

# Landmark California Task Force Calls for “Comprehensive Reparations” for Slavery

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*California is the first state in the U.S. to establish a reparations task force for Black Americans. On June 1, the Task Force to Study and Develop Reparation Proposals for African Americans issued [a 500-page document that traces the history of white supremacy](#) from slavery to Jim Crow through the present. It calls for “comprehensive reparations” for Black people harmed by a historical system of state-sanctioned oppression.*

“Segregation, racial terror, harmful racist neglect, and other atrocities in nearly every sector of civil society have inflicted harms, which cascade over a lifetime and compound over generations,” the report says.

“The California Reparations Commission’s first report is historic,” Chris Lodgson, Lead Organizer with the Coalition for a Just and Equitable California, told *Truthout*. “It details the atrocities and human rights violations committed against African American Freedmen in California.”

This report does not include detailed proposals for reparations. It “lays the foundation for the Commission’s work over the next year, which is developing the Reparations Plan, including direct financial compensation, land, and more,” Lodgson said.

From 1619 to 1865, slavery was sanctioned by the U.S. Constitution and statutory laws. More than 4,000,000 Africans and their descendants were enslaved in the United States, deprived of their life, liberty, citizenship, economic opportunity and cultural heritage. After the abolition of slavery, federal, state and local governmental entities continued to condone, perpetuate and profit from white supremacy. As a result, African Americans today suffer from economic, health and educational inequality.

On September 30, 2020, the California legislature enacted [AB 3121](#), which established the Task Force and charged it with conducting an “inquiry into the ongoing effects of the institution of slavery and its legacy of persistent systemic structures of discrimination on

living African Americans and society in the United States.”

AB 3121 mandates that the Task Force recommend appropriate remedies, including compensation, rehabilitation and restitution for African Americans, particularly descendants of people who were enslaved in the United States. The bill requires that the Task Force address how its recommendations “comport with international standards” provided by “various international protocols, laws, and findings.”

## Key Findings

“From colonial times forward, governments at all levels adopted and enshrined white supremacy beliefs and passed laws in order to maintain slavery, a system of dehumanization and exploitation that stole the life, labor, liberty, and intellect of people of African descent,” the report finds.

Indeed, 160 years after slavery was abolished, “its badges and incidents remain embedded in the political, legal, health, financial, educational, cultural, environmental, social, and economic systems of the United States of America.” The Task Force cites “[r]acist, false, and harmful stereotypes” that continue to plague African Americans today.

Slave Codes “reborn as the Black Codes, and then as the Jim Crow laws” segregated Blacks and whites “in every aspect of life.” They were emblematic of “a national desire to reinforce a racial hierarchy based in white supremacy.”

In 1852, California enacted a fugitive slave law that was crueler than the federal fugitive slave law “and this made California a more proslavery state than most other free states,” according to the report.

Racial terror which “pervaded every aspect of post-slavery Black life” precluded African Americans from earning wealth and political influence equal to that of white Americans. Lynchings in the South weren’t just isolated hate crimes, but rather “part of a systematic campaign of terror to enforce the racial hierarchy.”

“Today, police violence against and extrajudicial killings of African Americans occur in California in the same manner as they do in the rest of the country,” the report notes.

The Task Force report documents the political disenfranchisement of African Americans, stating that California’s voter suppression laws provided a model for those in the South. It also discusses housing segregation through redlining, zoning ordinances and California’s “sundown towns,” which required that African Americans leave by dusk or face violence.

In addition, the report highlights separate and unequal education. Whereas slave states denied nearly all enslaved people an education, the North and Midwest segregated their schools, limiting or denying access to freed African Americans.

*Brown v. Board of Education* held in 1954 that racial segregation in public schools was unconstitutional. Nevertheless, Congress and the courts erected barriers to integration of schools. California is the sixth most segregated state in the country for African American students.

The report also details racism in the environment and infrastructure. Residential segregation has led to poor-quality housing for African Americans, “exposing them to disproportionate

amounts of lead poisoning and increasing risk of infectious disease.” California follows the national pattern, where Black people are more likely than white people to live in overcrowded housing and near hazardous waste sites. Redlining, racially restrictive covenants and racial violence led to the exclusion of Black Californians from access to clean water in the agriculturally rich San Joaquin Valley.

Another consequence of racist government policies and practices is the pathologizing of the Black family. As of 2019, while Black children comprised only 14 percent of American children, 23 percent of them were in foster care. This is not because Black parents mistreat their children more often than whites, but is rather a result of racist systems and poverty. The disparities in foster care are even higher in California than the national average.

The report cites control over creative cultural and intellectual life, where federal and state governments failed to protect Black artists from discrimination. They have allowed whites “to steal Black art and culture with impunity” and deprived Black creators of valuable patent and copyright protections. California has criminalized African American rap artists and allowed rap lyrics to be introduced as evidence in cases involving “street gang activity.”

Employment discrimination against African Americans did not decrease from 1989 to 2014, according to one meta-study cited in the report. Today, California’s two primary industries — Hollywood and Silicon Valley — employ disproportionately fewer Black people.

