

SOME CHALLENGES TO OR CRITICISMS OF McCARTHY'S VERSION OF REPARATIONS FOR AFRICAN AMERICANS

1. **the baseline problem** (Arthur 217 [beginning last full paragraph] - 220): How to determine the position to which African Americans should be "restored" by reparations. (On 214-17, Arthur discusses some other relevant issues leading up to his discussion of the baseline; and on 220ff he discusses some other related issues, that I have put in #4 below.)
2. **"White benefit" issue:** Arthur thinks that the benefits whites have derived from the victimization of African Americans should not play any role in reparations. And on 211 he also says that it is not clear that people today—presumably meaning white people— benefit from slavery. He thinks the moral basis of reparations lies in the wrong done to African Americans, whether anyone else benefited from that wrong. McCarthy is not entirely clear where he stands on this issue. His view that the agent of reparations is the US government seems to bypass the "benefits to whites" issue, and so not have to deal with it; but he does not deny the likelihood that whites did benefit. (In part, but only in part, the difference between the 2 authors lies in the fact that McCarthy is much more focused on the causal impact of both slavery and segregation on present-day African Americans, while Arthur does not look into this issue in a serious way, and also tends to keep focused on slavery, not taking up segregation. (Fullinwider also dismisses white benefit on 5a, but does not give any basis for doing so.)
3. **role of U.S. government** (Arthur 219-20): Arthur says that the view that the U.S. government is the main agent of reparations is the best shot that the pro-reparations view has. But he raises a concern that many other non-governmental agents played a central role in slavery and the slave trade, so, he says, the overall role of the US government in the big picture may have been "a small part of the whole."
4. **estimating damage** (Arthur 220-21): How can we calculate the damage to African Americans *in the present* when being deprived of opportunity (as happened during slavery, and segregation too, though Arthur does not take note of the segregation aspect) is very different from having property taken away. Property can be restored, even in subsequent generations; it can be given back. But how do you restore opportunity that was never given?
5. **The class/race challenge:** If African Americans' lives can be improved by race-neutral initiatives (e.g. universal health care, improved access by low income populations to quality education) that also benefit other groups, although benefiting African Americans *more*, is this *within* or *contrary* to the spirit of reparations?
6. A related point concerns **McCarthy's focus on the most disadvantaged** segment of the African American population. Does this focus suggest that the demand for reparations is being driven by justice considerations other than, though in addition to, the purely "reparative" dimension of reparations? (McCarthy calls these other justice concerns "distributive," in keeping with standard terminology concerning present-oriented injustice. He is saying that the past-oriented element of reparative justice is different from the present-oriented one of distributive justice.) For example, you might think that justice demands that access to public education should not depend on ability to pay, so making that available for African Americans has nothing specific to do with reparations (and it applies to low-income people of every group, as point #5 mentions).
7. **"statute of limitations" problem:** In law, we think that after a certain amount of time, certain crimes should no longer be prosecuted. Do you think the "crimes" to which reparations for Black Americans is a response are or should be subject to this statute of limitations?