectives, civic virtues, and democratic principles when people address issues and problems in government and civil society

D2.Geo.4.6-8. Explain how cultural patterns and economic decisions influence environments and the daily lives of people in both nearby and distant places.

D2.His.3.6-8. Use questions generated about individuals and groups to analyze why they, and the developments they shaped, are seen as historically significant.

D2.His.14.6-8. Explain multiple causes and effects of events and developments in the past.

D4.8.6-8. Apply a range of deliberative and democratic procedures to make decisions and take action in their classrooms and schools, and in out-of-school civic contexts.

Staging the Compelling Question	
Compelling Question	Why are reparations controversial?
Featured Sources	Source A: “Ta-Nehisi Coates, Danny Glover, and Senator Cory Booker Speak at House Hearing on Reparations,” (19 June 2019). Hearing in the House Judiciary regarding legislation on slavery reparations. <i>NBC News</i> . YouTube Video. Accessed from: https://www.youtube.com/watch?v=bWZY-tSd1bs
	Source B: “Reparations Move Deplored by Rustin” (9 May 1969). <i>New York Times</i> . Newspaper Article. Accessed from: https://timesmachine.nytimes.com/timesmachine/1969/05/09/88992857.pdf

The compelling question—*Why are reparations controversial?*—asks students to explore the tension surrounding discussions of race relations and reparations in the present day. To help students warm up for the inquiry, it is important to have them understand the term *reparations* and the various forms reparations can take. This discussion should prepare students to grapple with the controversy.

For the staging task, students generate questions surrounding the concept and forms of reparations. Teachers may need to share a dictionary definition to spark students’ questioning. A question generation exercise could reflect the Question Formulation Technique (see more here: <https://rightquestion.org/what-is-the-qft/>). It may also entail prompting students to list as many questions as they can in a specified amount of time (e.g., three minutes) or listing the first five questions that come to mind. After students have generated questions, they should share their questions with classmates. This share-out can be in a Think-Pair-Share exercise, or be done as a whole-class discussion.

Once completed, teachers can engage students in a discussion of instances where they think reparations are warranted. These examples can be small or large examples (i.e., impacting individuals or larger groups). Teachers may also prompt students to consider the ways in which individuals make amends to one another. Teachers should allow space for students to consider when/if they think reparations are appropriate on a conceptual level. Likewise, teachers should prompt students to consider the perspectives of people who may agree or disagree.

After completing the discussion, teachers may share the Featured Sources with students, asking them to consider the different perspectives in evidence. Likewise, teachers may choose to save the articles for a subsequent supporting question (e.g., Supporting Question 3 or 4).

Featured Sources

The following sources were selected to help introduce students to arguments for and against reparations. These sources help stage the inquiry, preparing students to engage in the inquiry process. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

SOURCE A This video is a clip from the House Judiciary hearing for legislation regarding slavery reparations. In the video, author Ta-Nehisi Coates, actor/activist Danny Glover, and Senator Cory Booker speak in support of

reparations. Coates, in particular, has been a strong voice advocating on behalf of reparations. He is featured in a source for Supporting Question 3.

SOURCE B In an article from 1969, the *New York Times* reports civil rights leader, Bayard Rustin’s opposition to reparations. Rustin was a strong voice and strategist in the Civil Rights Movement, influencing Martin Luther King Jr.’s nonviolent approach to civil disobedience.

Additional Source

Below is the “Black Manifesto,” the speech from Jim Forman to which the *New York Times* article refers, delivered at the Riverside Church in New York City.

“Black Manifesto,” (26 April 1969). *The Church Awakens: African Americans and the Struggle for Justice*. Accessed from: <https://episcopalarchives.org/church-awakens/items/show/202>.

Staging the Compelling Question

Featured Source A

Source A: "Ta-Nehisi Coates, Danny Glover, and Senator Cory Booker Speak at House Hearing on Reparations," (19 June 2019). Hearing at the House Judiciary for legislation regarding slavery reparations. *NBC News*. YouTube Video.

Accessed from: <https://www.youtube.com/watch?v=bWZY-tSd1bs>

Screenshot from video:



The screenshot shows a group of people seated at a long table with microphones in a formal hearing room. In the center, a man in a grey suit and white shirt is speaking into a microphone. To his left, a woman in a dark blue top is looking towards him. To his right, a man with glasses is also looking towards the speaker. The background features wood-paneled walls and a framed picture.

Ta-Nehisi Coates, Danny Glover And Sen. Booker Speak At House Hearing On Reparations | NBC News

8,956 views • Jun 19, 2019

265 104 SHARE SAVE ...

Staging the Compelling Question

Featured Source B

“Reparations Move Deplored by Rustin,” (9 May 1969). *New York Times*. Newspaper Article. Accessed from: <https://timesmachine.nytimes.com/timesmachine/1969/05/09/88992857.pdf>

Bayard Rustin, the civil rights leader, yesterday called the demands of the Black Economic Development Conference for \$500-million in “Reparations” from America’s churches “preposterous.” He said in an interview with United Press International that James Forman, who presented the demands, was “hustling, begging.”

Mr. Rustin, who heads the A. Philip Randolph Institute, said: “The idea of reparations is a ridiculous idea. If my great-grandfather picked cotton for 50 years, then he may deserve some money, but he’s dead and gone and nobody owes me anything.

“Furthermore, I don’t believe that any black man in this country wants to be given a thing--just the opportunity to work, to work and take care of his family.”

Mr. Rustin, who organized the successful 1963 civil rights march on Washington, not only attacked Mr. Forman’s “black manifesto,” but also the disruptive methods that he used at Riverside Church last Sunday to present the “reparations” demand.

Supporting Question 1	
Supporting Question	How did Black Codes and Jim Crow laws harm Black people after slavery ended?
Formative Performance Task	Create a mind map demonstrating the different impacts of Black Codes and Jim Crow Laws on Black people.
Cognitive Skills	<p>Selection of Evidence: Students develop this skill by using sources to select relevant evidence to answer the supporting question.</p> <p>Informational/Explanatory Thesis: Students develop this skill by using historical sources to construct explanations and convey information through clear, well-organized, and relevant ideas.</p>
Featured Sources	<p>Source A: “Poll Tax Payment Certificate,” (29 January 1966). Smithsonian National Museum of African American History and Culture. Artifact. Accessed from: Poll Tax Payment Certificate from the state of Alabama</p> <p>Source B: “Alive and Well: Voter Suppression and Election Mismanagement in Alabama,” (10 February 2020). <i>Southern Poverty Law Center</i>. Web Article. Accessed from: Alabama’s History of Voter Disenfranchisement</p> <p>Source C: Forde, K.R. & Bowman, B. (6 February 2017). “Exploiting Black Labor After the Abolition of Slavery.” <i>The Conversation</i>. Web Article. Accessed from: Exploiting black labor</p> <p>Source D: “Jim Crow Laws,” (2018). <i>National Park Service</i>. Web Article. Accessed from: https://www.nps.gov/malu/learn/education/jim_crow_laws.htm.</p>

Supporting Question 1 and Formative Performance Task

The first supporting question-*How did Black Codes and Jim Crow laws harm Black people after slavery ended?*-initiates the inquiry by directing students to evaluate the lasting impacts of the institution of slavery. In particular, students consider how slavery and a racial caste system continued through Black Codes and Jim Crow laws.

The formative performance task asks students to create a mind map demonstrating the different impacts of Black Codes and Jim Crow Laws on Black people. This mind map may take the form of a Futures Wheel or other organizational structure.

Teachers may support students’ mind-mapping by suggesting different axis points (e.g., activities, education, voting) or by creating index cards with the different laws/codes, allowing students to categorize them, then analyzing the categories for the impact/harm they caused.

Using the mind map, students write a paragraph that describes their work. In this case, the teacher may need to provide a sentence starter for students.

- *Example:* “Since slavery ended, people of color have been oppressed in the following ways...”

Featured Sources

The following sources were selected to revisit historic moments and mandates, as well as to make a direct connection between the 20th century Civil Rights Movement and present day. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

The sources serve to make a connection between the systems and codes put into place post-1865 and the continued marginalization and oppression of Black people in America. When using these sources, teachers should cue students to consider the larger impact of disenfranchisement, for individuals and for democratic systems. In addition to impacting election results, voter disenfranchisement denies individuals' political voice and their participation in American life as full citizens.

