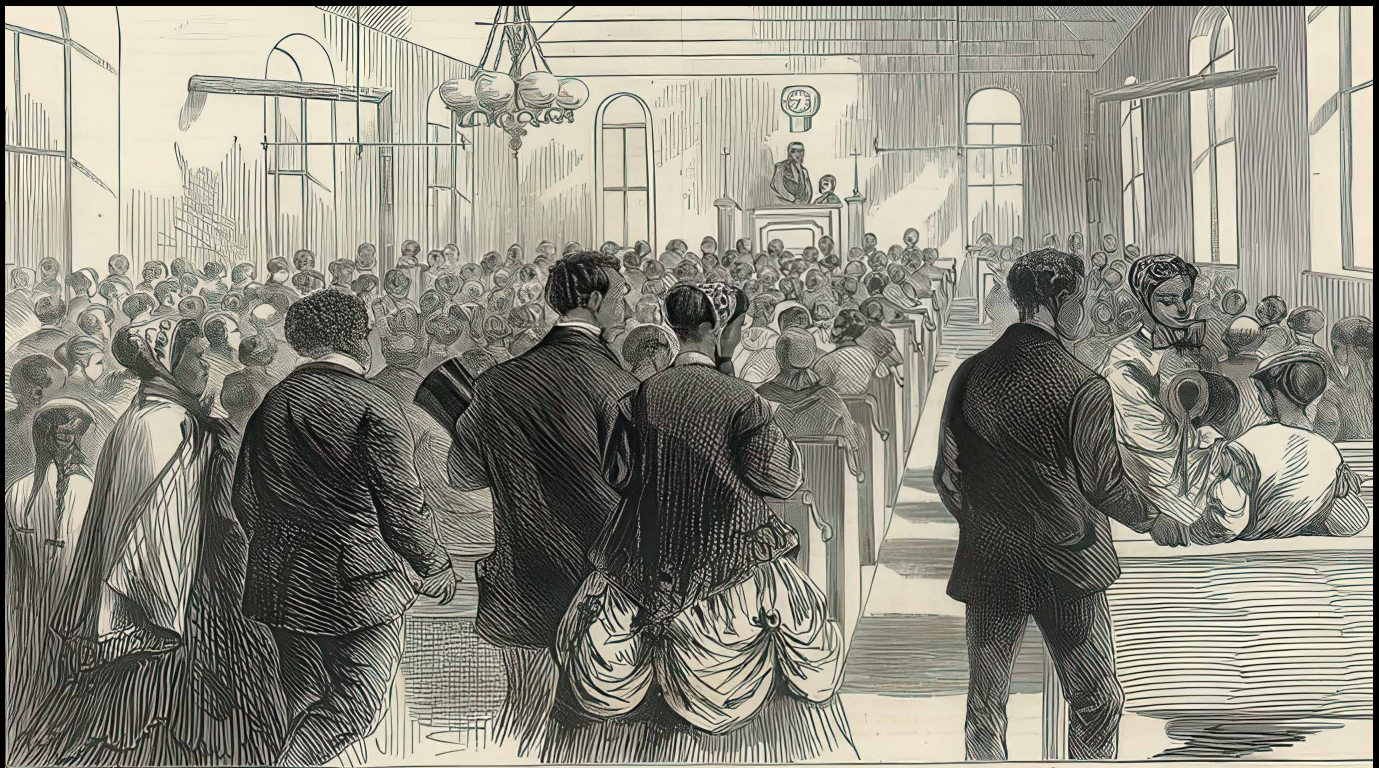
