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Con Case (fast)

Matt and I negate resolved: "The United States Federal Government (or USFG) ought to pay reparations to African Americans."

Reparations, according to Eric Posner of the University of Chicago, must be, among other things:

1. Payment in cash or kind.

AND

2. Payment to correct a past wrong instead of to combat a future or current problem.¹

Contention 1: Reparations perpetuate a black-white binary which ignores other minorities.

Law professor Juan Perea writes that "the development of equality doctrines based solely on the experience of Blacks" creates a black white binary view of race, where whites are seen as the sole oppressor, and blacks as the sole victim. This binary, he writes, "renders the... histories [and experiences] of other racialized peoples irrelevant," preventing us from fully addressing white supremacy and understanding how it operates in the status quo.² This happened empirically in 2003 with South African reparations for apartheid. Professor McKaiser writes that post-reparations "black Africans... are seen as worthier victims" than other minorities, who have become invisible in South African society. He continues that "many more [minorities today are]... worse off than black Africans... were during apartheid," which has only "perpetuate[d] a racial hierarchy of suffering."³

Contention 2: Reparations foster envy and violence between minorities.

Law and social justice professor Eric Yamamoto writes that "reparations... to one group may stretch the resources or political capital of the giver, thereby precluding reparations... for others," increasing racial tensions among minorities.⁴ This happened with 1988 reparations for Japanese internment. Yamamoto writes that reparations create "a rift... between Asian Americans and other minorities," leading to "a marked increase in

¹ **Posner, 2003**, [Eric Posner & Adrian Vermeule, "Reparations for Slavery and Other Historical Injustices," 103 Columbia Law Review 689 (2003), U of Chicago]

² **Perea, 1997** [Juan Perea, University of Florida law professor, California Law Review, "The Black/White Binary Paradigm of Race," 85 Calif. L. Rev. 1213, l/n, accessed 2-21-10, mss]

³ **McKaiser, 2012** [Eusebius McKaiser, associate professor at the Wits Centre for Ethics, "Not White Enough, Not Black Enough," [http://latitude.blogs.nytimes.com/2012/02/15/in-south-africa-after-apartheid-colored-community-is-the-big-l-oser/](http://latitude.blogs.nytimes.com/2012/02/15/in-south-africa-after-apartheid-colored-community-is-the-big-loser/)]

⁴ **Yamamoto, 1999** [Eric Yamamoto, professor of law and social justice, "Interracial Justice: Conflict and Reconciliation in Post-Civil Rights America," https://books.google.com/books?id=beegBwAAQBAJ&pg=PT198&lpg=PT198&dq=the+reparations+offer+ed+to+one+group+may+stretch+the+resources+or+political+capital+of+the+giver,+thereby+precluding+reparations+for+others&source=bl&ots=h_S9DTJBxF&sig=jWbYLF2cwvsY6vWnM1OsWbfdmQ&hl=en&a=X&ved=0CCEQ6AEwAGoVChMzMVgsdfxxgIVCnU-Ch0IMgmn#v=onepage&q&f=false]

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race-related violence [and tensions] across the country.⁵ The impact is that minority cooperation is necessary for combating white supremacy. As sociologist Demond Miller explains, minorities aren't dominant political group, so their best shot at gaining rights is by working together. He furthers that minority cooperation was key to success in the civil rights movement.⁶

Contention 3: Reparations destroy social movements.

Subpoint A: Movements toward prison reform are happening now.

According to Journalist Joseph Erbentraut this year, movements towards prison reform are happening in the status-quo.⁷ These movements will be successful because Anthony Chen of Michigan finds that historically, social movements lead to 3 times less discriminatory laws.⁸ Reforming our prison system in the most important issue in the round because, as Professor Michelle Alexander explains, the prison system is used to label minorities as criminals and then enslave them by forcing them to work virtually without pay in prison.⁹

Subpoint B: Reparations destroy these movements.

Professor Richard Epstein writes that reparations will undermine current movements to create a less racist society.¹⁰ This is true for two reasons.

1. Reparations allow whites to deny racism. Paul Street of the Chicago Urban League writes in 2010 that “the call for slavery reparations reinforces the dominant white majority sense that the anti-black racism” is

⁵ **Yamamoto, 1992** [Eric Yamamoto, professor of law and social justice at the University of Hawai'i at Mānoa, “Friend, or Foe or Something Else: Social Meanings Of Redress And Reparations,” RESTRUCTURING FOR PEACE: CHALLENGES FOR THE 21ST CENTURY, http://scholarspace.manoa.hawaii.edu/bitstream/handle/10125/35330/Yamamoto_20Denv.J.Int'lL&Pol'y223.pdf?sequence=1]

⁶ **Miller, Rivera, and Wright, 2008** [Jason D. Rivera, DeMond S. Miller (PhD, sociologist), Deborah D. Wright, professors at Rowan and Rutgers Universities, “The Future Effectiveness of Racial-Political Coalitions in American Politics,” Journal of Public Management & Social Policy, <http://www.thecyberhood.net/documents/papers/rivera09.pdf>]

