



# Education Reparations

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## The Brotherhood of Elders Network & Education Reparations

The Brotherhood of Elders Network (BOEN) is an intergenerational network of men of African descent dedicated to creating supportive environments where Black males can thrive. To this end, The Brotherhood's Education Committee has developed a [Black Education Vision](#), which includes the pursuit of Education Reparations in order to address the many harms visited on Black learners from slavery days all the way through present day educational discrimination. To forward the cause of Education Reparations, BOEN's Education Committee is pursuing two strategies: a California legislative strategy that builds on the work and recommendations of The California Reparations Task Force (2020-2023)<sup>1</sup>; and a cultural organizing strategy that co-creates a shared understanding of Education Reparations with BOEN's advocacy partners. This document represents an initial effort in the latter strategy.

## What are Reparations?

Reparations are the act or process of making amends for a wrong.<sup>2</sup> The United Nations (U.N.) states that "Victims have a right to reparation...to redress violations of human rights by providing a range of material and symbolic benefits to victims or their families as well as affected communities. Reparation must be adequate, effective, prompt, and should be proportional to the gravity of the violations and the harm suffered." The U.N. goes on to describe the elements required for an action or process to be defined as reparations<sup>3</sup>:

- **Restitution**, which should restore the victim to their original situation before the violation occurred, e.g. restoration of liberty, reinstatement of employment, return of property, return to one's place of residence.
- **Compensation**, which should be provided for any economically assessable damage, loss of earnings, loss of property, loss of economic opportunities, moral damages.

*(cont'd on p2)*

1 [AB 3121: Task Force to Study and Develop Reparation Proposals for African Americans | State of California - Department of Justice - Office of the Attorney General](#)

2 [What Are Reparations?](#)

3 [Reparations | OHCHR](#)



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- **Rehabilitation**, which should include medical and psychological care, legal and social services.
- **Satisfaction**, which should include the cessation of continuing violations, truth-seeking, search for the disappeared person or their remains, recovery, reburial of remains, public apologies, judicial and administrative sanctions, memorials, and commemorations.
- Canadian Indian Residential Schools Settlement Agreement in which Canada agreed to pay reparations to the survivors of its residential school system, which forcibly removed and enrolled hundreds and thousands of First Nations, Métis, and Inuit children from the 1600s until the mid 1990s. Many of the children in these schools were physically and sexually abused, and thousands more died or went missing. It is estimated that by 2012, Canada paid more than US\$3.6 billion to approximately 78,400 recipients. The reparations program also included a Truth and Reconciliation Commission as well as funding for the Aboriginal Healing Foundation, commemorative projects, and mental health resources for former students.<sup>5</sup>

Another requirement of reparations under international law is **cessation and guarantee of non-repetition**, meaning that the harms stop and assurances are made that they will not happen again. In 2020, the U.N. High Commissioner on Human Rights spoke about the “catalytic power that genuine remedy and reparations can have on the daily life of victims, families, communities and entire societies.”<sup>4</sup>

Examples of past reparations agreements include:

- Agreement between Germany and Israel, in which Germany agreed to pay reparations to the survivors of the Holocaust and their descendants as well as the descendants of those who were murdered in the Holocaust. Reparations took the form of direct payments to survivors and compensation for health impacts. By 2000, Germany is estimated to have paid more than US\$38.6 billion in reparations to approximately two million recipients.
- United States Civil Liberties Act of 1988 in which the U.S. agreed to pay reparations to Japanese Americans who were incarcerated between 1942 and 1946. Over 82,000 recipients received \$20,000 each for a total allocation of almost \$1.65 billion. The U.S. also issued a formal apology to each recipient.

### What are “Institutional Reparations”?

Reparations can be made in different forms, but often people only imagine direct payments<sup>6</sup> when they think of reparations. **Institutional reparations**—dedicated investments in social and political institutions—can complement direct payments and provide a critical avenue towards sustainable repair. Institutional reparations can take many forms, including land grants or restitution of property rights, social service benefits, establishment of policies and government bodies to steward reparations processes, access to housing and health care, and investment in educational institutions. Any of these institutional approaches must meet the criteria of restitution, compensation, rehabilitation, and satisfaction to qualify as reparations.

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4 [15th Anniversary of the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law 'The catalytic power of reparations' | OHCHR](#)

5 [Reparations Task Force | Berkeley Unified School District](#)

6 [Reparations For Oppression | Chappelle's Show | Comedy Central Africa](#)



## Why institutional education reparations?

When considering different forms of institutional reparations, investments in education stand out as holding particular promise to achieve reparatory goals. In large part, the promise of institutional education reparations rests on the unique position of education as a lever for upward social mobility and the positive social impacts that ripple out from that upward mobility: researchers have shown that better educational opportunities are correlated with a range of long-term benefits including increased health, happiness, income, and civic engagement. Importantly, these benefits are not limited to the direct recipients of improved education, but also accrue on community- and society-wide levels, including lowering crime rates and expanding the tax base.<sup>7</sup> Taken together, the benefits of institutional education reparations are clear, enduring, and address specific harms for victims and their descendants while simultaneously improving society for all.