SOURCE A The first source is an image of an Alabama poll tax payment certificate from 1966. The image and complementary context paragraph display denial of Black people's voting rights. Teachers are encouraged to use similar artifacts from their state.

SOURCE B The second source, from the Southern Poverty Law Center, is a brief excerpt from a web article about voter suppression in Alabama. Teachers are encouraged to use similar articles about their states.

SOURCE C This source is an article excerpt from *The Conversation*, a not-for-profit Australian news organization. The article includes quotes from scholars Eric Foner and Douglas Blackmon.

SOURCE D The last source is a list of Jim Crow Laws from the National Park Service. The laws are organized by topic and state. Teachers may remove the labels and have students organize and categorize the laws themselves.

Word Bank

The teacher may need to provide definitions for words in the text including, but not limited to: *disenfranchisement*, *poll tax*, and *racial caste system*.

Disenfranchisement - being denied or prevented from exercising one's right to vote.

Poll Tax - a tax that required people pay in order to vote.

Racial caste system - a structure where people are kept in an inferior (or lesser) position in society based on their race/ethnicity.

Supporting Question 1

Featured Source A

“Poll Tax Payment Certificate from the state of Alabama,” (29 January 1966). Issued by the United States Civil Service Commission. Artifact. Collection of the Smithsonian National Museum of African American History and Culture.
 Accessed from: [Poll Tax Payment Certificate from the state of Alabama](#)

Along with literacy tests, property or residency requirements, poll taxes were one of the methods used to prevent African Americans from voting beginning in the last quarter of the 19th century. After the Fifteenth Amendment enabled the right to vote to African Americans a number of states enacted poll tax laws as a legal method to restrict voting rights. The poll tax was especially effective in disenfranchising potential black voters since African Americans made up a disproportionate number of the poor who could not afford to pay.

UNITED STATES CIVIL SERVICE COMMISSION
 Voting Rights Act of 1965
 POLL TAX PAYMENT CERTIFICATE
 STATE OF ALABAMA

I certify that the person whose name appears below has, on the date of this certificate, paid the poll tax shows:

Amount

The poll tax required to vote in any State or local election held during 1965 which also constitutes the first installment of the poll tax required to vote in any State or local election held during 1966 \$ _____

The poll tax required to vote in any State or local election held during 1966 which must be paid between October 1, 1965 and January 31, 1966, inclusive \$ _____

Total paid \$ 3.00

Method of Payment: Cash Money Order

STATE <u>Alabama</u>	COUNTY <u>Dallas</u>	WARD	DISTRICT OR PRECINCT <u>36</u>
NAME <u>Alice Irby</u>		CERTIFICATE OF ELIGIBILITY NUMBER (If known) <u>1548</u>	
ADDRESS <u>1119 Morgan Alley, Selma, Ala.</u>			
CERTIFIED BY <u>James H. Craig</u> <small>(Examiner, U. S. Civil Service Commission)</small>			DATE <u>1-29-66</u> <small>(Date)</small>

CSC Form 822
SEPTEMBER 1965

Collection of the Smithsonian National Museum of African American History and Culture, Gift from the Family of Alice Irby.

Supporting Question 1

Featured Source B

“Alive and Well: Voter Suppression and Election Mismanagement in Alabama,” (10 February 2020). *Teaching Tolerance*. Southern Poverty Law Center. Web Article. Excerpt.
 Accessed from: [Alabama’s History of Voter Disenfranchisement](#)

Alabama’s History of Voter Disenfranchisement

The framers of Alabama’s 1901 constitution made no secret of their purpose: to formally enshrine White supremacy as the law and to deny Black people a voice in government.

“[W]hat is it we want to do? Why it is within the limits imposed by the Federal Constitution, to establish white supremacy in this State,” declared Constitutional Convention Chair John M. Knox as the convention opened.

To accomplish this, the delegates adopted a series of voter registration provisions – including a poll tax, a literacy test, property requirements and disqualification for certain criminal convictions – meant to disenfranchise Black people, who made up 45 percent of the state’s population and were threatening the white wealthy class’ political dominance by aligning their votes with poor whites.

Henry Fontaine Reese, a delegate from Selma, summed up the approach: “When you pay \$1.50 for a poll tax, in Dallas County, I believe you disenfranchise 10 Negroes. Give us this \$1.50 for educational purposes and for the disenfranchisement of a vicious and useless class.”

With its new constitution, which is still in use today, Alabama joined Mississippi, Louisiana and other Southern states that had already adopted Jim Crow-era constitutions with the same purpose and many of the same features.

Although Alabama was forced to accept the Civil War’s political verdict, it did not approve of the war’s social and legal implications. Following Reconstruction, it built a postbellum society that, in its customs and laws, rejected equal rights for Black people.

Black voter disenfranchisement was not a natural result of hatred between the races after the Civil War but stemmed rather from deliberate political action following Reconstruction, renowned historian C. Vann Woodward wrote in *The Strange Career of Jim Crow*, which Martin Luther King Jr. cited as “the historical Bible of the civil rights movement.”

In the years immediately following the war’s end in 1865, after the Fifteenth Amendment was passed to prohibit denial of the right to vote based on race, color, or previous condition of servitude, Black men in Alabama (women still could not vote) enjoyed a brief but strong showing at the polls. Soon afterward, there was a backlash from white supremacists determined to turn back their political gains.

“In the earlier decades [Black people] still took an active, if modest, part in public life,” Woodward wrote. “They held offices, served on the jury, sat on the bench, and were represented in local councils, state legislatures, and the national Congress. Later on these things were simply not so, and the last of the [Black people] disappeared from these forums.”

There was a strong economic incentive to disenfranchise the state’s Black population. The Democratic Party wanted to keep the Southern masses divided, thereby maintaining political control and keeping Southern labor – Black and white – the cheapest in the country.

Toward the end of the 1800s, Southern Democratic Party chapters began holding white primaries (primaries in which only white people could vote) to maintain political power. Because of the party's dominance in Southern states, its primaries typically determined which candidate would win the general election....

The impact of disenfranchisement was immediate and severe. In 1900, more than 180,000 African Americans were eligible to vote. By 1903, fewer than 3,000 were able to register. Many thousands of poor whites found they also could not meet the voting requirements, reducing their political influence as well.

Although the ensuing years saw efforts to remove the racist voting barriers embedded within the law, legal challenges did not immediately bear fruit and continue to this day.

In 1944, after years of legal battles, the U.S. Supreme Court ultimately ruled that the exclusive white primary was unconstitutional. The decision came in a Texas case, *Smith v. Allwright*. In 1948, for the first time, a majority of Black voters identified as Democrats after President Harry Truman, a Democrat, issued orders to desegregate the armed forces and set up regulations against racial bias in federal employment.

Supporting Question 1

Featured Source C

Forde, K.R. & Bowman, B. (6 February 2017). "Exploiting Black Labor After the Abolition of Slavery." *The Conversation*. Web Article. Excerpt. Accessed from: [Exploiting black labor](#)

During Reconstruction, the 12 years following the end of the Civil War and the abolition of slavery, former slaves made meaningful political, social and economic gains. Black men voted and even held public office across the South. Biracial experiments in governance flowered. Black literacy surged, surpassing those of whites in some cities. Black schools, churches and social institutions thrived.

As the prominent historian Eric Foner writes in his masterwork on Reconstruction, "Black participation in Southern public life after 1867 was the most radical development of the Reconstruction years, a massive experiment in interracial democracy without precedent in the history of this or any other country that abolished slavery in the nineteenth century." But this moment was short-lived.

As W.E.B. Du Bois wrote, the "slave went free; stood a brief moment in the sun; then moved back again toward slavery."

History is made by human actors and the choices they make.

According to Douglas Blackmon, author of "Slavery by Another Name," the choices made by Southern white supremacists after abolition, and the rest of the country's accommodation, "explain more about the current state of American life, black and white, than the antebellum slavery that preceded."

Designed to reverse black advances, Redemption was an organized effort by white merchants, planters, businessmen and politicians that followed Reconstruction. "Redeemers" employed vicious racial violence and state legislation as tools to prevent black citizenship and equality promised under the 14th and 15th amendments.

