

**Testimony of**

**The Honorable JoAnn Watson**

**City Councilwoman, Detroit City Council**

**Before**

**The Committee on the Judiciary  
Subcommittee on the Constitution, Civil Rights, and Civil Liberties  
United States House of Representatives**

**“Oversight Hearing on the Legacy of the Trans-Atlantic Slave Trade”**

**Tuesday, December 18, 2007**

I am JoAnn Watson, City Councilwoman, Detroit City Council. I am pleased to be here today before the subcommittee to testify on Legacy of the Trans-Atlantic Slave Trade.

I would like to thank you, Mr. Chairman, for inviting us to testify today. I also want to thank you, Ms. Lofgren, Mr. Berman, and other members of the Committee for your leadership over the years on this important and vital humanitarian issue.

Our purpose in testifying today is to provide the perspective of the Trans-Atlantic Slave Trade”

As we address the topic of reparations in the United States, it is instructive to use the Reconstruction era as one of our backdrops. Let us look specifically at George H. White, the last African American Reconstruction congressman and the last African who had been enslaved to sit in the House. Congressman White was born in Rosindale, North Carolina, and was a graduate of Howard University. White studied law privately. He represented North Carolina’s Second Congressional District and was elected in 1896 and reelected in 1898. Nor surprisingly, Congressman White found it difficult to make his mark in Congress. He was able to obtain back pay for Black Civil War veterans, for ample, but his colleagues refused even to hear his federal antilynching bill.

During his last speech, in January 1901, Congressman White said, “This, Mr. Chairman, is perhaps the Negro’s temporary farewell to the American Congress. These parting words are on behalf of an outraged, heartbroken, bruised and bleeding, but God-fearing people...full of potential force.” It would be more than twenty-five years before the next African American, Oscar De Priest, of Chicago, Illinois, was elected to the United States House of Representatives.

If Congressman White could offer testimony on the issue of reparations today, he would certainly attest to the fact that Blacks never received forty acres and a mule in the aftermath of the signing of the Emancipation Proclamation. On March 3, 1865, weeks before the end of the Civil War, and almost a year prior to the ratification of the Thirteenth Amendment, the Freedmen’s Bureau was created by an act of Congress. According to Section 4 of the first Freedmen’s Bureau Act, this agency “shall have authority to set apart for use of local refugees and Freedmen such tracts of land within the insurrectionary states as shall have been abandoned or to which the United States shall have acquired title by confiscation or sale, or otherwise; and to every male citizen, whether refugee or Freeman, as aforesaid there shall be assigned not more than forty acres of land.” This portion of the Freedmen’s Bureau Act (introduced by Congressman Thaddeus Stevens) was defeated by Congress on February 5, 1866, by a vote of 126 to 36 because many thought that it would disenfranchise *white* landowners who had been defeated in the Civil War. Land that had been distributed to Freedman was reclaimed by the federal government and routed to the enslavers (who had lost the Civil War, fought for the Confederacy, and had already benefited unjustly from the unpaid labor of Africans).

In January 1865, General William Tecumseh Sherman had previously issued orders to General Rufus Saxton to divide land into forty-acre tracts and distribute them to

freedmen after the creation of the Freedmen's Bureau in 1865. Just two months later, after the assassination of President Abraham Lincoln, President Andrew Johnson revoked the executive office's support for the Freedmen's Bureau and reneged on promises and commitments that had been negotiated by abolitionist/statesmen Frederick Douglas in discussions with President Lincoln.

I believe that one of the best-kept secrets among Civil War historians is that the Union was losing to the Confederacy until enslaved Africans joined the Civil War to fight for the Union. As President Lincoln discussed the matter of introducing Africans who had been held in bondage to fight for the Union, Douglas strongly advocated on behalf of the Emancipation Proclamation, the Freedmen's Bureau, the provision of land to the newly freed Africans, and the adoption of the Thirteenth Amendment. Among the resources utilized to bring victory to the Union was Harriet Tubman, the renowned General of the Underground Railroad, who served as a scout during the Civil War conducting dangerous reconnaissance missions.

Upon learning that President Andrew Johnson had rescinded the order authorizing the Freedmen's Bureau Act and the distribution of land to freedmen, General Saxton wrote the following communiqué to the commissioner of the Freedmen's Bureau, Oliver O. Howard: "The lands which have been taken possession of by this bureau have been solemnly pledged to the Freedmen...it is of vital importance that our promises made to Freedmen should be faithfully kept...the Freedmen were promised the protection of the government, with the approval of the War Department...more than 40,000 Freedmen have been provided with homes under its promises...I cannot break faith with them now by recommending the restoration of any of these lands. In my opinion the order of General Sherman is as binding as a statute." Saxton's pleas were to no avail, however, as thousands of Freedmen were removed by force from land that had been granted by Congress and ordered by Sherman. This was done during the same period that witnessed the 1865 emergence of the Ku Klux Klan's unspeakable violent episodes targeting the newly freed Africans and President Johnson's removal of all federal protections guaranteeing the safety and protection of Africans in America.

