



More Fuel for the Fire

California's new task force on reparations is a dangerous exercise in virtue-signaling.

October 8, 2020

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Pulitzer Prize-winning cartoonist Michael Ramirez suggests that California should pay reparations—not for slavery, but for subjecting everyone in the state to a lousy political class. He has a point.

As the Golden State's landscape burned, power grid faltered, and social fabric frayed, Governor Gavin Newsom signed into law a bill empaneling a nine-member task force to “study and develop reparation proposals for African Americans,” with “special consideration for African Americans who are descendants of persons enslaved in the United States.”

California became the 31st member of the union 170 years ago, in the Compromise of 1850. It entered as a free state and supported the North with blood and treasure in the Civil War. Why on earth would Sacramento even consider paying reparations? As Pacific Research Institute's Rowena Itchon wrote about the bill, “America's not perfect, but reparations could cause even more division in this country.”

That point is crucial. We live in a time when people who are neither racist nor bigoted but are merely insufficiently woke can find themselves harassed, and even threatened, if they don't raise a fist in solidarity with a movement that seeks to segregate, cancel, disrupt, and destroy. Our tinder is dry.

From the legislative analysis of Assembly Bill 3121, we learn that the task force will consist “of both legislators and non-legislators with special interest or expertise in reparations proposals.” Is this a clue that its recommendations are predetermined? One strains to imagine that anyone considered an “expert” in the field of reparations would have reservations about paying out large sums of other people's money. The companion floor analysis from the Senate side recalls that “existing federal law provided restitution to citizens and permanent resident aliens of Japanese ancestry, and their spouses and families, who were confined to concentration camps during World War II”—the implication being that if reparations were right for those victims, then they are right for the ancestors of slaves now living in California.

Deeper in the Senate floor analysis we find assurance that “AB 3121 does not grant reparations. Nor does it dictate what form reparations might take or how the state might determine eligibility

for reparations.” But the analysis helpfully suggests that restitution can be in “cash payments, tuition remission, student loan forgiveness, job training and public works projects, down payment grants, or community investment.”

Which, of course, brings up the question of cost. It isn’t likely to be modest. According to the Roosevelt Institute, anyway, the proper amount of restitution is roughly \$800,000 per eligible household. National compensation along those lines would “necessitate a \$10 to \$12 trillion expenditure” as “the baseline for black reparations” in the twenty-first century. Given that California’s population constitutes a bit more than 12 percent of the nation’s, we could reasonably expect reparations to cost state taxpayers between \$1.2 trillion and \$1.5 trillion. One wonders if the task force will consider the damage that such a redistribution would have on the state’s economy.

That is, if the task force is even up to the task of sorting out who is legitimately eligible for reparations, as well as who is responsible for funding the money pot. “How should we even define ‘African American,’ given the widespread history of rape during slavery and intermarriage since?” asks the Cato Institute’s Michael Tanner. “Modern research suggests that at least a third of African Americans have at least one white ancestor. Do we want to return to the ‘one drop’ rule?”

Tanner brings up the case of Vincene Verdun, from the Moritz College of Law at Ohio State University, as one of many examples of tangled family histories that can never be unraveled. “As she herself notes, as the descendant of both slaves and slaveholders, she is both a victim and a wrongdoer. For that matter, records of slavery are incomplete and inaccurate, meaning that it will often be difficult to trace ancestry accurately. Reparations would be an invitation to perpetual litigation.”

Or consider the “descendants of free blacks or black immigrants who arrived post-slavery,” the “whites who have no slave-owning forebears,” as well as those who immigrated to the U.S. after the Civil War, says Tanner. Brookings Institution fellow Jonathan Rauch argued two decades ago that “reparations would be fundamentally illiberal, and therefore unjust,” because “people who have enslaved no one (and most of whose ancestors enslaved no one)” would have no choice but to “pay damages to people who were never slaves.”

Tanner also brings up a reality California’s big-spending lawmakers routinely ignore: reparations would likely not help those the policy purports to help. “Government social-welfare programs,” he says, “have a dismal track record when it comes to bridging the racial divide and empowering African Americans. Doubling down on failed programs is not really making reparations.”

A cynic would say that making things right isn’t even the point of AB3121—that the law is little more than an exercise in virtue-signaling. Cynics are sometimes useful because they get right to the point.