By the early 1900s, nearly every southern state had barred black citizens not only from voting but also from serving in public office, on juries and in the administration of the justice system.

The South's new racial caste system was not merely political and social. It was thoroughly economic. Slavery had made the South's agriculture-based economy the most powerful force in the global cotton market, but the Civil War devastated this economy.

Supporting Question 1

Featured Source D

"Jim Crow Laws," (2018). *National Park Service*. Web Article. Accessed from: https://www.nps.gov/malu/learn/education/jim_crow_laws.htm.

From the 1880s into the 1960s, a majority of American states enforced segregation through "Jim Crow" laws (so called after a black character in minstrel shows). From Delaware to California, and from North Dakota to Texas, many states (and cities, too) could impose legal punishments on people for consorting with members of another race. The most common types of laws forbade intermarriage and ordered business owners and public institutions to keep their black and white clientele separated. Here is a sampling of laws from various states.

Amateur Baseball

Georgia - It shall be unlawful for any amateur white baseball team to play baseball on any vacant lot or baseball diamond within two blocks of a playground devoted to the Negro race, and it shall be unlawful for any amateur colored baseball team to play baseball in any vacant lot or baseball diamond within two blocks of any playground devoted to the white race.

Barbers

Georgia - No colored barber shall serve as a barber [to] white women or girls.

Bathroom Facilities, Male

Alabama - Every employer of white or negro males shall provide for such white or negro males reasonably accessible and separate toilet facilities.

The Blind

Louisiana - The board of trustees shall...maintain a separate building...on separate ground for the admission, care, instruction, and support of all blind persons of the colored or black race.

Burial

Georgia - The officer in charge shall not bury, or allow to be buried, any colored persons upon ground set apart or used for the burial of white persons.

Buses

Alabama - All passenger stations in this state operated by any motor transportation company shall have separate waiting rooms or space and separate ticket windows for the white and colored races.

Child Custody

South Carolina - It shall be unlawful for any parent, relative, or other white person in this State, having the control or custody of any white child, by right of guardianship, natural or acquired, or otherwise, to dispose of, give or surrender such white child permanently into the custody, control, maintenance, or support, of a negro.

Circus Tickets

Louisiana - All circuses, shows, and tent exhibitions, to which the attendance of...more than one race is invited or expected to attend shall provide for the convenience of its patrons not less than two ticket offices with individual ticket sellers, and not less than two entrances to the said performance, with individual ticket takers and receivers,

and in the case of outside or tent performances, the said ticket offices shall not be less than twenty-five (25) feet apart.

Cohabitation

Florida - Any negro man and white woman, or any white man and negro woman, who are not married to each other, who shall habitually live in and occupy in the nighttime the same room shall each be punished by imprisonment not exceeding twelve (12) months, or by fine not exceeding five hundred (\$500.00) dollars.

Education

Florida - The schools for white children and the schools for negro children shall be conducted separately.

Mississippi - Separate schools shall be maintained for the children of the white and colored races.

Missouri - Separate free schools shall be established for the education of children of African descent; and it shall be unlawful for any colored child to attend any white school, or any white child to attend a colored school.

New Mexico - Separate rooms [shall] be provided for the teaching of pupils of African descent, and [when] said rooms are so provided, such pupils may not be admitted to the school rooms occupied and used by pupils of Caucasian or other descent.

Texas - [The County Board of Education] shall provide schools of two kinds; those for white children and those for colored children.

Fishing, Boating, and Bathing

Oklahoma - The [Conservation] Commission shall have the right to make segregation of the white and colored races as to the exercise of rights of fishing, boating and bathing.

Hospital Entrances

Mississippi - There shall be maintained by the governing authorities of every hospital maintained by the state for treatment of white and colored patients separate entrances for white and colored patients and visitors, and such entrances shall be used by the race only for which they are prepared.

Housing

Louisiana - Any person...who shall rent any part of any such building to a negro person or a negro family when such building is already in whole or in part in occupancy by a white person or white family, or vice versa when the building is in occupancy by a negro person or negro family, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five (\$25.00) nor more than one hundred (\$100.00) dollars or be imprisoned not less than 10, or more than 60 days, or both such fine and imprisonment in the discretion of the court.

Intermarriage

Arizona - The marriage of a person of Caucasian blood with a Negro, Mongolian, Malay, or Hindu shall be null and void.

Florida - All marriages between a white person and a negro, or between a white person and a person of negro descent to the fourth generation inclusive, are hereby forever prohibited.

Georgia - It shall be unlawful for a white person to marry anyone except a white person. Any marriage in violation of this section shall be void.

Maryland - All marriages between a white person and a negro, or between a white person and a person of negro descent, to the third generation, inclusive, or between a white person and a member of the Malay race; or between the negro and a member of the Malay race; or between a person of Negro descent, to the third generation, inclusive, and a member of the Malay race, are forever prohibited, and shall be void.

Mississippi - The marriage of a white person with a negro or mulatto or person who shall have one-eighth or more of negro blood, shall be unlawful and void.

Missouri - All marriages between...white persons and negroes or white persons and Mongolians...are prohibited and declared absolutely void...No person having one-eighth part or more of negro blood shall be permitted to marry any white person, nor shall any white person be permitted to marry any negro or person having one-eighth part or more of negro blood.

Wyoming - All marriages of white persons with Negroes, Mulattos, Mongolians, or Malaya hereafter contracted in the State of Wyoming are and shall be illegal and void.

Juvenile Delinquents

Florida - There shall be separate buildings, not nearer than one fourth mile to each other, one for white boys and one for negro boys. White boys and negro boys shall not, in any manner, be associated together or worked together.

Libraries

North Carolina - The state librarian is directed to fit up and maintain a separate place for the use of the colored people who may come to the library for the purpose of reading books or periodicals.

Texas - Any white person of such county may use the county free library under the rules and regulations prescribed by the commissioners court and may be entitled to all the privileges thereof. Said court shall make proper provision for the negroes of said county to be served through a separate branch or branches of the county free library, which shall be administered by [a] custodian of the negro race under the supervision of the county librarian.

Lunch Counters

South Carolina - No persons, firms, or corporations, who or which furnish meals to passengers at station restaurants or station eating houses, in times limited by common carriers of said passengers, shall furnish said meals to white and colored passengers in the same room, or at the same table, or at the same counter.

Mental Hospitals

Georgia - The Board of Control shall see that proper and distinct apartments are arranged for said patients, so that in no case shall Negroes and white persons be together.

Militia

North Carolina - The white and colored militia shall be separately enrolled, and shall never be compelled to serve in the same organization. No organization of colored troops shall be permitted where white troops are available, and

while white permitted to be organized, colored troops shall be under the command of white officers.

Mining

Oklahoma - The baths and lockers for the negroes shall be separate from the white race, but may be in the same building.

Nurses

Alabama - No person or corporation shall require any white female nurse to nurse in wards or rooms in hospitals, either public or private, in which negro men are placed.

Parks

Georgia - It shall be unlawful for colored people to frequent any park owned or maintained by the city for the benefit, use and enjoyment of white persons...and unlawful for any white person to frequent any park owned or maintained by the city for the use and benefit of colored persons.

Pool and Billiard Rooms

Alabama - It shall be unlawful for a negro and white person to play together or in company with each other at any game of pool or billiards.

Prisons

Mississippi - The warden shall see that the white convicts shall have separate apartments for both eating and sleeping from the negro convicts.

Promotion of Equality

Mississippi - Any person...who shall be guilty of printing, publishing or circulating printed, typewritten or written matter urging or presenting for public acceptance or general information, arguments or suggestions in favor of social equality or of intermarriage between whites and negroes, shall be guilty of a misdemeanor and subject to fine or not exceeding five hundred (500.00) dollars or imprisonment not exceeding six (6) months or both.

Railroads

Alabama - The conductor of each passenger train is authorized and required to assign each passenger to the car or the division of the car, when it is divided by a partition, designated for the race to which such passenger belongs.

Maryland - All railroad companies and corporations, and all persons running or operating cars or coaches by steam on any railroad line or track in the State of Maryland, for the transportation of passengers, are hereby required to provide separate cars or coaches for the travel and transportation of the white and colored passengers.