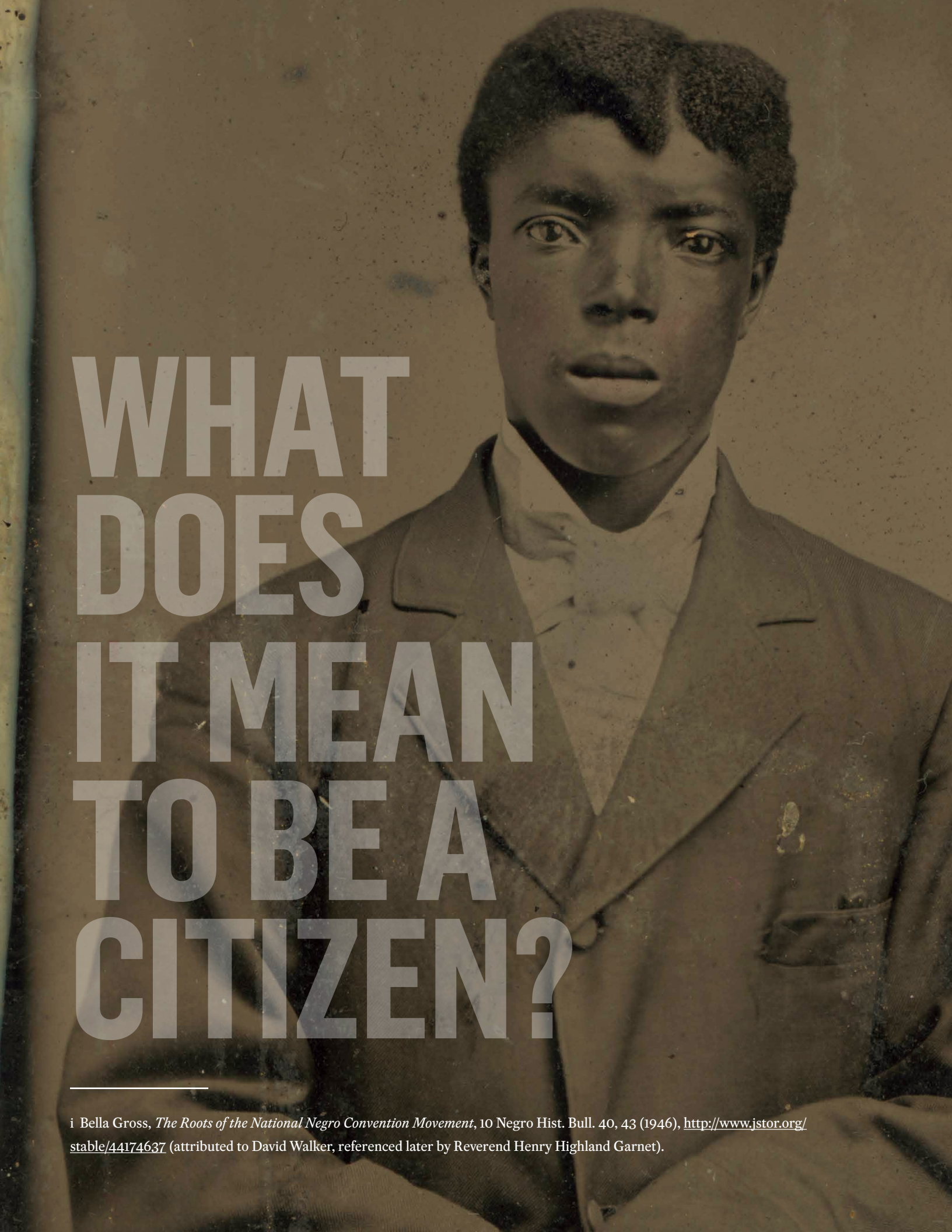


