

H.R. 40 and the Path to Restorative Justice

A hearing in the Subcommittee on the
Constitution, Civil Rights, and Civil Liberties,
of the Committee on the Judiciary,
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Traces of the Trade: A Story from the Deep North

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I grew up in Philadelphia, six blocks from Independence Hall and the Liberty Bell. I used to walk on stilts with a colonial bonnet on the sidewalk in front of our house, selling lemonade to tourists. I loved knowing that in my daily life in the neighborhood I got to walk on the same brick sidewalks and cobblestone streets that Benjamin Franklin, Thomas Jefferson, and George Washington walked on. To this day I still tear up with patriotic idealism when films or TV shows cover anything about the writing of the Declaration of Independence or the Constitution.

Fast forward: When I was twenty-eight, I was in seminary studying theology and ethics, and my grandmother did something that changed my life forever. She sent a booklet to all her grandchildren summarizing our family history. She had the courage to include two sentences which plainly stated that our Rhode Island ancestors had been slave traders. Rhode Island. Slave traders. I was shocked and devastated. And within moments I realized I already knew this about our family. I realized I had buried it because it was too painful.

What my grandmother didn't know, but I soon found out, was that the DeWolfs, over three generations, brought more enslaved Africans to the Americas than any other U.S. family, from the North or the South. Over twelve thousand men, women, and children were taken across the Middle Passage on their ships. The family's leading slave trader, James DeWolf, was reported to have become the second-richest man in the nation by the time of his death—and he had served as a member of the U.S. Senate.

It was clear to me that I needed to reckon with this. I was frightened, but I sensed that I would come to much more deeply understand today's world, my position in it, and the implications. How might I have been set up for success by this seemingly distant past?

One of the first things I learned was that the DeWolfs were not alone: Rhode Island was the state that dominated the slave trade. Not South Carolina, not Virginia. And this was just the tip of the iceberg. Contrary to what I, and so many of us, learned in history classes growing up, slavery was legal in northern states for over 200 years; a considerable percentage of northerners made their livings in businesses tied to the slave trade and slavery; and even as slavery and the slave trade were being abolished in the North, the Industrial Revolution took hold in northern mills processing raw cotton harvested by enslaved people in the South; banks and insurance companies made fortunes financing southern cotton production; and so on and so on.¹

Accepting this reality required reorganizing my brain. It flew in the face of my understanding of Northerners as heroic abolitionists, the good guys. The amnesia in myself and my family matched a broader northern amnesia. So this was a story that needed to be told.

I decided to make a documentary film. I wrote to over 200 DeWolf descendants, most of whom I didn't know, and asked who would join me on a filmed trip to retrace the path of our ancestors' triangle trade: from Rhode Island, to the slave forts in Ghana, to the sites of family plantations in Cuba. Ten of us set forth in the summer of 2001. The film *Traces of the Trade: A Story from the Deep North*, along with my cousin Tom DeWolf's book *Inheriting the Trade*, chronicle our journey. Hundreds of amazing people put their hearts, minds and hands into the making of the film. The documentary premiered at the Sundance Film

¹ Christy Clark-Pujara, *Dark Work: The Business of Slavery in Rhode Island* (New York: New York Univ. Press, 2016); Mac Griswold, *The Manor: Three Centuries at a Slave Plantation on Long Island* (New York: Farrar, Straus and Giroux, 2013); C.S. Manegold, *Ten Hills Farm: The Forgotten History of Slavery in the North* (Princeton, N.J.: Princeton Univ. Press, 2010).

Festival in 2008 and aired later that year on PBS's P.O.V. series. I went on to co-found an organization, the Tracing Center on Histories and Legacies of Slavery, to deepen our work. Two of my relatives from the filmed journey are here with me this morning: Elizabeth Sturges Llerena and James DeWolf Perry.

What we learned, what we faced, how we stumbled, how we grew during that journey led us all to become passionate believers in the importance of reckoning with the history and legacy of slavery. Believers in personal and family reckonings, institutional ones, and larger national reckoning. And with that, we believe in the rightness of the cause of "repair," of reparative action, of restorative justice, which can and should take many forms, and which a commission could explore. So I speak for the ten of us, when I express whole-hearted support for H.R. 40.

That being said, I want to acknowledge right away that the very idea of this process of inquiry frightens or angers many Americans. For them, to even consider reparations for slavery and racism is to assault their sense of what this nation has been, of how we achieved our national greatness, and perhaps even the role their own families and communities played in this history. To weigh a national effort at acknowledgment and repair is to discount what they believe were the hard sacrifices of previous generations, to question the sources of their prosperity, to connect them to the history of slavery ... and on the wrong side.

