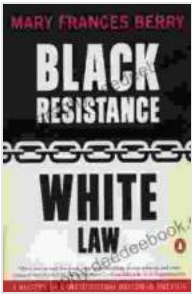


A Comprehensive Examination of the History of Constitutional Racism in America



The Constitution of the United States is a document that has been revered and debated since its inception. It is a living document that has been amended over time to reflect the changing values of the American people. However, one aspect of the Constitution that has remained relatively constant is its enshrinement of racism. From the very beginning, the Constitution sanctioned the enslavement of Africans and the denial of basic rights to Native Americans. Over time, these racist provisions were gradually dismantled, but the legacy of constitutional racism continues to shape American society today.



Black Resistance/White Law: A History of Constitutional Racism in America by Mary Frances Berry

★★★★☆ 4.6 out of 5

Language : English
File size : 1168 KB
Text-to-Speech : Enabled
Screen Reader : Supported
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 333 pages



The Three-Fifths Compromise

One of the most egregious examples of constitutional racism was the Three-Fifths Compromise. This provision, adopted in 1787, counted each enslaved person as three-fifths of a free person for the purposes of representation and taxation. This meant that slave states had a disproportionate amount of power in the federal government. The Three-Fifths Compromise was a clear violation of the principle of "one person, one vote" and it allowed the South to maintain its dominance in Congress.

Dred Scott v. Sandford

In 1857, the Supreme Court ruled in the infamous Dred Scott case that African Americans were not citizens of the United States and therefore could not sue in federal court. This decision was a major setback for the cause of racial equality and it helped to pave the way for the Civil War.

The Civil War and Reconstruction

The Civil War was fought over the issue of slavery. The Union victory led to the abolition of slavery and the adoption of the 13th, 14th, and 15th Amendments to the Constitution. These amendments were designed to protect the civil rights of African Americans, but they were not fully enforced and they failed to eliminate the racism that was deeply embedded in American society.

Jim Crow Laws

After the Civil War, white Southerners enacted a series of laws known as "Jim Crow laws" to disenfranchise African Americans and to segregate them from white society. These laws were upheld by the Supreme Court in the infamous case of Plessy v. Ferguson (1896), which established the "separate but equal" doctrine. Jim Crow laws remained in place until the Civil Rights Movement of the 1950s and 1960s.

The Civil Rights Movement

The Civil Rights Movement was a period of significant progress in the fight against constitutional racism. The movement led to the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. These laws outlawed discrimination based on race and they helped to break down the barriers of segregation. However, the Civil Rights Movement did not end racism in America. It simply shifted the battleground from the legal arena to the social and economic spheres.

Racism Today

Racism continues to be a problem in America today. It manifests itself in many different ways, from discrimination in housing and employment to police brutality and mass incarceration. The legacy of constitutional racism

is a major factor in the persistence of racism in American society. The Constitution has been used to justify racism in the past, and it continues to be used to uphold racist policies today.

The history of constitutional racism in America is a complex and shameful one. From the Three-Fifths Compromise to Jim Crow laws to the present day, the Constitution has been used to sanction and perpetuate racism. The legacy of constitutional racism is still felt today, and it is a major obstacle to achieving racial equality in America.



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