Virginia - The conductors or managers on all such railroads shall have power, and are hereby required, to assign to each white or colored passenger his or her respective car, coach or compartment. If the passenger fails to disclose his race, the conductor and managers, acting in good faith, shall be the sole judges of his race.

Reform Schools

Kentucky - The children of white and colored races committed to the houses of reform shall be kept entirely separate from each other.

Restaurants

Alabama - It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectually separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment.

Georgia - All persons licensed to conduct a restaurant, shall serve either white people exclusively or colored people exclusively and shall not sell to the two races within the same room or serve the two races anywhere under the same license.

Teaching

Oklahoma - Any instructor who shall teach in any school, college or institution where members of the white and colored race are received and enrolled as pupils for instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for each offense.

Telephone Booths

Oklahoma - The Corporation Commission is hereby vested with power and authority to require telephone companies...to maintain separate booths for white and colored patrons when there is a demand for such separate booths. That the Corporation Commission shall determine the necessity for said separate booths only upon complaint of the people in the town and vicinity to be served after due hearing as now provided by law in other complaints filed with the Corporation Commission.

Textbooks

North Carolina - Books shall not be interchangeable between the white and colored schools, but shall continue to be used by the race first using them.

Theaters

Virginia - Every person...operating...any public hall, theatre, opera house, motion picture show or any place of public entertainment or public assemblage which is attended by both white and colored persons, shall separate the white race and the colored race and shall set apart and designate...certain seats therein to be occupied by white persons and a portion thereof, or certain seats therein, to be occupied by colored persons.

Transportation

North Carolina - The...Utilities Commission...is empowered and directed to require the establishment of separate waiting rooms at all stations for the white and colored races.

Supporting Question 2

Supporting Question	How have organizations and governments used reparations?
Formative Performance Task	Create a list of ways in which a government or organization has paid or could pay reparations to a group or person.
Cognitive Skills	Explanation of Evidence: Students develop this skill as they use multiple sources to explain how organizations have utilized reparations to make amends for past injustices.
Featured Sources	<p>Source A: Waud, A.R. (1868). 40 Acres and Mule. Illustration; Myers, B. (11 March 2020). "Sherman's Field Order No. 15." National Public Radio. Web Article. Accessed from: The Story Behind '40 Acres And A Mule': Code Switch</p> <ul style="list-style-type: none"> Includes Image of "Sherman's Field Order No. 15," <i>New Georgia Encyclopedia</i>
	<p>Source B: Wills, M. (9 February 2016). "A Formerly Enslaved Woman Successfully Won a Case for Reparations in 1783," <i>JSTOR Daily</i>. Web Article. Excerpt.</p> <p>Accessed from: A Formerly Enslaved Woman Successfully Won a Case for Reparations in 1783</p>
	<p>Source C: Hassan, A. (12 April 2019). "Georgetown Students Agree to Create Reparations Fund." <i>New York Times</i>. Newspaper Article. Accessed from: Georgetown Students Agree to Create Reparations Fund.</p>

Supporting Question 2 and Formative Performance Task

After reviewing Black Codes and Jim Crow Laws, students consider how organizations and governments have used reparations to address past injustices. Through answering the second supporting question—*How have organizations and governments used reparations?*—students explore examples from the past and present, introducing them to different methods of reparations.

The formative performance task asks students to engage with the sources to create a list of ways in which a government or organization has paid or could pay reparations to groups or individuals. Teachers can extend this task by asking students to assess the effectiveness of the reparations method, taking into account the sources from the Staging task and Supporting Question 1.

Featured Sources

The following sources were selected to provide three very different examples of reparations in United States history. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

SOURCE A The first source is an 1868 image from *Harper's Weekly*, depicting Sherman's Field Order No. 15, coupled with an article from *National Public Radio*. The two items display Sherman's attempts to provide land for freed Blacks. However, these lands were ultimately returned to Confederates.

SOURCE B The second source highlights the story of a formerly-enslaved woman who sued for, and won, reparations in an effort to humanize the movement in history. Teachers should emphasize the year of the case (1783) and have students consider the historical context that may have impacted the case, notably the Revolutionary War.

SOURCE C The last source is a text describing a modern situation in which Georgetown University created a monetary fund and issued a formal apology to make amends for the school's relationship with (and financial benefits from) slavery.

Supporting Question 2

Featured Source A

Source A: Waud, A.R. (1868). 40 Acres and Mule. Illustration; Myers, B. (11 March 2020). "Sherman's Field Order No. 15." National Public Radio. Web Article. Accessed from: [The Story Behind '40 Acres And A Mule' : Code Switch](#)



An 1868 sketch by A. R. Waud illustrates the difficulties faced by the Freedmen's Bureau, caught between white planters on one side (left) and emancipated slaves on the other (right). The bureau was established in 1865 after Union general William T. Sherman issued his Field Order No. 15, which called for the resettlement of freedpeople on confiscated lands.

From NPR: "The Story Behind 40 Acres and a Mule"

As the Civil War was winding down 150 years ago, Union leaders gathered a group of black ministers in Savannah, Ga. The goal was to help the thousands of newly freed slaves. From that meeting came Gen. William T. Sherman's Special Field Order 15. It set aside land along the Southeast coast so that "each family shall have a plot of not more than forty acres of tillable ground." That plan later became known by a signature phrase: "40 acres and a mule."

After wrapping up his famous march, Sherman spent weeks in Savannah, staying in an ornate Gothic revival mansion called the Green-Meldrim House. That's where he and Secretary of War Edwin Stanton held their meeting with local black leaders. The house is now owned by a local church. Susan Arden-Joly, the site's preservationist and tour guide, leads visitors up a winding staircase. According to Arden-Joly, the meeting took place in a high-ceilinged room on a corner of the second floor. Sherman and Stanton asked the group's leader, the Rev. Garrison Frazier, a series of questions. She reads from Sherman's memoirs, where he quotes minutes from the meeting.

"Fourth question: State in what manner you would rather live, whether scattered among the whites, or in colonies by yourselves," she reads, continuing with Frazier's answer. "I would prefer to live by ourselves, for there is a prejudice against us in the South that will take years to get over."

Charles Elmore, a professor emeritus of humanities at Savannah State University, says Sherman and Stanton listened to Frazier and the others. "The other men chose this eloquent, 67-year-old imposing black man, who was well over 6 feet tall, to speak on their behalf," Elmore says. "And he said essentially we want to be free from domination of white men, we want to be educated, and we want to own land."

Four days later, Sherman signed Field Order 15, setting aside 400,000 acres of confiscated Confederate land for freed slaves. Sherman appointed Brig. Gen. Rufus Saxton to divide up the land, giving each family up to 40 acres. And it wasn't in the order, Elmore says, but some also received leftover Army mules.

"But it became known as of Jan. 16, 1865, as '40 acres and a mule,' " Elmore said.

Stan Deaton, of the Georgia Historical Society, points out that after Lincoln's assassination, President Andrew Johnson reversed Sherman's order, giving the land back to its former Confederate owners. Vaughnette Goode-Walker, a writer who leads tours focused on Savannah's black past, calls it one of the biggest "gotchas" in American history.

" 'Here, take this land — but we can't really give it to you because it doesn't belong to us; it belongs to the Confederates when they come back home.' How confusing is that?"

The reversal left many African-Americans with few options but to become sharecroppers, often working for former slaveholders. But Elmore says the meeting in Savannah 150 years ago accomplished one important thing.

"It set in motion the dialogue between the white power structure and black men in Savannah, Ga.," he says. "

'What do y'all want?' And they got some of it, however temporary and fleetingly. They got it. That is significant."

Supporting Question 2

Featured Source B

Wills, M. (9 February 2016). "A Formerly Enslaved Woman Successfully Won a Case for Reparations in 1783," *JSTOR Daily*. Web Article. Excerpt.

Accessed from: [A Formerly Enslaved Woman Successfully Won a Case for Reparations in 1783](#)

Inspired in part by journalist Ta-Nehisi Coates, conversations about reparations for slavery and its aftermath have become mainstream. But they aren't new: Reconstruction's unfulfilled promise of "forty acres and a mule" had antecedents dating back to America's founding.

