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*Reading the Language of Reparations and the Meaning of Emancipation, 1865-1917 (Abstract)**

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The early history of the slave reparations movement, from emancipation to the conclusion of the national campaign to award the freedpeople pensions, reveals important connections and misconceptions to today's politically charged, widely contentious, and divisive debate. The issue of compensating ex-slaves is decidedly not "new." Late nineteenth century polemicists mapped out several of the basic arguments for reparations generations ago—when the painful memories of the whip and lash remained fresh.

From the start, supporters of compensation for the ex-slaves based their claims on the economic reciprocities at the heart of market capitalism. Persons of African descent who were forced to work without compensation should be paid for their labor. Former slaves, not only their masters, should share in the fruits of the slaves' unpaid labor. Early reparationists, most notably Frederick Douglass, also defined society as being based on an implicit moral contract. Those with power and money have the responsibility of providing at least minimally for those

less fortunate. Advocates of slave reparations articulated the moral contract argument both in terms of paternalism and entitlement.

Thus in the post-emancipation reparations discourse one finds several familiar arguments. The U. S. government had reneged on its promise to provide the freedpeople with “forty acres and a mule.” Since emancipation the federal government condoned, promoted, and sanctioned economic, political, and racial oppression and exploitation through the unequal enforcement of laws and through all manner of de jure and de facto segregation. Dark skin and African ethnicity, long after emancipation, remained badges of inferiority and symbols of discrimination.

Without compensation, proponents of ex-slave pensions argued, African Americans stood damaged—marginalized and excluded from the economic, political, and social benefits of American citizenship. Advocates of compensating former bondmen—whether in direct cash payments, land, or pensions—held slavery and its legacy responsible for the dire conditions the freedpeople experienced after Appomattox. Repairing the wrongs of slavery was a matter of social justice, many supporters of compensating the ex-slaves argued.

While some proponents of reparations argued that the government had economic and moral responsibilities to recognize the wrongs of slavery, others maintained that it had a paternalistic obligation to care for the ex-bondmen in their old age. Some defined restitution for ex-slaves as an entitlement (a guaranteed government benefit). Others considered it a reparation (making redress for centuries of loss and suffering).

Perhaps most interesting is the complex response of blacks to the early reparations movement. With important exceptions they divided along class lines. Poor ex-slaves tended to support the various compensation and pension schemes. They were the persons most devastated by the failure of the government to deliver on its promise of “forty acres and a mule,” and later

were the targets of what historian Walter Lynwood Fleming and countless others termed the ex-slave pensions frauds. More affluent, better educated African American leaders either were apathetic, indifferent, or hostile to the reparations idea. Upper-class African Americans commonly rejected the argument that ex-slaves should receive relief from external sources, imploring their black brethren to become self-reliant agents of their own destinies.

The history of the early arguments in favor of reparations, and the strategies its proponents employed, also suggests avenues of inquiry on late nineteenth century and early twentieth century arguments against reparations. Many persons opposed land distribution, direct payments, and ex-slave pensions on practical grounds—that identifying claimants and administering such compensation would be impossible. Others charged that emancipation itself was a form of reparation, that the federal government was not empowered with redistributing land or compensating individuals, and that many Americans, including immigrants and northerners, had no direct involvement with or responsibility for slavery. Still others ridiculed the ex-slave pension movement as by nature ridiculous and fraudulent. Many of today's critics of reparations for African American slavery make similar points. Whites of all classes never took seriously the early movement to compensate the slaves. They rejected both the moral and the paternalist justifications for reparations.

At one level, today's advocates of slave reparations are correct to look backward for precedents to support their claims. During and long after Reconstruction, African Americans wanted land, and aging, destitute former slaves sought social welfare. The early public discourse over “forty acres and a mule,” compensating former masters and ex-slaves, and slave pensions proves that slavery—as comparative model, idea, and symbol—remained very much alive after Appomattox.

But post-Civil War debates over “reparations” involved a complex dialogue between many interests that cannot be easily conflated to support all arguments in favor of reparations. The history of the early slave reparations debate thus raises questions about the language of reparations—especially the rhetorical use of the term “reparations” by its modern proponents. While arguments for the compensation of former slaves certainly did exist in the period 1865 to 1917, recent campaigns for reparations seem more rooted in the ideology of the Civil Liberties Act of 1988, which awarded payments to World War II-era Japanese American internees, than in the late-nineteenth and early twentieth century precedents.

But by anybody’s definition of “reparations,” the early debates over land and pensions for the freedpeople presented unsettling thoughts for whites and heartfelt hopes for blacks. Close reading of the language of the early reparations debate underscores the historical continuity—from the late nineteenth century to today—of many whites’ unwillingness to apologize for or to admit guilt over African American slavery. But it also uncovers an emerging grassroots movement within the African American community in favor of what we today term “reparations.” Nearly another century later, our nation’s unease with its slaveholding past still will not go away. Nor will the desire for social justice.

* This paper derives from a manuscript in preparation for Oxford University Press on the history of the slave reparations movement.