The report also documents the inequities in the legal system, citing the “tough on crime” and War on Drugs era, when politicians criminalized African Americans in order to win elections. That criminalization is “an enduring badge of slavery” and has led to over-policing of Black neighborhoods, the school-to-prison pipeline and mass incarceration of African Americans. “Like the rest of the country, California stops, shoots, kills, and imprisons more African Americans than their share of the population,” the report says.

Mental and physical harm and neglect are also highlighted in the report. It states that “race-related stress may have a greater impact on health among African Americans than diet, exercise, smoking, or low socioeconomic status.” Black Californians are more likely to get diabetes, be hospitalized for heart disease, die from cancer, and suffer from psychological distress, depression, suicide ideation and other mental health afflictions than white Californians.

Finally, the report describes the wealth gap between Black and white Americans, both nationally and in California. It details the history of exclusion of African Americans from Social Security and the G.I. bill and discrimination in the federal tax structure.

## **Preliminary Recommendations**

The report sets forth recommendations for future deliberation by the Task Force. The recommendations include deleting language in the California Constitution that allows involuntary servitude as punishment for crime; enactment of legislation prioritizing education, substance use and mental health treatment and rehabilitative programs for incarcerated people; compensation for work performed while in prison; and prisoners’ right to vote.

Additional recommendations involve making it easier to hold law enforcement officers, including correctional officers, accountable for unlawful harassment and violence;

governmental acknowledgement and apology for political disenfranchisement; legislation to prevent redistricting that dilutes the voting power of Black Californians; elimination of anti-Black housing discrimination policies; and low interest rates for qualified Black mortgage applicants in California.

Other recommendations include elimination of racial bias in standardized testing; free tuition to California colleges and universities; college scholarships for Black high school graduates; and requiring that curricula be inclusive and free of bias.

The report advocates a “K-12 Black Studies curriculum that introduces students to concepts of race and racial identity; accurately depicts historic racial inequities and systemic racism; honors Black lives, fully represents contributions of Black people in society, and advances the ideology of Black liberation.”

In order to address the racial injustice in the criminal legal system, the Task Force recommends the elimination of “discriminatory policing and particularly killings, use of force, and racial profiling of African Americans.” In addition, it recommends eliminating racial disparities in police stops and criminal sentencing, the over-policing of predominantly Black communities, and the disproportionate incarceration of African Americans, as well as addressing implicit and explicit bias in the criminal legal system.

The report includes recommendations for compensation of “individuals whose mental and physical health has been permanently damaged by anti-Black healthcare system,” including forced sterilization, medical experimentation, police violence, racist sentencing disparities, environmental racism, and psychological damage from race-related stress.

Finally, the Task Force recommends the implementation of “a detailed program of reparations for African Americans.”

## **Comprehensive Reparations Plan to Be Issued Next Year**

In March, the Task Force voted to limit reparations to descendants of African Americans living in the United States in the 19th century. There is a split in the Task Force about whether to include direct cash payments.

If the call for reparations for African Americans is ultimately successful, it will be unprecedented. As Nikole Hannah-Jones notes in her book, [The 1619 Project: A New Origin Story](#), the only Americans who have ever received restitution by the government for slavery were white enslavers compensated after the Civil War “for their loss of human property.”

## **Federal Legislation**

At the federal level, [HR 40](#), which was introduced more than three decades ago by former Rep. John Conyers, finally has enough votes to pass in the House, [according to supporters](#).

The purpose of the legislation is:

To address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on

living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

But the future of HR 40 in the Senate is not so promising. Instead, supporters are urging President Joe Biden to issue an executive order that would establish a reparations commission. So far, [Biden has refused to respond](#).

## **The Reparations Movement Is a Continuation of the Civil Rights Movement**

In his keynote address at the 2006 reparations conference at Thomas Jefferson School of Law, [Conyers said](#), “The reparations movement is grounded in the civil rights movement and the social justice movements of the 1960s - 1980s.” That struggle has continued in response to the public execution of George Floyd and the ubiquitous police murders of Black people.

In the international arena, United Nations High Commissioner for Human Rights Michelle Bachelet issued [a report](#) in June 2021, calling for reparations for victims of systemic racist police violence. She wrote, “Reparatory justice requires a multipronged approach that is grounded in international human rights law,” noting that reparations include not only monetary compensation, but also formal apologies, memorialization, educational and institutional reforms, and acknowledgement of the State’s legal responsibility for violations “linked to truth, justice and guarantees of non-recurrence.”

Bachelet cited [the April 2021 report](#) of the International Commission of Inquiry on Systemic Racist Police Violence Against People of African Descent in the United States, for which I served as a rapporteur.

Ultimately, as Margaret A. Burnham says in her forthcoming book, [By Hands Now Known: Jim Crow’s Legal Executioners](#), the collective call for a system of reparations must go beyond efforts toward individual healing. It must also engage wide-ranging social transformation and expose the historical underpinnings of racial violence in this country.

Real change requires not just reforms, but also tackling the entire system of white supremacy.

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Featured image: The Task Force to Study and Develop Reparation Proposals for African Americans holds a public meeting in San Francisco, California, on April 13, 2022. (Source: [CALIFORNIA DEPARTMENT OF JUSTICE](#))

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