In hundreds and hundreds of screenings, dialogues, and workshops, I and other family members have heard the same objections already being raised about H.R. 40: "But my ancestors weren't even here during slavery!" "My ancestors lived in the North!" "Any reparations should be paid by the wealthy few who profited from slavery." "Weren't our Civil War dead reparations enough?"

These objections reveal the pleasant myths about our history to which Americans of all backgrounds have traditionally been exposed in our schools, our museums, our public parks, and our commemorative events. These myths arose in part because Americans didn't want to talk about inconvenient truths, and in part as a grand bargain after the Civil War, to allow those in the North and the South to have their different explanations for the national conflict and its causes.² In time, these historical myths about the presence or absence of slavery, who was or wasn't involved, and what enslaved labor meant for our national progress, became entrenched in the historical narratives which form a core part of our various identities, as individuals and as members of families, communities, regions, and the nation itself.³ To question these historical myths is to chip away at the foundations of many Americans' sense of self and of belonging.

I want to put forward an alternative way of seeing the process that a commission would help the country embark upon. It could be a transformative, healthy, healing, positive and life-giving thing for the country as a whole. A beautiful thing. It is good for the soul of a person and of a nation to set things right. Right relationship is a good thing. Repairing harm is a good thing – for all involved. Love of neighbor and of stranger is core to all of the great religious traditions and key to that are the concepts of fairness, of justice, and of making amends where grievous harm has been done. And, importantly, a compassionate, just society is good for all people. It is the vision of beloved community articulated by the Reverend Dr. Martin Luther King, Jr.

I'll now share some of the key learnings for me from our family journey in hopes that they have larger resonance. They speak directly to the misconceptions about our national history referred to above, and to the emotionally-charged nature of all of this. In sharing reflections, I am drawing not just on our

² See Robert Penn Warren, *The Legacy of the Civil War* (Lincoln, Nebr.: Univ. of Nebraska Press, 1961).

³ Kristin L. Gallas and James DeWolf Perry, "Comprehensive Content and Contested Historical Narratives," in Gallas and Perry, eds., *Interpreting Slavery at Museums and Historic Sites* (Lanham, Md.: Rowman & Littlefield, 2015), 1-20.

experiences retracing the triangle trade, but on the eleven years since the film came out, during which I, like other family members, have been privileged to travel extensively with the documentary for screenings and dialogues in hundreds of religious congregations (especially within the Episcopal Church), schools, museums, community groups, etc., hearing from thousands of people – including those of both African and European descent – about what is on their hearts.

To cut to the chase, I have come to understand the massive scope and scale not just of my family’s involvement, but of the whole institution of slavery: what an economic engine it was in our becoming the powerhouse nation that we are – how it drove upward mobility for white people across the economic spectrum, during and after slavery, while creating untold suffering for those whose very bodies, labor, language, culture, religion, and freedom were stolen.⁴ Meanwhile, I see in myself and in other white people an instinctual and I would add – understandable – urge to distance ourselves from facing these facts, from being associated with this history in any way, and thus from being associated with any responsibility for its legacies.

So to share in more detail about some of the core revelations and reframes I experienced:

First was the realization that given Northern complicity, slavery built this *nation*, and not just the South.⁵ As my esteemed fellow panelist Ta’Nehisi Coates said once: “Slavery wasn’t just a bump in the road, it was the road.”⁶ Even the so-called free states generally permitted slavery at one time or another,⁷ and in many, free economic enterprise during westward expansion included (in what is now the Midwest) growing foodstuffs to feed the southern states where land was devoted to cash crops like cotton and tobacco.

Once I understood that this was a national institution, I began seeing that the legacies are for the entire nation to address. The calculus changes.

It’s important to acknowledge that white northern complicity in slavery is not news to most white southerners, nor to black Americans, where there’s a tradition of calling the North “Up South.” So another revelation was that I’d been carrying a self-righteousness, a sense of moral superiority relative to white southerners that was ill-founded. At one screening a white woman came up to me in tears saying she knew the South had much to atone for, but she was grateful for my family’s acknowledgement that they are not alone. Suddenly I was seeing all the culture wars over the meaning of the Civil War in a new light. A commission could delve into these consequential layers – of not just black/white divides, but white North/white South resentments that fuel the politics of region and race up to the present day.

So there’s a pattern of distancing and dissociating I started noticing everywhere: white southerners want to distance themselves (e.g., embracing the myth that the Civil War wasn’t fought over slavery) and white northerners want to distance ourselves (e.g., embracing the myth that the North went to war to emancipate

⁴ This is not to say that the enslaved, and free people of African descent, were ever merely victims of slavery. See, for instance, Manisha Sinha, *The Slave’s Cause: A History of Abolition* (New Haven: Yale Univ. Press, 2016).