On February 14, 1783, an elderly woman known only as Belinda submitted a petition to the Massachusetts legislature. She asked for an annual pension for herself and her invalid daughter, Prine, to be paid from the estate of their former owner, Isaac Royall. Royall had been one of the largest owners of enslaved people in the colony before he had fled to England in 1775. Because he turned out to be a royalist, his estate was confiscated and his two dozen slaves were manumitted (there's some speculation as to whether some were sold, including Belinda's son Joseph). Belinda was enslaved by Royall for four decades and was old and penniless when she finally gained her freedom.

Her petition is one the earliest examples of reparations for the slave trade and slavery, Roy E. Finkenbine reported. He puts her plea in the context of the many freedom lawsuits and legislative petitions for emancipation that were submitted by the African-American community in Massachusetts in the 1760s-1780s. In a 1783 case, for instance, the Massachusetts Supreme Court declared that the enslaved Quock Walker was free and that the equality clause in the state constitution outlawed slavery throughout its jurisdiction. Additionally, some enslaved people, after gaining their freedom, successfully sued their masters for compensation.

Because Belinda was probably illiterate, Finkenbine thinks her petition was written by Prince Hall, one of the most prominent activists in Boston's African-American community and no stranger to the petitioning process. With Hall's help, Belinda won her suit—Royall being an enemy of the state probably tipped the scales in her favor. She was granted an annuity, but was only paid once. The executor of the Royall estate ignored further state demands to pay her in 1787 and 1790, after which Belinda disappears from the record.

But the impassioned petition she submitted—which told of her childhood in Africa, her kidnapping, the shock of forced servitude in a foreign land, and the decades of abuse she experienced—lived on, spread by the Quaker anti-slavery network. In England, it was transformed into a potent narrative of slavery (though Royall's name was dropped from the text).

Finkenbine traced the theme of reparations into the early Republic and ends by quoting a sermon by Timothy Dwight, the president of Yale, in 1810: It is in vain to allege, that *our ancestors* brought them hither, and not we... We inherit our ample patrimony with all its incumbrances; and are bound to pay the debts of our ancestors.

Supporting Question 2

Featured Source C

Hassan, A. (12 April 2019). "Georgetown Students Agree to Create Reparations Fund." *New York Times*. Newspaper Article. Accessed from: [Georgetown Students Agree to Create Reparations Fund](#).

Students at Georgetown University voted on Thursday to increase their tuition to benefit descendants of the 272 enslaved Africans that the Jesuits who ran the school sold nearly two centuries ago to secure its financial future.

The fund they voted to create would represent the first instance of reparations for slavery by a prominent American organization.

The proposal passed with two-thirds of the vote, but the student-led referendum was nonbinding, and the university's board of directors must approve the measure before it can take effect.

"We value the engagement of our students and appreciate that they are making their voices heard and contributing to an important national conversation," Todd Olson, vice president for student affairs, said in a statement on Thursday.

The undergraduate student body voted to add a new fee of \$27.20 per student per semester to their tuition bill, with the proceeds devoted to supporting education and health care programs in Louisiana and Maryland, where many of 4,000 known living descendants of the 272 enslaved people now reside.

A 2016 article in *The New York Times* described the 1838 sale by what was then Georgetown College, the premier Catholic institution of higher learning in America at the time.

The college relied on Jesuit-owned plantations in Maryland that were no longer producing a reliable income to support it, so the Jesuit priests who founded and ran Georgetown decided to raise cash by selling virtually all its slaves, receiving the equivalent of about \$3.3 million in today's money.

"The school wouldn't be here without them," said Shepard Thomas, a junior from New Orleans who is part of the campus group, Students for the GU272, that worked to hold the referendum. Mr. Thomas, a psychology major, is descended from slaves who were part of the 1838 sale.

"Students here always talk about changing the world after they graduate," he said. "Why not change the world when you're here?"

Mr. Thomas said the amount of the fee, \$27.20, was chosen to evoke the number of people sold but not be too onerous for students. Tuition and fees for a full-time student per semester is \$27,720.00.

Georgetown University agreed in 2016 to give admissions preference to descendants of the 272 slaves; Mr. Thomas was one of the first to be admitted under the policy. The school also formally apologized for its role in slavery, and has renamed two buildings on its campus to acknowledge the lives of slaves; one is now named for Isaac Hawkins, the first person listed in the 1838 sale. The university has about 7,000 undergraduates, so the fee would raise about \$380,000 a year for the fund.

"It makes me feel happy that we, as students, decided to set a precedent for the betterment of people's lives," Mr. Thomas said.

Supporting Question 3

Supporting Question	What are the potential impacts of reparations?
Formative Performance Task	Write 1-2 paragraphs explaining the impacts of reparations in the form of monetary reparations, public apologies, and/or acts of community building.
Cognitive Skills	Explanation of Evidence: Students develop this skill as they use multiple sources to explain how organizations have utilized reparations to make amends for past injustices.
Featured Sources	Source A: Rosario, I. (24 March 2020). "The Unlikely Story Behind Japanese Americans' Campaign For Reparations." <i>National Public Radio</i> . Web Article. Excerpt. Accessed from: How Japanese Americans Campaigned For Reparations—And Won : Code Switch
	Source B: Brooks, R. L. (23 April 2019). "Op-Ed: Reparations are an opportunity to turn a corner on race relations," <i>Los Angeles Times</i> . Op-Ed News Article. Excerpt. Accessed from: Op-Ed: Reparations are an opportunity to turn a corner on race relations
	Source C: Coates, T.-N. (3 February 2017). "'Better Is Good': Obama on Reparations, Civil Rights, and the Art of the Possible." <i>The Atlantic</i> . Interview. Excerpt. Accessed from: https://www.theatlantic.com/politics/archive/2016/12/ta-nehisi-coates-obama-transcript-ii/511133/ .

Supporting Question 3 and Formative Performance Task

The third supporting question -*What are the potential impacts of reparations?*-builds on the second supporting question and asks students to further examine the implications of reparations, considering both monetary reparations and atonement. The formative performance task has students write 1-2 paragraphs, explaining the potential impacts of reparations. Students should explain the impacts of monetary reparations as well as acts of service and amends-making.

Featured Sources

The following sources provide arguments surrounding reparations. Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.

SOURCE A The first source prepares students for this task, as it discusses reparations for Japanese-Americans interned during World War II.

SOURCE B In this op-ed, Distinguished Professor of Law at the University of San Diego Law School, Roy Brooks, argues that reparations could help assuage tension within modern race relations. It is important to note Brooks' discussion of the *atonement model*, which includes a formal apology and other actionable items. Teachers may choose to discuss this source in detail with students to ensure they understand the methods, steps, and impacts of reparations, as described by the author.

SOURCE C In an interview between Ta-Nehisi Coates, who was featured in the Staging Task, and former president, Barack Obama, students explore tension around monetary reparations. This information should prepare students to add in a layer of understanding around reparations, preparing them to answer the compelling question. In particular, this source shows how reparations are controversial in the sense that its supporters disagree about the form reparations should take.

Supporting Question 3

Featured Source A

Rosario, I. (24 March 2020). "The Unlikely Story Behind Japanese Americans' Campaign For Reparations." *National Public Radio*. Web Article. Excerpt.
 Accessed from:
[How Japanese Americans Campaigned For Reparations—And Won : Code Switch](#)

The Japanese attack on Pearl Harbor on December 7, 1941 marked the United States' official entrance into World War II. It also pushed the U.S. government's legacy of anti-Asian sentiment to its most extreme.

Just two months later, President Franklin D. Roosevelt signed an executive order that authorized incarcerating people of Japanese descent, based on the widespread suspicion that they were acting as espionage agents. The belief was baseless, but that didn't stop the War Relocation Authority from rounding up more than 100,000 people—two-thirds of whom were U.S. citizens—and detaining them in crowded barracks surrounded by barbed-wire fences

John Tateishi, now 81, was incarcerated at the Manzanar internment camp in California from ages 3 to 6. After the war ended, Tateishi and his family returned to Los Angeles, where Tateishi says they tried their best to assimilate. Decades later in 1975, he and his wife Carol became founding members of the local Japanese American Citizens' League (JACL). As the civil rights organization's National Redress Director, Tateishi helped lead the eventually successful fight for reparations.

But that fight came with significant resistance—not just from the American public at large, but from the Japanese American community itself...

