

Who are “We the People”?

In slavery, black people were treated as property — without rights, without privileges, without personhood. In *Dred Scott v. Sandford* (1857), the Supreme Court endorsed this practice when it held that black people had no rights that government was required to respect. African Americans were not Constitutional People, the Court said, but Constitutional Property.

Black and white Union soldiers fought a Civil War against Confederate secessionists to end the practice of treating human beings as property. With Union victory, the nation was reconstructed to guarantee human equality and dignity. Since Reconstruction, the Nation has struggled to define and secure the Constitutional Personhood of every man, woman and child.

At the heart of that struggle is the right to vote.

Under Reconstruction laws and with Union protection, *black people voted at rates above 90 percent, and between 1867 and 1877 roughly two thousand black people were elected to public offices ranging from national Congressmen to local justices of the peace. Integrated state legislatures established public education systems, addressed public health needs, and protected free labor.*

This exercise of Constitutional Personhood was met with white supremacist terror. At the same time, the reconstructed Union lost its will to enforce emancipation and withdrew its protection. Klan violence and voter suppression cut off the black vote. By 1900, disfranchisement of southern black voters was virtually complete, and southern state legislatures – unchecked by the federal government or courts – enacted the Jim Crow laws that recreated slavery under another name.

In defiance of these laws, an insurgency was generated. Sharecroppers and domestic workers faced violence to register and vote in the Deep South and to participate in party politics. These activists were joined by young people from across the Nation. Many were beaten and arrested; some were murdered; but they won the protections of the Voting Rights Act of 1965. The Federal government once again had the authority to protect the right of every citizen to vote, and black voting surged.

In 2013, the Supreme Court gutted the Voting Rights Act of 1965. Twenty states, including Missouri, now have voting restrictions in place that disproportionately affect minorities, students, the elderly, and the poor.

We are part of a long struggle.

We are the People.

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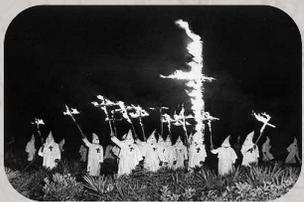
Dred Scott: (1857), the Supreme Court held that African Americans *were not citizens*, and thus, they had "no rights that the nation is bound to respect."



Reconstruction: After the Civil War, with blacks voting at rates close to 90%, around 2,000 black legislators and officials were elected in a period of 10 years.



End of Reconstruction : In *United States v. Cruikshank* (1875), the Supreme Court held that the federal government didn't have the power to prosecute a white mob after they massacred a group of freedmen who gathered to support their candidate. In the following years, the KKK expanded its use of force and intimidation to stop blacks from voting. This violence began a period of terror against blacks and put an end to reconstruction.



During the **Freedom Summer of 1964** grass roots civil rights groups registered black voters in Mississippi who had been denied their voting rights through racial terrorism and discriminatory election laws. Activists were beaten, jailed, and killed. They formed the **Mississippi Freedom Democratic Party** - which permitted black membership - to challenge the white-only Mississippi Democratic Party for seats at the Democratic National Convention.



In *Weinshenk v. Missouri*, the Missouri Supreme Court held that voter ID laws violated the state constitution. **Amendment 6** seeks to overturn

that decision by imposing a voter ID requirement by altering the state constitution. Dozens of other states are now passing similar restrictions.



In *Shelby County v. Holder* (2013), the Supreme Court gutted the key provision of the Voting Rights Act that required states with a documented history of discriminatory voting laws to obtain

permission from the federal government before modifying their election policies. The ruling opened the door for a spate of voter ID laws to be passed without federal scrutiny.

Bloody Sunday: Direct action by civil right activists led to passage of the **Voting Rights Act of 1965 (VRA)**. The VRA guaranteed the right to vote and made it illegal to impose racist restrictions on federal, state, and local elections. The VRA secured a direct role for the Federal Government in protecting the right to vote.