⁵ See, e.g., Gene Dattel, *Cotton and Race in the Making of America: The Human Costs of Economic Power* (Chicago: Ivan R. Dee, 2009); Sven Beckert and Seth Rockman, eds., *Slavery’s Capitalism: A New History of American Economic Development* (Univ. of Pennsylvania Press, 2016).

⁶ Consider the historical relationship of our nation’s premiere educational institutions to slavery and racism: Craig Steven Wilder, *Ebony & Ivy: Race, Slavery, and the Troubled History of America’s Universities* (New York: Bloomsbury Press, 2013); Leslie M. Harris, James T. Campbell and Alfred L. Brophy, eds., *Slavery and the University: Histories and Legacies* (Athens, Ga: Univ. of Georgia Press, 2019).

⁷ For one example, see R. Gregory Nokes, *Breaking Chains: Slavery on Trial in the Oregon Territory* (Oregon State Univ. Press, 2013).

the enslaved), and then there's another group, which is white people who say to me constantly: "We came after slavery!" – clearly by way of saying: "This is your problem, not mine." Interestingly, that's my people too. I of course have many ancestors, so in addition to the DeWolfs who occupied an elite status, I have European immigrant ancestors who came to the U.S. in the 19th century, worked in factories, and struggled. But because they were defined as "white," they were able to move up the economic ladder,⁸ assimilate, marry into wealthier families, etc. Their lives, and those of their descendants, were simply very, very different from those of millions of black families who were already here but not yet able to access the opportunities available to even the poorest, least educated, most recent arrivals from Europe.

I'll never forget when I met with historian David Brion Davis and he broke it down: (to paraphrase) "Why do you think waves of European immigrants were flocking here? Because it was the Land of Opportunity. Because there were jobs. And why do you think the economy was booming and the Industrial Revolution taking off? Because the economy was built on unpaid labor. And did the recently freed slaves get the benefit of those factory jobs? No, European immigrants, because they were white, got to leapfrog over them, with devastating consequences for black families up the present time."

This is not to say that all white people today are securely in the middle or upper class. Poor and working class whites don't have privilege to the degree that I do. This is important to name. But many of today's harmful class and race dynamics were set in motion long ago as part of this history. The southern planter elite led the way in deploying the invented concept of race – the fiction of blacks and whites being separate races, with whites as the superior race – to both justify keeping Africans enslaved, and to entice European indentured servants to identify with other, better-off white people rather than with enslaved Africans with whom they had reason to make common cause.⁹ Classic divide and conquer.

For me it's been wave upon wave of revelation of grievous layers of harm, of compounding effects over time. As Edward Baptist's book title states: *The Half Has Never Been Told*.¹⁰ The fact that I needed reeducation, that we don't teach the full extent of this history in our schools, that what we do learn in school or elsewhere is largely mythologized, is just one more aspect of the distancing and the dissociation.¹¹

And... I think it's not surprising, given human nature. Whether it's in our textbooks, or in the narratives we have about our family histories, no one wants to feel implicated. We don't want the shame of it, and we don't want to feel responsible for what our distant ancestors may have done. We want to be related to good guys, not bad guys. We want to be proud of, not ashamed of our country. I remember hearing a white parent quoted in a news story about curriculum conflicts in Arizona who said, "We're just tired of them teaching our kids what's wrong with America." My belief is that we can hold both pride and shame in healthier balance. The Philadelphian in me knows there is much to be proud of, as well as much to squarely acknowledge.

⁸ Consider, for instance, Ira Katznelson, *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America* (New York: W. W. Norton & Co, 2005).

⁹ Jacqueline Jones, *A Dreadful Deceit: The Myth of Race from the Colonial Era to Obama's America* (New York: Basic Books, 2013).

¹⁰ Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014).

¹¹ For an invitation to white Americans to associate rather than dissociate see Rebecca Parker's essay: "Not Somewhere Else, But Here," <https://www.uua.org/re/tapestry/adults/btwwda/workshop7/handout2>

And I don't believe there's shame in not wanting to feel shame. Humans hate feeling shame. And that's because we *want to be* moral and good, and we want to be *seen* as moral and good. That's a good thing. But let's not let it keep us in denial.