⁷ **Erbentraut 14** (Joseph Erbentraut, a B.A. in Journalism & Mass Communication from the University of Wisconsin-Madison, 04/10/2015, “What The U.S. Can Learn From Prison Reform Efforts Throughout The World”, The Huffington Post, http://www.huffingtonpost.com/2015/04/10/prison-reform-international-examples_n_6995132.html)

⁸ **Chen, 2004** [Anthony S. Chen and Robin Phinney, University of Michigan, “Did the Civil Rights Movement Have a Direct Impact on Public Policy? Evidence from the Passage of State Fair Housing Laws, 1959-1965”, Gerald R. Ford School of Public Policy, University of Michigan, <http://fordschool.umich.edu/research/papers/PDFfiles/04-005.pdf>]

⁹ **Alexander, 2010** [Michelle Alexander, professor of Law at Ohio State University, “The new Jim Crow: Mass incarceration in the age of colorblindness.” New York: The New Press, pages 2, 31]

¹⁰ **Epstein, 2004** [Richard Epstein, professor of law, “The Case against Black Reparations,” University of Chicago Law School, http://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2323&context=journal_articles]

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over.¹¹ Teun van Dijk, professor of discourse studies, writes that this denial prevents reform to racist policies.¹² This happened in South Africa, where Journalist Geoffrey York writes that “racism is mounting a comeback,” and while 70% of whites viewed apartheid as a crime against humanity a decade ago, now, post reparations, just 53% of whites do.¹³

2. Reparations produce an illusion of progress by comparing today to the past. Duke sociologist Bonilla-Silva writes in 2006, framing issues of race “in the Jim Crow era to assess whites’ racial views today produces an artificial image of progress... that misses [the injustices] going on” right now.¹⁴ This destroys our motivation to combat structural racism, which happened empirically with Japanese reparations. Yamamoto writes that reparations let the government off the hook and decreased motivation to vigorously combat racism against Asian Americans.¹⁵

Contention 4: Reparations lead to political backlash that hurts minorities.

John McCarron of the Chicago Tribune writes that reparations will trigger resentment that tips public opinion against the long-term interest of blacks. He writes that with the 2016 election coming up, reparations will decrease black representation in the government and cause voters to elect leaders that rollback hard-won programs that benefit minorities, like affirmative action.¹⁶ Similar political backlash happened empirically with the Affordable Care Act, which expert Tim Wise said was widely opposed because it was seen as stealth reparations for slavery.¹⁷ The two congresses immediately following

¹¹ **Street, 2010** [Paul Street, Director of Research at the Chicago Urban League, “Reparations...for Present Injustice,” Black Agenda Report,

<http://www.blackagendareport.com/content/reparations%E2%80%A6-present-injustice>]

¹² **Van Dijk, 1992** [Teun van Dijk, professor of discourse studies, “Denying Racism: Elite Discourse and Racism”, *discourses.org*,

<http://www.discourses.org/OldArticles/Denying%20racism%20-%20Elite%20discourse%20and%20racism.pdf>]

¹³ **York, 2015**. (Geoffrey York, “Two decades after apartheid ended, racial tensions rattling South Africa.” The Globe and Mail. Published, Jan. 21, 2015

<http://www.theglobeandmail.com/news/world/two-decades-after-apartheid-ended-racial-tensions-rattling-south-africa/article22571118/>)

¹⁴ **Silva ‘06** [Eduardo Bonilla-Silva, Research Professor of Sociology at Duke University. “Racism without Racists,” Rowman & Littlefield Publications, pg. 4-5]

¹⁵ **Yamamoto, 1998** [Eric Yamamoto, professor of law and social justice at the University of Hawai‘i at Mānoa, “Racial Reparations: Japanese American Redress and African American Claims,” Boston College Third World Law Journal,

<http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1190&context=twlj>]

¹⁶ **McCarron, 2000** [John McCarron, columnist, “The Repercussions Of Reparations,” The Chicago Tribune,

http://articles.chicagotribune.com/2000-05-01/news/0005010113_1_reparations-movement-affirmative-act-ion-african-americans]

¹⁷ **Wise, 2010** [Tim Wise, acclaimed writer and political scientist from Tulane University, “Colorblind: The Rise of Post-Racial Politics and the Retreat from Racial Equity, print, page 59]

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the ACA passed the least amount of legislation since 1947.¹⁸ Actual reparations would have even more devastating effects, making the status-quo of racial oppression even worse, and limiting minorities political power.

¹⁸ **Newhauser, 2013** [Daniel Newhauser, correspondent for the National Journal, “No, the 113th Congress Wasn't the Least Productive Ever,” National Journal, <http://www.nationaljournal.com/congress/no-the-113th-congress-wasn-t-the-least-productive-ever-20141223>]