

::: The African-American Plebiscite Vote

Our Plebiscite is an Internal Vote among African-Americans 18 and Older - Offered as a Multi-Trillion Dollar Solution to Repair the Black Family Back to Their Status Prior to Slavery

We have had 47 years to gauge the frustrations of the Civil Rights Movement (CRM) era. Up to this date, our Black Congress, Civil Rights Ministers, Lawyers and their supporters have been unable to repair the masses because they have been unable to figure out how to upgrade our status from second class citizenship to first class citizens within the restraints of 'civil rights'.

Consequently, it is time to allow for the consideration of a different reparative paradigm, known as **“Human Restorative Rights” leading to Sovereignty.**

The 'Indigenous Plebiscite' is offered as a vote among blacks to restore our humanity. It is a collective vote to engender and recognize that we as a people are indigenous to America and should be treated as people with indigenous rights to the land. The 'Indigenous Plebiscite' reflects the desire for a comprehensive “Marshall Plan” like approach to Reparations that acknowledges the historical presence and value of uncompensated assets in land, and other reparative measures that are due to blacks, after slavery, and 500 years of racial oppression.

Who can represent the collective injury of 40-50 million African-Americans in a shared assets case involving sovereign and collective reparative rights?

N'COBRA, NBUF, Deadria Paellman, Cato, Abdullah, Imari Obadele, General Rashid and Reparationist across the country have had their claims for collective reparations dismissed only because they do not have **standing** as individuals, or groups to file on behalf of 50 million slave descendants, and secondly because the collective injuries incurred during Slavery and Jim Crow Segregation periods, happened beyond the **statute of limitations**. Hence, under this approach there is not a chance under the individual applications of American case law to become compensated for the collective injuries emanating out of the Slave Codes, and Jim Crow Laws. The Federal Appellate courts have also pointed out that the United States is a sovereign union who does not have to waive its sovereignty in its own courts.

On the other hand, international law¹ recognizes the right to a collective remedy based on the fact of collective racial slavery. In this view, these collective crimes of 'genocide' and 'crimes against humanity' do not have a statute of limitations. Additionally, the 'state actors' and those who are facilitated or protected by the state cannot claim **sovereign immunity** for their crimes under the doctrine of 'state responsibility'.

What kind of collective are we? Are we citizens of the United States?

The International scholars of the Indigenous African-American Reparations Tribunal have opinioned that the descendants of African slaves are indigenous to the United States, but are not

not citizens of the United States, because the Africans were a kidnapped people who never exercised their free will to choose American citizenship. Moreover, it has been found that the descendants of the African slaves have been repeatedly harmed in their attempts to assert their human and civil rights. Accepted political science has uniformly established that citizenship cannot be conferred, because citizenship is a social contract a person voluntarily makes with state.

This offering of a 'status plebiscite' belies the fact that there is not unanimity of agreement amongst the slave descendants, as to whether they are American minority citizens, or are entitled to 'Special rights of indigenous persons'. It is also recognized herewith that some indigenous Africans wish to succeed to the lands of their fathers in Southern America, as others to their forefathers in Africa, while many are committed to receiving their own territory, entitling them to additional interest in the land. In light of these concerns there remains a significant reason to structure an AAIU Plebiscite Vote to determine the will of the slave descendants in America.

Why a Plebiscite?

A Plebiscite vote would allow the African-descendants to determine these statuses democratically. Thus, transforming the vote for recognition of a 'legal status' into a political vehicle for **collective reparations**. One of the major reasons the Reparations Movement has stagnated is because of the failure to realize that genocide and crimes against humanity are international torts rather than domestic torts. This failure of the reparation lawyers ignores the differences, the main difference between civil rights and human rights. Human restorative rights recognizes that human beings have the collective right to **self-determination** in their land of origin, and where they reside, whereas civil rights only concerns themselves with individual protections against discriminations by the state in which they reside.

A plebiscite is offered as a way to decide status issues that determine the rights of a people indigenous to the land. It is proffered herein as a determinate of the American black slave descendants to indigenous land and status rights.

In recent years the United States Congress has sanctioned three land and status plebiscites. On March 4, 1998 a Plebiscite was sanctioned by the Congress on the holding of a binding Plebiscite allowing Puerto Rico to determine whether it wanted to remain a U.S. territory, a State of the United States, a commonwealth, or become an independent nation. This legislation was adopted in response to Puerto Rico's Legislative assembly petition to Congress in 1994 and 1997².

In the same year, The Hawaiian population held an Internal Plebiscite Vote that resulted in a 73% yes vote for Hawaiian sovereignty. Presently, the issue of a Hawaiian independent state is now winding its way through Congress, and the Federal District Court in Hawaii. The third plebiscite successfully ended in a yes vote for an Inuit [Eskimo] homeland called Nunavut. Blacks should utilize this strategy to get reparations and build safe sovereign cities. Bottom line, African-Americans should live in improved integrated, repatriated, and safe sovereign cities in America.