Here's another layer: I've noticed in myself and in my fellow white Americans that we tend to imagine that black people are angry *at us*, and we don't think we deserve it, so we defend ourselves and people like us. But in my years of experience, black Americans are not angry at us as individuals, for the deeds of bygone ancestors who may have been complicit in large or small ways, but they are – and I would say rightfully – angry that we don't just drop all the defensiveness and protestations, and sign up to work with them, shoulder to shoulder, on tackling the legacies – the extensive and devastating racial disparities – that are still challenging our country today. I can attest that it can actually be liberating to let go of the defensiveness, and be open to the gift of mutual respect. My life has been incalculably enriched by stepping into a world of cross-racial reciprocity and connection that I didn't know was absent from my life until I was there in it. And, resultantly, I hope I've become a better partner in the work of racial justice.

White guilt is arguably the opposite of denial, defensiveness, or push back. It's a case of facing the horrors of the history and instead of an attachment to feeling good about one's people, it can be a full-blown shouldering of feeling really *bad* about one's people. But interestingly, it can still be “all about us” and our emotional turmoil and neediness. I've heard so many black Americans say, in essence: “Please get over the defensiveness *and* please get over the guilt!” (“Get over yourself!” one might add). I've heard church people say, “You are already forgiven in Christ, so come on along.” There is actually an incredible generosity of spirit that I've witnessed. It more than deserves to be returned in kind.

I love that people are starting to apply Elizabeth Kubler-Ross's five stages of grief to the process we white folks often go through as we are attempting to face the history and legacy of slavery. Denial, anger, bargaining, depression, acceptance. Acceptance opens the door to healthy, and shared *grief*, which is different, and more productive, than white guilt. It is more compassionate, and less self-absorbed.

Healthy and shared grief – lamentations – open the door to sober, sacred, respectful, creative, collective conversations about how to make things right, as best we can.

An H.R. 40 commission would help us begin by telling the truth as a country. In the language of recovery, it would constitute a “searching and fearless moral inventory.” If we are willing to stand in the truth and the shared grief, I hope and pray that public will would naturally emerge to engage in the other part of the commission's mandate: a much-needed, healthy debate among people of good will about apology, repair, remedies, reparations, restorative justice. The details of what that could look like can come as part of the process, and don't need to be pre-determined. Reasonable people can and will disagree.

The good news is that there are already so many communities, all around the United States, that have taken up the work of facing their hard history, grappling collaboratively with what to do about it, and creating transformative programs. There are countless powerful efforts already underway in the civic and religious sectors that can be a source of ideas and inspiration for a Commission – whether they are focused on making the history more visible, at holding dialogue, or working for racial repair, equity and justice. A brief sampling of some of the efforts that I am most familiar with include:

- Coming to the Table (a network of descendants of the enslaved and the enslavers in deep dialogue and with a reparations working group guide) (<http://comingtothetable.org/>);

- The W.K. Kellogg Foundation’s Truth, Racial Healing, and Transformation network of local initiatives (<https://healourcommunities.org/>);
- The atonement, racial healing and racial justice work being done in the Episcopal Church (<https://www.episcopalchurch.org/racial-reconciliation>), the Southern Baptist Convention, and many other Protestant denominations, as well as the National Council of Churches;
- The Universities Studying Slavery association and their member universities (<https://slavery.virginia.edu/universities-studying-slavery/>);
- The Middle Passage Ceremonies and Port Markers Project (<https://www.middlepassageproject.org/>);
- The Slave Dwelling Project (<https://slavedwellingproject.org/>);
- Hope in the Cities/Initiative of Change in Richmond, Va. (<https://us.iofc.org/hope-in-the-cities>);
- The Teaching Hard History initiative of Teaching Tolerance (<https://www.tolerance.org/frameworks/teaching-hard-history/american-slavery>).

The baseline for me, given all that I’ve learned, is that I’m clear that there is a national debt that is owed to descendants of enslaved Africans. I would ask my fellow Americans who are inclined to disagree to suspend judgment, to please reconsider, and to be open to the good that can come of a national reckoning process via H.R. 40. We Americans have a history of always seeking to be and to do better. This is a sacred opportunity to do just that.

I’ll close with a quote from African American columnist Leonard Pitts Jr., from a column he wrote in 1998, which was the year I decided to initiate our family process. It’s his answer to a 17-year-old white girl who asked: “What do you want from me?” His answer has been my touchstone ever since:

Don't hate black history, if only because it's your history, too. It exists not to accuse you or to shame you. It simply exists. And you, every bit as much as I, have to make peace with it. Understand that this is sacred ground and it hurts to walk here. But at the same time, I “need” to walk here, need the strength, the sense of purpose, the knowledge of self, that walking here imparts. ... What do I want from you? I want you to be my sister and to walk here with me. I know it’s a hard walk. I know it causes you pain. But this much I also know: If ever we learn to tread this ground together, there’s no place we can’t go.¹²

¹² <https://www.miamiherald.com/opinion/opn-columns-blogs/leonard-pitts-jr/article225293430.html>