The conflict most often occurred between generations: the Nisei generation, who were born between 1910 and 1930 to immigrant parents, and the Sansei, who were either incarcerated at a very young age or born after the war. To process the trauma of the camps, Tateishi writes, the Nisei generation embraced traditional values that encouraged them to put the past behind them; for example, *gaman* means "to endure or persevere with dignity," and *shikataganai* translates to "it can't be undone" or "it can't be helped." Their careers and businesses were most upended by internment, Tateishi says, but they were not interested in focusing the JACL's efforts on the "government handout" of reparations.

But their children, the Sansei generation, grew up in the shadow of the Civil Rights Movement. They came to see the internment camps as another form of racial oppression that needed to be spoken out against. By 1978, the JACL's redress campaign was officially launched—even as intergenerational disputes persisted.

Ultimately, the JACL—and the Japanese American community as a whole—came together over a collective obligation to uphold American ideals, Tateishi writes. And finally, in 1988—a decade after the campaign began and over 40 years after the internment camps closed—President Ronald Reagan signed the Civil Liberties Act, which offered a formal apology and paid \$20,000 to each survivor.

Supporting Question 3

Featured Source B

Brooks, R. L. (23 April 2019). "Op-Ed: Reparations Are an Opportunity to Turn a Corner on Race Relations," *Los Angeles Times*. Op-Ed News Article. Excerpt.

Accessed from: [Op-Ed: Reparations are an opportunity to turn a corner on race relations](#)

Black reparations is not a recent idea. Public calls for reparations were first made after the Revolutionary War and throughout the antebellum period. At the end of the Civil War, ex-slaves sought redress from Congress. In response, an ex-slave pension bill was introduced in Congress, but went nowhere fast. Since then, each generation of African Americans has asserted the need for redress.

Today's call for and conceptualization of black reparations is heavily shaped by the Federal Republic of Germany's response to the Holocaust after World War II. German political leaders took as the primary lesson of the Holocaust that atrocities can occur — even in a government run by highly educated and sophisticated individuals — when a nation's leaders fail to identify with a segment of its society.

The fundamental purpose for redressing atrocities, then, is to accentuate a common humanity between perpetrator and victims. Properly understood, a reparation is the revelation and realization of this common humanity.

This same kind of understanding helped to persuade Congress to commission a 1980 study of the internment of Japanese Americans during World War II. The commission's report resulted in a redress program that, not unlike Germany's program, extended a governmental apology and redress payments in various forms to those who were relocated and imprisoned in camps. Republicans and Democrats alike supported the authorizing legislation, the Civil Liberties Act of 1988. President Reagan signed it into law.

The next year, Rep. John Conyers (D-Mich.) introduced the first HR 40, calling for the creation of a commission to study black reparations. He reintroduced it every year thereafter until 2017, but the bill never made it out of committee. The current HR 40 is sponsored by Rep. Sheila Jackson Lee (D-Texas); Sen. Cory Booker (D-N.J.) introduced parallel legislation in the Senate this month.

Since the initial introduction of HR 40, scholars have fashioned two competing redress models. The first is the settlement model, also called the **tort model**. It is backward-looking and victim-focused. Its reparative scheme is designed to financially compensate victims for their demonstrable loss, and, sometimes, to deliver punitive justice.

Supporters believe that wrongs as mortal as slavery and Jim Crow should not go unpunished and victims should not go without individual relief. Redress is thus seen not as a moral imperative but as a legal claim and the quotidian language of tort litigation — statute of limitations, property and restitution law, calculation of damages — takes center stage. This approach, in my view, exaggerates the complexity and contentiousness of what ought to be a mutual movement toward racial reconciliation.

There is no apology or admission of guilt by the perpetrator under the tort model; no personal accountability. There is only a settlement, which allows the perpetrator to declare victory and go home. It does less well by the victims. South African scholars report that victims of apartheid who received cash reparations were poor again within a year of receiving them.

The **atonement model**, by contrast, is forward-looking and perpetrator-focused. It pursues restorative justice. In other words, the goal is for the perpetrator to reclaim its moral character by initiating conditions that help repair its broken relationship with the victims. Restorative justice imbibes a post-Holocaust vision of redress whereby the perpetrator comes to recognize and identify with the victims' humanity.

Under the atonement model, redress comes in two stages. First and foremost, the perpetrator issues an apology and tenders some form of reparations; the victims then calculate the sincerity of the apology by the weight of the reparations. Hence, more than the victims' loss — for no reparation can fully compensate the victims of an atrocity — reparations give substance to the perpetrator's apology.

Cash payments to individual victims are but a small part of the reparative package under the atonement model wherever it has been implemented. The most effective reparations are “rehabilitative,” as they are designed to nurture the group's self-empowerment and community-building. In the case of African Americans, rehabilitative reparations must begin with the lingering effects of slavery and Jim Crow, including the racial gaps in homeownership (43% of African Americans are homeowners, compared with 73% of whites), net family wealth (the median white household owns 86 times the assets of the median black household) and educational funding (predominantly black school districts annually receive \$23 billion less in K-12 funding than similarly sized white school districts).

Forgiveness is the second step under the atonement model. It may not be immediate or automatically forthcoming. And yet, once an appropriate apology and sufficient reparations are provided by the government, the question of forgiveness arrives on each victim's desk like a subpoena; it necessitates a response. Forgiveness evolves over time as the perpetrator and victims negotiate and adjust the reparations.

Many questions, philosophical and practical, arise even under the atonement model. How is it that African Americans today are victims of slavery such that they are entitled to reparations for that atrocity? Has not the debt the government owes to blacks based on slavery been paid off with the blood of soldiers during the Civil War? Does the claim for redress lend itself to identity politics or victimhood? How is it possible to calculate the appropriate amount of reparations? Would black immigrants or rich African Americans be eligible for reparations? Scholars have worked out nonpartisan answers to these important questions.

Renowned philosopher Arthur Schopenhauer observed that every truth passes through three stages before it is recognized. In the first stage it is ridiculed, in the second stage it is opposed, and in the third stage it is regarded as self-evident. That our government must at long last redress the atrocities of slavery and Jim Crow has now reached the second stage. I have no doubt that it will reach the third if we can come to see reparations as not about our past, but about our future.

Supporting Question 3

Featured Source C

Coates, T.-N. (3 February 2017). "‘Better Is Good’: Obama on Reparations, Civil Rights, and the Art of the Possible." *The Atlantic*. Interview. Excerpt.

Accessed from:

<https://www.theatlantic.com/politics/archive/2016/12/ta-nehisi-coates-obama-transcript-ii/511133/>.

Barack Obama explains why he doesn't think reparations to Black people are practical.

Barack Obama: ... Theoretically, you can make, obviously, a powerful argument that centuries of slavery, Jim Crow, discrimination are the primary cause for all those gaps. That those were wrongs done to the black community as a whole, and black families specifically, and that in order to close that gap, a society has a moral obligation to make a large, aggressive investment, even if it's not in the form of individual reparations checks, but in the form of a Marshall Plan, in order to close those gaps. It is easy to make that theoretical argument. But as a practical matter, it is hard to think of any society in human history in which a majority population has said that as a consequence of historic wrongs, we are now going to take a big chunk of the nation's resources over a long period of time to make that right. You can look at examples like postwar Germany, where reparations were paid to Holocaust victims and families, but—

Coates: They lost the war.

Obama: They lost the war. Small population, finite amount of money that it was going to cost. Not multiple generations but people, in some cases, who are still alive, who can point to, "That was my house. Those were my paintings. Those were my mother's family jewels." If you look at countries like South Africa, where you had a black majority, there have been efforts to tax and help that black majority, but it hasn't come in the form of a formal reparations program. You have countries like India that have tried to help untouchables, with essentially affirmative-action programs, but it hasn't fundamentally changed the structure of their societies.

So the bottom line is that it's hard to find a model in which you can practically administer and sustain political support for those kinds of efforts. And what makes America complicated as well is the degree to which this is not just a black/white society, and it is becoming less so every year. So how do Latinos feel if there's a big investment just in the African American community, and they're looking around and saying, "We're poor as well. What kind of help are we getting?" Or Asian Americans who say, "Look, I'm a first-generation immigrant, and clearly I didn't have anything to do with what was taking place." And now you start getting into trying to calibrate—

Coates: Isn't there just—not to cut you off—isn't there, and this is out of the role of U.S. president, I'm almost speaking to you as a law professor now, an intellectual, in fact—

Obama: Well, that's how I was answering the question, because if you want me to talk about politics, I'll be much more blunt about it.