“America is as much our country as it is yours.”ⁱ

What the Colored Conventions Movement Teaches Us About Citizenship



THE NATIONAL COLORED CONVENTION IN SESSION AT WASHINGTON, D. C.—SKETCHED BY THEO. R. DAVIS.—[SEE FIRST PAGE.]



WHAT DOES IT MEAN TO BE A CITIZEN?

i Bella Gross, *The Roots of the National Negro Convention Movement*, 10 Negro Hist. Bull. 40, 43 (1946), <http://www.jstor.org/stable/44174637> (attributed to David Walker, referenced later by Reverend Henry Highland Garnet).

A MESSAGE TO READERS FROM TMI DIRECTOR KARLA MCKANDERS

Black History Month assumes increased significance in 2026, as the 250th anniversary of the United States inspires a reexamination of the nation’s founding from the perspectives of Black people and other groups historically marginalized, oppressed, and excluded from power. Since the nation’s inception, U.S. history has long erased Black people’s experiences as well as their ongoing push for a broader, more inclusive vision of U.S. citizenship.

To mark the 250th anniversary of the United States’ founding, this Brief from the Thurgood Marshall Institute (TMI) of the Legal Defense Fund (LDF) examines the meaning of citizenship by exploring the lesser-known story of the Colored Conventions Movement (CCM). Considered the first sustained movement for civil rights and an exemplar of Black political organizing, the CCM held national, state, and regional conventions that brought free and formerly enslaved Black people together from 1830 through the 1890s.¹ Prior to the CCM, abolitionist organizations did not always consider the needs or the leadership capabilities of free Black people.² While there were hundreds of Black civic organizations, there was no unified national association.³ Within this landscape, the CCM invited free Black people to talk openly about their grievances and “to consult [one another] on the best means of relief.”⁴

(left) An unidentified Black man.

Photo by Heritage Art/Heritage Images via Getty Images

The CCM presented a forward-looking vision of a multi-racial,⁵ representative democracy and expansively redefined what it meant to belong in a country that at the time viewed Black people as only three-fifths of a person and thus ineligible for full citizenship. The CCM’s overarching mission was to both eradicate slavery and to dispel race-based prejudice.⁶ As the years passed, delegates held fast to the collective vision of a nation where all citizens existed on equal standing. The conventions’ debates on education, labor rights, enfranchisement, and civic belonging created an early blueprint for an inclusive, multi-racial democracy, long before the ratification of the Reconstruction Amendments. This Brief examines the CCM’s expansive vision of citizenship, which the United States still strives to achieve today.

A reframing of citizenship in the United States is urgently needed. As Supreme Court Justice Ketanji Brown Jackson underscored in her 2025 dissent in *Medina v. Planned Parenthood South Atlantic*, legal and historical narratives remain constrained by a selective telling of U.S. history. She called for the inclusion of a wider array of historical sources to make sense of the law, suggesting that if the past determines the present-day “meaning” of a law, then people should use “a broader—and more inclusive—survey of historical sources”⁷ when interpreting it.⁸ Doing so would set the stage for an interpretation of the Constitution driven by counter-storytelling—an analytical method that centers the perspectives of oppressed, subjugated, or marginalized people whose experiences are misrepresented or altogether overlooked in culturally dominant narratives.⁹

This method resists inequitable social relations by challenging widely accepted narratives that almost exclusively present one perspective.¹⁰ Counter-storytelling centers people whose experiences are rarely, if ever, considered in public memory and imagination.¹¹ Telling a more inclusive story redefines the meaning of the words, events, and details surrounding any given document.¹²

Justice Jackson’s call and TMI’s Black History Month Brief come at a critical moment in the nation’s

history—a moment when the humanity, equal citizenship, and civil rights of millions of people hang in the balance. The 250th anniversary of the United States raises questions such as: *What does it mean to be a citizen? Who can lay claim to U.S. citizenship, and on what basis? What qualifies as civil rights, and why are they needed?* This Brief helps to address these questions by investigating how free and formerly enslaved Black people in the CCM grappled with similar questions during the nineteenth century.

