

A Brief History Black Struggles for Liberation in the United States

Samuel Finesurrey and Gary Greaves

Enslaved Africans were first brought, through violence and coercion, by British colonists to the Americas in 1619. The first slaves arrived in what would become New York City in 1625. Slavery did not end with British rule in the 1780s. The importation of enslaved Africans was sanctioned in the U.S. Constitution until 1808. Slavery was not outlawed in the United States until the passage of the 13th amendment in 1865.

The John Punch Case (1640)

An indentured servant was someone who had their passage paid for to come to the United States in exchange for working off the debt for an agreed upon number of years. The practice was very common until Bacon's Rebellion in 1676 with poor Blacks and whites coming to Britain's American colonies as indentured servants. During the time of their servitude, indentured servants were beholden to the demands and violence of their masters. Unlike enslaved peoples, however, indentured servants were granted their freedom after their "debt" was paid off.

In 1640 three indentured servants ran away from their "master" before their time had been completed. They were captured and placed in front of a tribunal to be judged for their crime of running away. The first two runaways, both white, received three years added to their service. The final indentured servant who had fled, a Black man named John Punch, was sentenced to a lifetime of service. This was the first time in U.S. history that different treatment based on race found its way into the legal system of the American colonies. (Coates)

The racial classification laws of the 17th century codified differential treatment between white and Black people living in the American colonies. Legally and socially, Black Americans became officially outsiders, or "Others". It is from this point that modern conceptions of race developed in the United States. Racial categories are not natural, and race is not biological. Racial categories were created and codified in law overtime to develop and maintain a social and economic system that benefited those at the top—wealthy white men.

Before the ending of the 17th century there were Africans in Britain's American colonies who had basic economic and political rights. In what would become New York City some Blacks even owned property. However, as "racial" categories began to take hold, laws began to be enacted that would strip Africans of their social, political and economic rights. Throughout the 18th century, these rights continued to be stripped away, and second-class personhood was enforced for individuals with Black skin.

The capture, transportation and enslavement of Africans became big business. Enormous wealth could be made by families who transported and owned "enslaved Africans." New York City would be a center of the slave trade, financing more expeditions to get slaves from Africa than any other U.S. city at the turn of the 19th century. The wealth collected by white people from Southern plantations to the Slave Market that sat at the foot of Wall Street was passed down

from fathers to sons, to grandsons, to great grandsons. It is brutally ironic that the American Founding Fathers who talked about freedom and equality denied such freedoms to hundreds of thousands of their fellow humans at the time of Independence from England.

The relentless and structurally violent commitment to strip Blacks of personhood in the American colonies and early United States expanded as legal distinctions became justified by racist theories which were enshrined in the books, discussions and ideas. Enslaved Africans and all Black skinned persons became viewed as animals, not possessing souls, lacking intelligence, designed to be brutalized and therefore destined for perpetual forced labor (slavery). This stood in direct contradiction with ideals of freedom and liberty that the writers and signers of the American Constitution so valued. White “freedom” from the English could be had on the backs of captured men, women and children simply based on their Black skin. The framers of the U.S. Constitution would leave it to a future generation to address the inconsistency and structural violence sutured into the nation’s foundation.

Throughout our country’s history, there has always been racialized State violence and oppression. As important there has always been powerful, multi-racial resistance, Black intellectual and political leadership, progressive religious groups, abolitionists willing to risk their lives for collective freedom.

Generations of abolitionists advocated for the ending of chattel slavery. A wide mobilization of people throughout the U.S. fought to preserve the country when 11 Southern States decided that slavery, and the ownership of Black humans, was so important to them that they separated themselves from the United States of America and formed their own country. Even after the South’s defeat in the Civil War, the desire to maintain the structures of White Supremacy remained strong for Southern Whites who passed a series of “Black Codes” that relegated Black southerners to second class citizens. Many further attempted to enforce the subordination of African Americans through terrorism of institutions including the Ku Klux Klan and the White League, formed in the years following the Civil War. A series of post-Civil War massacres against African Americans including in Memphis Tennessee (1866) and Colfax Louisiana (1873) exposed many U.S. citizens to the harsh reality that racial injustice would not be easily eradicated.