The freedmen of the period included luminaries like Bishop Henry McNeal Turner, who had served as a chaplain in the Union Army. Bishop Turner was convinced that the U.S. federal government had betrayed African descendants. He was among many who publicly called for reparations, and he never forgave the nation for what he considered disgraceful ingratitude to Blacks who had built the wealth of the nation with unpaid labor and who had served the nation with courageous military valor during the Civil War. Years later, when he felt his last days were near, Bishop Turner transported himself to Canada, to assure that his remains would not be placed in American soil. (This was eerily prescient of W.E.B. Du Bois's decision, nearly a century later, to move to Accra, Ghana, and become a Ghanaian citizen, abandoning his life-long work to assure that the United States would honor its ideals and constitutional protections to its citizens of African descent.)

As the ranking Democrat on the House Judiciary Committee, as the dean of the Congressional Black Caucus, and as the longest-serving African American and the second-most senior member of the House of Representatives, I believe it is vitally important that we look toward legislative remedies as a vehicle for addressing the critical issue of reparations for African Americans, just as legislative remedies have been approved for the redress of others. The United Nations World Conference Against Racism, held in Durban, South Africa, in August and September of 2001 declared that the Transatlantic Slave Trade was a crime against humanity, and should always have been so; which sets the proper stage for the timely consideration of H.R. 40, the Reparations Study Bill, which I have introduced every year since 1989. The UN World Conference Against Racism was also another tragic reminder of the deep moral flaws that have been etched into the fabric of America as the United States formally walked out of this historic gathering days later walked into a terrorist attack on its own shores.

I believe it is vitally important that we look toward legislative remedies as a priority in the reparations movement not only to provide a level of redress for Africans who were enslaved but also to recognize the forces of legalized disparity that disenfranchised people of African descent, like Congressman White, *after* the signing of the Emancipation Proclamation and which continue to institutionalize racist policies and practices until this present day. We have gotten far too comfortable in accepting poverty, crime, and adolescent pregnancy as Black and their opposites as White. We have failed to trace the lineage of both of these economic conditions to slavery and its aftermath.

Why was a bill introduced to study reparations? H.R.40—the Reparations Study Bill—was introduced in 1989, first and foremost, because of the request that I do so by Reparations Ray Jenkins, who is one of my constituents, a self-employed businessman, precinct delegate, and longtime community activist. Reparations Ray had been an advocate and proponent of reparations for African Americans for many years, and had become a fixture in community-based meetings, assemblies, church gatherings, and NAACP functions as a person who has been singularly committed to the priority of reparations as an issue for people of African descent.

After the introduction of the Civil Rights Redress Act, which paved the way for reparations awarded to Japanese Americans who had been illegally and immorally detained during World War II for three years, it seemed to be an appropriate juncture for the introduction of legislation to study reparations for African Americans, to address possible remedies and redress related to those victimized by the pandemic horrors of the Transatlantic Slave Trade and the long-term residual impact of institutional racism that has persisted among African descendants through Jim Crow segregation, hate crime terrors of lynching and cross burning, and the disparate practices and policies of the prison industry, which in many ways has begun to reenslave Africans, who are disproportionately incarcerated and performing slave labor under the oppressive structure of disparate sentences. Persons of African origin are 13 percent of America's population but account for more than 52 percent of America's 2 million prison population, notwithstanding the reality that Blacks are no more predisposed toward behavior than any other population.

One of the other important factors for the introduction of H.R.40 was the inescapable reality that legal precedence had long been established relative to the appropriateness of reparations by governmental entities in response to government-sanctioned human rights violations. For example, in 1990, the United States Congress and the President of the United States signed the Civil Rights Redress Act into Law, to lay the framework for \$1.2 billion (\$20,000 each) paid to Japanese Americans and a Letter of Apology as a federal redress to recognize the human, economic, and moral damage inflicted upon a class of people for a three-year period. Also in 1990, Austria paid \$25 million to Jewish Holocaust survivors for its role in the genocidal Nazi regime during World War II; in 1988, Canada gave \$230 million to Japanese Americans; in 1986, the United States paid \$32 million to honor the 1836 treaty with the Ottawas of Michigan; in 1985, the United States gave \$105 million to the Sioux of South Dakota; in 1980, the United States gave \$81 million to the Klamaths of Oregon; in 1971, the United States gave \$1 billion plus 44 million acres of land to honor the Alaska Natives land settlement; in 1952, Germany paid \$822 million to Jewish Holocaust survivors in the German Jewish Settlement—just to cite some historical backdrops of legal precedence that has been established.

Further, it should be noted that reparations for Africans has not only been an issue cited by Africans in America but also a significant point of discussion and action by Africans on the continent of Africa, James Dennis Akumu, former secretary-general of the Organization of African Trade Union Unity, states: “If you see the arguments the British are advancing in Zimbabwe and whites insisting on owning land and resources in Namibia, South Africa, and other parts of the continent, you can only come to the conclusion that in their minds, Africans should remain their slaves and should not own their own land and mineral resources.” Akumu continues to press the point, “African labor and looted African wealth built these strong Western economies. Therefore, what we are claiming is what our people contributed to substantially, and is, therefore, rightfully ours.”