## Why should Black people in California receive education reparations?

Black people in California and throughout the United States deserve education reparations in recognition of the rich, documented history of anti-Black racial discrimination in education, including but not limited to: laws and statutes denying schooling, chronic under-resourcing of public education systems, racially separate and unequal schools, mass firing of Black educators, discriminatory student tracking, discriminatory use of discipline, the development of the school-to-prison pipeline, and racist curricula. The final report of The California Reparations

Task Force<sup>8</sup> describes these harms in painful and incontrovertible detail, making it a key resource in understanding the need for education reparations.

## What about people of other races who have been harmed by racial prejudice and discrimination?

A common concern voiced in discussions of reparations for Black people in the United States is that these reparations do not benefit people of other races, many of whom have themselves experienced harm in this country, including racialized harm. It is important to note that these concerns do not negate the civil and human rights violations Black folks throughout history have suffered (and thus the justification for reparations), while also recognizing the truth and gravity of civil and human rights violations suffered by other groups. With these considerations in mind, the BOEN Education Committee pursues a strategy of targeted universalism in relation to education reparations, as defined by the UC Berkeley Othering and Belonging Institute:

*“Targeted universalism means setting universal goals pursued by targeted processes to achieve those goals. Within a targeted universalism framework, universal goals are established for all groups concerned. The strategies developed to achieve those goals are targeted, based upon how different groups are situated within structures, culture, and across geographies to obtain the universal goal. Targeted universalism is goal oriented, and the processes are directed in service of the explicit, universal goal.”<sup>9</sup>*

(cont'd on p4)

<sup>7</sup> [Opinion | Education in America: School Is for Social Mobility - The New York Times](#)

<sup>8</sup> [Final Report of The California Reparations Task Force](#)

<sup>9</sup> [Targeted Universalism | Othering & Belonging Institute](#)



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As we directly advocate for reparations for Black people, we recognize that the intricate interconnection of the universe means that Black people's education, health, and well-being is inextricably linked to the education, health, and well-being of all members of our human family. Therefore, we hold dear our goal of quality education, health, and well-being for all peoples as we employ a targeted strategy of securing education reparations for Black learners. This important work must be done in solidarity with peoples of different races, genders, and other markers of difference, while acknowledging the track record of Black advocacy in this country that has improved the lives of all U.S. citizens and denizens (including through the provision of free public education throughout the country).

### What could institutional education reparations look like in California?

In collaboration with our local and national partners, The Brotherhood's Education Committee has identified a variety of forms of institutional education reparations that can be used in combination with each other:

- **Excellent, safe, state-of-the art education facilities.** Schools and other public educational facilities are not only functional, free of work order backlogs, and in compliance with [Williams v. California](#), but are inspiring, LEED certified facilities equipped with accessible green spaces, cutting-edge technology including opportunities to engage with artificial intelligence, and abundant maintenance resources to serve our students and families.
- **Endowed Community Schools.** Abundant, sustainable funding for Community Schools that provide holistic wrap-around services—including, but not limited to, accessible health care, nutritious food security, postsecondary readiness, and extracurricular enrichment opportunities—to the benefit of students, families, and community members at large.
- **Well-rounded, culturally resonant school curricula.** Curricula that meaningfully incorporates music, visual art, lab sciences, multiple language studies, outdoor and land-based learning opportunities, professional and technical training, and physical education while offering students a robust range of elective and extracurricular choices and required Black Studies & Ethnic Studies courses.
- **World-class training, compensation, and support for Black educators.** Recruiting, developing, and supporting excellent Black educators by providing credentialing guidance, outstanding compensation, premium health benefits, housing support, pension, paid leave & sabbaticals, unemployment insurance, continuing education opportunities, peer racial affinity spaces, professional coaching, and individual and collective wellness opportunities.
- **Grants to Black-led and Black-serving educational institutions.** Abundant supplementary financial support for all Black-led educational institutions that serve high numbers and/or proportions of Black students and families, are recognized as historically Black institutions, or which fall within geographic areas that are currently or historically recognized as predominantly Black. Funded institutions include primary and secondary schools, third spaces, community-based youth development organizations, historically Black colleges and universities, and research institutes.
- **Free schooling for Black learners from daycare through post doctorate studies.** Tuition and fee-free education for all Black students throughout their schooling journey.