A broad coalition of religious, political and everyday people mobilized, with Black intellectual and political leadership at the forefront, rejecting a return to the way things were before the Civil War. They sought out to reconstruct the South in a more inclusive way. People galvanized to pass the **Civil Rights Act of 1866** defining citizenship for all men (Americans) regardless of previous condition of servitude, and to pass the Reconstruction Amendments. Despite the limitations of these initiatives discussed in previous chapters, enormous progress toward racial equality was advanced in the decade following the Civil War. White Confederates who had just taken up arms against the United States were excluded from running for office by the Fourteenth Amendment. At the same time, over 2000 Southern Blacks would hold political office in Southern States, including fourteen congressmen, two Senators and a Governor of Louisiana.

The year 1877 marked the end of Reconstruction. Federal troops were withdrawn from the U.S. South as part of a compromise to settle the contested election of 1876. Over the next few decades

White Southerners would advance to reverse racial progress. They mobilized to strip the gains of African Americans and re-exert their political, cultural and economic authority. This was the start of the Jim Crow era that would last nearly 100 years.

World War I (1914-1918) seemed like an opportunity for Black Americans to advance toward economic and legal equality. U.S. President Woodrow Wilson entered the war in 1917 claiming he sought to “make the world safe for democracy.” Blacks, who had largely been stripped of the right to vote in the U.S. South, hoped their participation in the conflict would lead to true democracy at home, as well as abroad. Leading Black thinkers including W.E.B. DuBois even encouraged blacks to participate in the war, anticipating that military service would secure rights for African Americans in the United States. And yet, despite African American troops serving with distinction alongside French forces in the conflict, African American troops returned home to a nation determined to preserve white supremacy. DuBois would come to regret his pro-war stance. The 1910s mark one of the bloodiest decades in history. Blacks faced a re-emergent KKK as Whites sought to violently dispel any hopes for equality developed as African American soldiers fought for the United States in Europe. The Summer of 1919 has been termed the **Red Summer**. Aptly named for the extraordinary levels of violence enacted by Whites against Black communities as African American soldiers returned home from the War. Unsurprisingly many historians mark the 1910s as the beginning of the **Great Migration** North for African Americans, fleeing terrorism and economic persecution enforced by White Southerners.

Assignment: In a paragraph explain why White Americans increased their violence against African American communities as Black soldiers returned home from World War I in 1919.

During and after World War II, the Civil Rights movement gained traction again. Americans were fighting Nazi white supremacy abroad and yet witnessed segregation and discrimination at home. The **Double V Campaign**, a movement initiated by Black activists to secure victory against white supremacy at home, and victory against fascism abroad, made substantial progress during and after World War II in eroding legal segregation. A threat of a march on Washington forced President Roosevelt to desegregate the defense industry. It is not a coincidence that Major League Baseball was desegregated just two years after the war ended in 1947. *Brown v The Board of Education, Kansas of Topeka* ruled in 1954 that segregation in public education was not in keeping with the U.S. Constitution’s “Equal Protection Clause” found in the Fourteenth Amendment. Some have argued that the *Brown v. Board of Education* decision was an attempt to placate Blacks in the U.S. who were becoming deeply frustrated and angered by the prolonged racism and segregation of the United States, with a substantial group growing more radicalized with an interest in socialism, communism and Black nationalism. This fight took place in the U.S. South, but also the North. The struggle for Black liberation was waged in the courts and also the streets.

The Harlem 9

*The Brown case was decided in 1954, and five years later, in 1959, a group called **The Harlem 9**—nine Black mothers of children in Harlem who were attending segregated, ill-equipped, under-financed schools in New York—conducted a strike and withheld their children from school. The effort was led by an unsung civil rights warrior Mae Mallory, an activist for*

school desegregation, finance equity and Black power. In 1959, the parents were criminally charged for taking their children out of segregated schools. “We will go to jail and rot there, if necessary, but our children will not go to Jr. High Schools 136, 139 or 120,” Mrs. Viola Waddy told the city’s Department of Education and police. The case went to court. In the famous Skipworth decision, Judge Justine Wise Polier determined that the mothers’ mobilization was an act of love, not neglect, mandating that New York City dedicate resources to these schools and toward desegregation. (Back)

The 1960s saw major protests for racial justice erupt on the streets across the nation. Social movements provoked legislative and judicial changes, and backlash followed. This pattern is well inscribed in our history. Following the passage of Civil Rights legislation in the 1960s, the implementation of *de facto* segregation through practices like **redlining** took hold in many communities and cities around the country. Many had come to the point where they realize that civil rights did not just mean integration and voting rights, but the “basic rights to be free from unequal treatment...in such settings as employment, education, housing, and access to public facilities.” Civil rights activists worked – then and now - to ensure the protection of individuals from arbitrary and discriminatory treatment by the government and also to ensure that the government acts to prevent individuals or groups from receiving unequal treatment by private citizens.