Coates: I figured that. I thought that was what I was getting.

Obama: I was giving the benefit of playing out, theoretically, how you could think about that.

Coates: And I appreciate that. And the question I would ask is in that situation, to the immigrant who comes here, first generation, and says, “I didn’t do any of this,” but the country is largely here because of that. In other words, many of the benefits that you will actually enjoy are, in fact, in part—I won’t say largely—in part here because of the past. So when you want the benefits, when you invoke the past, that thus you inherit the debt, too—

Obama: Yeah, yeah. I mean, I guess, here’s the way—probably the best way of saying it is that you can make a theoretical, abstract argument in favor of something like reparations. And maybe I’m just not being sufficiently optimistic or imaginative enough—

Coates: You’re supposed to be optimistic!

Obama: Well, I thought I was, but I’m not so optimistic as to think that you would ever be able to garner a majority of an American Congress that would make those kinds of investments above and beyond the kinds of investments that could be made in a progressive program for lifting up all people. So to restate it: I have much more confidence in my ability, or any president or any leader’s ability, to mobilize the American people around a multiyear, multibillion-dollar investment to help every child in poverty in this country than I am in being able to mobilize the country around providing a benefit specific to African Americans as a consequence of slavery and Jim Crow. Now, we can debate the justness of that. But I feel pretty confident in that assessment politically. And, you know, I think that part of my optimism comes from the belief that we as a people could actually, regardless of all the disadvantage of the past, regardless of the fact that a lot of other folks got a head start in the race, if we were able to make the race fair right now, and—...

Coates: You think we could catch up?

Obama: We were able to make sure that it stayed fair for a long time and that children going forward were not encumbered by some of that same bias of the past, I think it would not take long at all, because we are a talented, resourceful people.

Supporting Question 4

Supporting Question	Why are reparations currently being discussed?
Formative Performance Task	Write an evidence-based claim considering why reparations are currently being discussed in the country today.
Cognitive Skills	Argumentative Claim: Students apply this skill by constructing evidence-based claims in response to the supporting question.
Featured Sources	Source A: Younis, M. (29 July 2019). “As Redress for Slavery, Americans Oppose Cash Reparations.” Gallup. Report. Excerpt. Accessed from: As Redress for Slavery, Americans Oppose Cash Reparations
	Source B: Newport, F. (1 March 2019). “Reparations and Black Americans’ Attitudes About Race,” Gallup. Report. Excerpt. Accessed from: Reparations and Black Americans’ Attitudes About Race

Supporting Question 4 and Formative Performance Task

The fourth supporting question -*Why are reparations currently being discussed?*- does not yet answer the compelling question, but rather asks students to consider why reparations are an issue considering both historical and modern contexts.

In the formative performance task, students create a claim answering the supporting question. Students may write one claim or multiple claims to consider various perspectives about why reparations are currently being discussed. They may use their work from the last three supporting questions to synthesize contextual information, current events, and opinions. Teachers may provide a sentence starter for students.

- *Example:* “Reparations are currently being discussed because ...”

Featured Sources

The final supporting question’s sources are both articles from the survey company Gallup, describing studies of Americans’ attitudes towards reparations. Consider revisiting the sources from the staging of the inquiry to bolster a discussion surrounding the importance of the reparations conversation at the present moment. *Teachers should add/subtract, excerpt, modify, or annotate sources in order to respond to student needs.*

SOURCE A The first source portrays the viewpoints of a broad swath of Americans as well as specific minority groups. This source is an opportunity for teachers to probe further and prompt students to ask questions about the consequences of a formal apology, community building, or other form of reparation. Teachers may give students the data in pieces, asking questions to support comprehension and contextualization of the data.

SOURCE B The second source is another article from the Gallup organization, in this case looking specifically at Black people's views of reparations and race. Teachers may give students the data in pieces, asking questions to support comprehension and contextualization of the data.

Supporting Question 4

Featured Source A

Younis, M. (29 July 2019). "As Redress for Slavery, Americans Oppose Cash Reparations." Gallup. Report. Excerpt.
 Accessed from: [As Redress for Slavery, Americans Oppose Cash Reparations](#)

Figure 1: Americans' Views on Reparations

Do you think the government should -- or should not -- make cash payments to black Americans who are descendants of slaves?

	Should	Should not	Don't know/Refused
	%	%	%
All Americans	29	67	4
Race/Ethnicity			
Non-Hispanic white	16	81	3
Non-Hispanic black	73	25	2
Hispanic	47	46	6
Party ID			
Republican	5	92	2
Independent	32	65	4
Democrat	49	47	4
Party ID with leaners			
Republican/Lean Republican	8	90	2
Democrat/Lean Democratic	47	49	4
GALLUP, JUNE 19-JULY 12, 2019			

Figure 2: Americans' Views on Reparations, 2002 vs. 2019

Do you think the government should -- or should not -- make cash payments to black Americans who are descendants of slaves?

	Should	Should not	Don't know/Refused
	%	%	%
National adults			
2019 Jun 19-Jul 12	29	67	4
2002 Jan 25-27	14	81	5
Non-Hispanic whites			
2019 Jun 19-Jul 12	16	81	3
2002 Jan 25-27	6	90	4
Non-Hispanic blacks			
2019 Jun 19-Jul 12	73	25	2
2002 Jan 25-Feb 10	55	37	8
GALLUP			

Figure 3: Perceptions That Blacks Are Treated Less Fairly Than Whites, Among All Americans

Just your impression, are blacks in your community treated less fairly than whites in the following situations?

	2016	2018	Change
	% Yes, less fairly	% Yes, less fairly	pct. pts.
In dealing with the police, such as traffic incidents	45	52	+7
In stores downtown or in the shopping mall	24	32	+8
On the job or at work	24	30	+6
In neighborhood shops	21	28	+7
In restaurants, bars, theaters or other entertainment places	20	28	+8
In getting healthcare from doctors and hospitals	18	24	+6
GALLUP			

Supporting Question 4

Featured Source B

Newport, F. (1 March 2019). "Reparations and Black Americans' Attitudes About Race," Gallup. Report. Excerpt.
 Accessed from: [Reparations and Black Americans' Attitudes About Race](#)

...Although reparations is not a new concept, its exact meaning in the current context has not been well defined. As the *Washington Post* put it: "In the modern political sense, the term 'reparations' is a little like 'socialism.' It means very different things to different people."

That ambiguity was highlighted earlier this week when presidential candidate [Bernie Sanders on CNN](#), asked about his stance on reparations, dodged the question by saying it "depends on what the word means."

The traditional use of the term reparations is to signify a financial recompense for African-Americans whose ancestors were slaves and lived through the Jim Crow era. But commentators such as journalist and author [Ta-Nehisi Coates](#) focus more on current disparities in income, wealth and education between blacks and whites, arguing that these are a current-day legacy of slavery and Jim Crow, and that action is needed to reduce these differences. As Coates says in a recent *Atlantic Magazine* article "The Case for Reparations": "What I'm talking about is more than recompense for past injustices -- more than a handout, a payoff, hush money, or a reluctant bribe. What I'm talking about is a national reckoning that would lead to spiritual renewal."

This seems to be [presidential candidate Kamala Harris'](#) use of the term when she said: "We have to be honest that people in this country do not start from the same place or have access to the same opportunities. I'm serious about taking an approach that would change policies and structures and make real investments in black communities."

Presidential candidate Elizabeth Warren talked about reparations in a similar vein in an [interview with the New York Times](#): "We must confront the dark history of slavery and government-sanctioned discrimination in this country that has had many consequences, including undermining the ability of black families to build wealth in America for generations. We need systemic, structural changes to address that."

But it's not just commentators and presidential candidates who perceive a need for a national reckoning, new policies and structures, and systemic, structural changes. Black Americans, over 150 years after the end of the Civil War, also believe that the U.S. government needs to be involved in bringing about significant and meaningful race-related changes.

