



Written Statement of:

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Everyone in America may think we are at a tipping point on racial justice. When it comes to fulfilling America's promise of racial justice, our nation has faced at least three tipping points. These tipping points were moments in history where we could either move forward in a significant way or roll back to white supremacy and racism.

The first tipping point was at the signing of the Constitution. Would we continue the institution of slavery that built tremendous wealth in the colonies or would we recognize that the principles we pledged ourselves to support and defend in the Declaration of Independence and the ones we were writing into the Constitution were completely inconsistent with enslaving people based on the color of their skin? America doubled down on the institution of slavery as it existed in the colonies and not only ratified it, but protected it in multiple provisions of the Constitution. At this tipping point, we rolled back into white supremacy and slavery.

At the end of the Civil War, as reconstruction took hold, America was being transformed. Before the 15th Amendment was passed, there were 700,000 registered Black voters in the south. During reconstruction, over 2,000 Black men were elected to public office. Black Americans had been in the starting blocks for 240 years, and when the word go was finally uttered, we were ready. But after the election of 1876 and the compromise that made Rutherford Hayes president, northern troops were withdrawn from the south. The confederate forces re-organized into groups like the KKK and began using the law and every social convention to keep Black people as near to the state of slavery as possible. America rolled back, and we rolled back into black codes, Jim Crow, separate but equal, and redlining. Thurgood Marshall called these vestiges of slavery the inherent determination that people who were formerly in slavery, regardless of anything else, shall be kept as near to that stage as is possible.

America rolled back at the end of reconstruction, and it took us 89 years after the Civil War ended before the United States Supreme Court outlawed the concept of separate but equal and said that in America, white children did not have the right to go to schools that excluded Black children. Even now, we see an American school system that is segregated in ways that are similar to schools in the 1960s and 70s. The Fair Housing Act did not come along until 1968. With the end of reconstruction, America rolled back from the tipping point. Essentially, it took us a century to dig out of the hole we fell into when reconstruction failed. And digging out of that hole did not come close to creating equality. It began the process of recovering from a century of Jim Crow, and this brought America to the next tipping point.

The third tipping point came during the civil rights movement. Beginning with the success of the Montgomery bus boycott in the mid-50s, America saw 13 years where the country was moving out of Jim Crow, separate but equal, legal redlining in housing, and a period from 1865 to 1950 where more than 6,000 documented racial terror lynchings occurred. That is an average of more than one Black person lynched every week for 85 years. The reaction to these policies manifested in organized resistance. The Montgomery bus boycott, sit-ins at lunch counters to protest segregation, and other demonstrations led to the Civil Rights Act and the Voting Rights Act being passed. Then, on April 4, 1968, in Memphis Tennessee, Rev. Dr. Martin Luther King Jr. was assassinated. America rolled back once again – this time to the war on drugs.

In 2021, we once again find ourselves at a tipping point, and this may be America's last, best chance at truly moving forward on racial justice in this country. That is true because if we roll back this time, the consequences will be devastating.

In 2016, the Institute for Policy Studies and the Corporation for Enterprise Development examined the racial wealth gap in America. Their high-level conclusion was that the gap was ever-growing, and that failing to address the status quo will drive the racial wealth gap for centuries to come. They found that over the past 30 years, the average wealth of white families had grown by more than three times the rate for Black families; that the wealth of the Forbes 400 richest Americans had grown by 736% – 27 times the rate of growth for Black families; and, that by 2043, the year in which it is projected that people of color will make up a majority of the American population, the wealth gap between white families and Black families will have doubled again.

This report concluded that if the average Black family wealth continues to grow at the same pace that it has over the past three decades, it would take Black Americans to 228 years to amass the same amount of wealth that white families have today. That is just 17 years short of the 246 years of slavery we endured in colonial and constitutional America. Of course, in that 228 years, white families will have moved on significantly from where they are today.

Good policy going forward is a critical part of fixing this problem. But repair for the damage in the past is also critical. Please do not be distracted by debates about individual payments versus investments in the community – the commission established by HR 40 will deal with these and other issues just as the commission on Japanese-American reparations dealt with them almost half a century ago.

We can't wait for HR 40 – and make no mistake about it, we are at another tipping point. If Congress does not act, the legacy of this failure will be inflicted on the children, grandchildren, great-grandchildren, and beyond of Black Americans living today. The time for HR 40 is now.