The **Civil Rights Act of 1964** was passed by Congress to prevent the violation of the civil rights of Black Americans, as well as other historically marginalized populations. The Act outlawed discrimination based on race, color, religion, sex, or national origin. Passed in part as a reaction to the many White Americans especially (but not only) in the Southern States, who were in favor of segregation, the goal was to address the systemic unequal treatment that Black Americans were forced to deal with on a daily basis in many localities. While favored and advocated by President Lyndon B. Johnson, a Democrat, many whites in the Democratic Party disapproved of the Civil Rights Act of 1964, left the Democratic Party and joined the Republican Party. This shift in the allegiance of Southern White was no accident. Republican leaders including President Richard Nixon actively cultivated white southern voters through poorly disguised racist policies that argued for “States Rights.” In those days – often like today – States Rights was a dog whistle for white supremacy, that is permitting Southern States to maintain the structures of White Supremacy without interference from the federal government. Between 1930 and 1980 Black voters abandoned the Party of Lincoln for the Democratic Party, as the political ideology of the Republican Party shifted radically against racial and civil rights.

The **Voting Rights Act of 1965** was passed by Congress in response to the attack by Alabama State Troopers and other law enforcement officials on peaceful marchers on the Edmund Pettus Bridge in Selma, Alabama on Sunday March 7, 1965. The barbaric attack by law-enforcement against civil rights marchers would be remembered as “Bloody Sunday.” The Voting Rights Act targeted those parts of the country where Congress believed that discrimination was greatest. The Act eliminated arbitrary, racist and widespread disenfranchisement tactics such as “literacy tests” that had been used to prevent Black people from voting. Signed into law by President Johnson, the Act helped Black Americans to overcome barriers to voting, a right guaranteed by the Fifteenth Amendment. Moreover, the U.S. Supreme Court, in a case entitled, *Harper v Virginia Board of Election* (1966) would recognize the State of Virginia’s use of “poll taxes” as

unconstitutional under the Fourteenth Amendment of the U.S. Constitution. The last major piece of Civil Rights legislation from this era was the **Fair Housing Act** (1968), which prohibited housing discrimination by race, religion, national origin, sex and family status. Passed in response to the assassination of Martin Luther King, Jr. in April, 1968, just a week after the murder of this civil rights' leader.

Moving into the current era, we witness the erosion of many of these civil rights victories. In 2013, in *Shelby Count v. Holder*, the U.S. Supreme Court overturned key provisions in the Voting Rights Act of 1965 citing a so-called “post racial society.” No such society exists, yet the ruling has allowed Republican states to pass laws intended to discourage or prevent Black and poor voters from voting.

Vast discrepancies between white and Non-white Americans, particularly African Americans remain in terms of economic resources, political influence and social equity. Civil rights violations by law enforcement officials and within the judicial system, denial of access to equal employment, business and educational opportunities, substandard housing and health care all contribute to the vastly distinct experiences of Black and white Americans in this country.

Today, we as a nation are still trying to resolve many issues as Black Americans continue to receive unequal treatment. Recent events related to the intentional murder of George Floyd by four Minneapolis police officers reveal how deeply civil rights have been violated – even or especially by those supposed to “protect.”

References

Back, A. “Exposing the ‘Whole Segregation Myth’: The Harlem Nine and New York City’s School Desegregation Battles.” in Theoharris, J., Countryman, M. and Woodard, K., *Freedom North: Black Freedom Struggles Outside the South 1940–1980*. New York, NY: Palgrave, 65-91).

Coates, Rodney D. (2003) “Law and the Cultural Production of Race and Racialized Systems of Oppression: Early American Court Cases” *American Behavioral Scientist* 47 (3): 329-351.

Kernell, S., Jacobson, G. C., Kousser, T., & Vavreck, L. *The Logic or American Politics* (9th ed.). Thousand Oaks, CA: Sage, 2000.

Williams, Eric *Capitalism and Slavery* (3rd ed.). Chapel Hill, NC: University of North Carolina Press, 1994.