My colleagues Jeff Jones and Mohamed Younis recently reviewed new Gallup data on views of race in America today. Taken as a whole, the results show that black Americans express very low levels of satisfaction with the status of how blacks are treated in this country, believe that blacks still face discrimination across a number of everyday situations and that black-white relations will be a problem for many years to come.

One key finding: Only [18% of blacks are satisfied with the way blacks are treated in this country](#) today, compared with 51% of whites who say they are satisfied with the way blacks are treated.

Well over half of blacks believe that [blacks are treated less favorably than whites](#) in dealing with the police, in stores and malls, and on the job. About half of blacks say blacks are treated less favorably in neighborhood shops, in restaurants and in getting healthcare. More than one in five black Americans say that within the last 30 days they were treated unfairly in stores, in restaurants or by the police. Slightly fewer, but still substantial numbers, say that they have been treated unfairly at work or in receiving healthcare.

A slight majority of blacks are pessimistic about the future, saying that [relations between blacks and whites](#) will

always be a problem in this country.

Black Americans also clearly believe that government actions should be taken to help bring about change. Over seven in 10 blacks [favor affirmative action programs for racial minorities](#) in this country, and a majority of 57% of whites agree. Previous Gallup research has shown that about two-thirds of black Americans believe the U.S. government should play [a major role in trying to improve the social and economic position of blacks](#) and other minority groups in this country. Over seven in 10 blacks believe that [new civil rights laws](#) are needed in this country to reduce discrimination against blacks.

What about reparations per se? Several polls in recent years have shown majority black support for the concept. A [YouGov online survey](#) in 2014 showed roughly six in 10 black Americans said that the U.S. government should offer cash payments and education and job training programs to the descendants of slaves. A [Kaiser Family Foundation/CNN survey](#) from 2015 found that 52% of blacks said that "as a way to make up for the harm caused by slavery" the government should "make cash payments to Black Americans who are descendants of slaves" (8% of whites agreed). A [Marist poll](#) from 2016 showed that 58% of blacks supported the idea for reparations for African-American descendants of slaves.

Overall, blacks in the U.S. have continuing concerns about discrimination and structural impediments to their success, and most believe that the government must step in and do more to help this situation. The concept of reparations per se is broad, and the exact level of black support for the idea depends on how it is defined. But we know that at least a majority of blacks appear from past polling to be in favor -- not surprising given the general context of black support for the government actively addressing race inequalities in the U.S. today.

Reparations May Be a Significant Policy Issue in 2020 Elections

The black vote could be a critical factor in next year's Democratic presidential primaries, particularly in the early voting states of South Carolina, Alabama, North Carolina, Tennessee and Virginia. Black voter turnout will also be an important factor in the general election.

We know that blacks remain dissatisfied with their current situation and want the government to do more to address it. This provides a supportive attitudinal context for the concept of some form of reparations. Already, the frequency of discussion of the idea of reparations indicates that it may well be a much more significant policy debate in 2020 than it has been in previous elections. Presidential candidates' typically broad discussions of racism and racial inequality may, by necessity, morph in this election cycle into a targeted discussion of direct government actions designed to address the racial disparities.

President Trump's approach so far has been to emphasize the improved situation of blacks as a result of the positive overall economy ([saying](#), for example, "Because of my policies, Black Unemployment has just been reported to be at the lowest rate ever recorded!"). Democratic candidates, it appears, are going to be much more likely to bring up the concept of more direct government action, including reparations. Whatever the approach, the ways in which candidates discuss race in America today may help determine the eventual party nominees -- and the outcome of the November 2020 general election.

Summative Performance Task

Compelling Question	Why are reparations controversial?
Formative Performance Task	Construct an argument that addresses the compelling question using specific claims and relevant evidence from contemporary sources while acknowledging competing views.
Cognitive Skills	Argumentative Claim: Students apply this skill by using evidence-based claims to develop a clear argument stance in response to the compelling question. Students' argumentative claim will clearly show the structure through which they will respond to the compelling question.
	Integration of Evidence: Students apply this skill by providing clear analysis of how the evidence they selected supports their response. Evidence of this skill can be found in the body paragraphs of the inquiry response.

At this point in the inquiry, students have examined laws and regulations that have disproportionately impacted Black people and the ways in which governments and organizations have attempted to make amends with marginalized groups. Students should be able to demonstrate the breadth of their understandings and ability to use evidence from multiple sources to support their claims. In this task, students are asked to construct an evidence-based argument responding to the compelling question: *Why are reparations controversial?* Students' arguments could take a variety of forms, including a detailed outline, poster, or essay. To support students in their writing, teachers may provide sentence starters for claims and evidence.

Argument Stems

Students' arguments will likely vary, but could include any of the following:

- Reparations are controversial because people cannot agree on which form they should take, whether money or other resources.
- Reparations are controversial because there are disagreements about whether the oppressive acts of slavery and Jim Crow laws justify a reparation payment.
- Reparations are controversial because there are disagreements about the lasting impact of the institution of slavery and oppressive laws that followed.
- Reparations are controversial because it contributes to divisiveness in today's political environment.

EXTENSION To extend their arguments, students can research international examples of reparations (or reparations debates). Using this research, students compare the precedents set by the respective government who authorized the reparations; or if a debate, students compare the different perspectives on the issue. Students should note the unique stories and situations of each.

Some examples include: British reparations to the Mau Mau; Iran to Kuwait for the 1990-91 Gulf War; Colombia's "Victims Law"; reparations to African countries for European colonialism (e.g., Belgium in the Congo; United Kingdom's Africa Reparations Movement; Germany's role in the Herero and Namaqua genocide).

Taking Informed Action	
Action Question	Why are reparations controversial?
Civic Theme	KNOWLEDGE: Students seek truth and access to factual information.
Action Task	Create a student guide explaining a current situation and reparations. Within the guide, include a list of credible resources for learning more about reparations.
Cognitive Skills	Informational/Explanatory Thesis: Students apply this skill by using historical sources to construct explanations and convey information through clear, well-organized, and relevant ideas. Evidence of this skill can be found in the flyer’s content and structure.
	Selecting Relevant Evidence: Students apply this skill by using relevant evidence to support claims. Evidence of this skill can be found in the flyer’s selected evidence

Structure of Taking Informed Action

Taking informed action tasks have three steps to prepare students for informed, reasoned, and authentic action. The steps ask students to (1) *understand* the issues evident from the inquiry in a larger and/or current context; (2) *assess* the relevance and impact of the issues; and (3) *act* in ways that allow students to demonstrate agency in a real-world context.

For this inquiry, students have the opportunity to take informed action by drawing on their understanding of reparations to create a student guide explaining reparations and why they should be informed about this policy.

UNDERSTAND The *understand* step of Taking Informed Action is embedded within the inquiry’s supporting questions.

ASSESS Students deliberate on the potential impact of reparations.

ACT To take action, students create a student guide explaining the situation and the role of reparations. Within the guide, include a list of credible resources for learning more about reparations.

- In the spirit of this inquiry, students are not necessarily taking a stance on the issue. However, students may choose to advocate for their informed perspective on reparations, using this action task as a Public Service Announcement with a call-to-action.

CIVIC THEME This task reflects the civic theme of *knowledge*. When students engage in knowledge-building civic action, they seek truth and access to factual information. By creating a guide with a student audience, they are helping their classmates be better informed, as well as providing the means for further investigation.

Note about Ways to Take Informed Action

This inquiry has a *suggested* taking informed action task. Teachers and students are encouraged to revise or adjust the task to reflect student interests, the topic/issue chosen for the task, time considerations, etc.

Taking informed action can manifest in a variety of forms and in a range of venues. They can be small actions (e.g., informed conversations) to the big (e.g., organizing a protest). For this project, students may instead express action by creating a public service announcement (as noted in the bulleted point below “Act”), organizing a panel discussion, conducting a survey and the like; these actions may take place in the classroom, the school, the local community, across the state, and around the world. What’s important is that students are authentically applying the inquiry to an out-of-classroom context. Actions should reach people outside of the classroom.

For more information about different ways students can take action, see: Muetterties, C. & Swan, K. (2019). Guiding Taking Informed Action Graphic Organizer. *C3Teachers*. Available from: <http://www.c3teachers.org/inquiries/civic-action-project/>.