Key Terms

Key Terms	Definitions
Personhood	Personhood functions as “a placeholder for deeper concepts that ground our [society’s] moral intuitions about human rights.” Within the context of the law, a “person” is defined as “any being whom the law regards as capable of rights and duties.” ¹³
Tiered Personhood	A system of ranking human beings that assigns full personhood to some and places others outside the bounds of full personhood. Within such a system, some human beings are viewed as inherently inferior to others. ¹⁴
Freedom	A political state of existence marked by non-domination, meaning that no group of people has the power to dominate, coerce, or compel any other group of people. ¹⁵
Citizenship	A legal, political, and social status that indicates a person’s membership in a community, territory, or political state. ¹⁶
Tiered Citizenship	A system of ranking citizens that deems some as top-tier or first class and others as lower-tier or second class. Tiered citizenship is the opposite of equal citizenship in that different groups of citizens have different rights. ¹⁷
Civil Rights	The rights that are guaranteed to citizens of a nation ¹⁸ through laws and constitutional amendments. They ensure that people “receive equal treatment and protection from discrimination.” ¹⁹ These rights are legally enforceable claims or privileges that the government has a responsibility to protect. ²⁰

INTRODUCTION

This Brief explores the history and legacy of the Colored Conventions Movement (CCM), which coordinated political gatherings of free and formerly enslaved Black people in the nineteenth century. It examines a sample of archival CCM records, focusing on annual national conventions held between 1830 and 1869. The story of the CCM is part of a larger, ongoing discussion about what it means to belong to a nation, who gets to belong, and what a nation owes its citizens.

As early as the 1950s, scholars have written about the history and meaningful contributions of the CCM. The essay collection *The Colored Conventions Movement: Black Organizing in the Nineteenth Century* provides one of the most comprehensive examinations, covering the CCM’s Black activist networks, institution building, and influence.²¹ Legal scholars such as James W. Fox Jr. have added to the discourse by considering the significance of the CCM within the context of constitutional law. Integrating historical analysis, Fox positions the CCM as an arena for Black constitutional thought and innovation.²²

This Brief contends that the history of the CCM can guide today’s understanding about the meaning of citizenship and belonging in the United States. Part I explains how the CCM served as the collective voice²³ of the Black population, illustrating how delegates reflected the makeup of the free and enslaved Black citizenry. Part II argues that the Black delegates’ understanding of citizenship emerged from a counternarrative about the nation’s founding that established a person’s meaningful contributions—not their racial identity—as the determinant of their citizenship. It further posits that the Black delegates viewed civil rights as essential to establishing and safeguarding every person’s inherent right to freedom as well as

their equal citizenship. Part III argues that free Black people’s understanding of and commitment to citizenship motivated them to make certain demands of the national government. These demands—to abolish slavery, legally recognize Black people’s full citizenship, and commit to protecting equal citizenship through the provision of civil rights—were later realized through the ratification of the Reconstruction Amendments. Finally, in Part IV, the Brief concludes with an invitation to take the necessary steps toward building a multi-racial democracy firmly rooted in the CCM’s ideals of liberty, equality, and dignity for all.

By centering the CCM, this Brief highlights how, even in the shadow of enslavement, Black communities forged a vision of citizenship that challenged the limits of the nation’s exclusionary laws. Ultimately, it serves as a counternarrative to contemporary efforts to limit the bounds of citizenship to exclude any person because of their race. The Brief celebrates Black people’s political contributions, struggles, and imaginations, and in doing so, it challenges the dominant narrative portraying Black people as passive victims rather than constitutional thinkers who envisioned a more expansive democracy.²⁴ In recovering this intellectual and political legacy, TMI honors the generations who dreamed of a nation beyond their circumstances and uplifts their voices during the country’s 250th-year reflection on its past, present, and possibilities.

Cover image, illustrated by Theodore R. Davis and published in *Harper’s Weekly* magazine, depicts the 1869 National Convention of Colored Men held in Washington, D.C., from January 13 to January 16.²⁵

PART I

THE COLORED CONVENTIONS MOVEMENT AS THE BLACK COLLECTIVE VOICE

This part of the Brief examines how the CCM embodied the inclusive vision of citizenship that it sought to create—one that welcomed people with different backgrounds, occupations, and thoughts. The CCM reflected the diversity of Black people living in the United States and thus functioned as their distinct, collective voice from the 1830s to the 1890s. The movement included women, free-born and formerly enslaved people, and workers from a range of occupations. The delegates also had varied political philosophies, from moral persuasion to direct political activism.

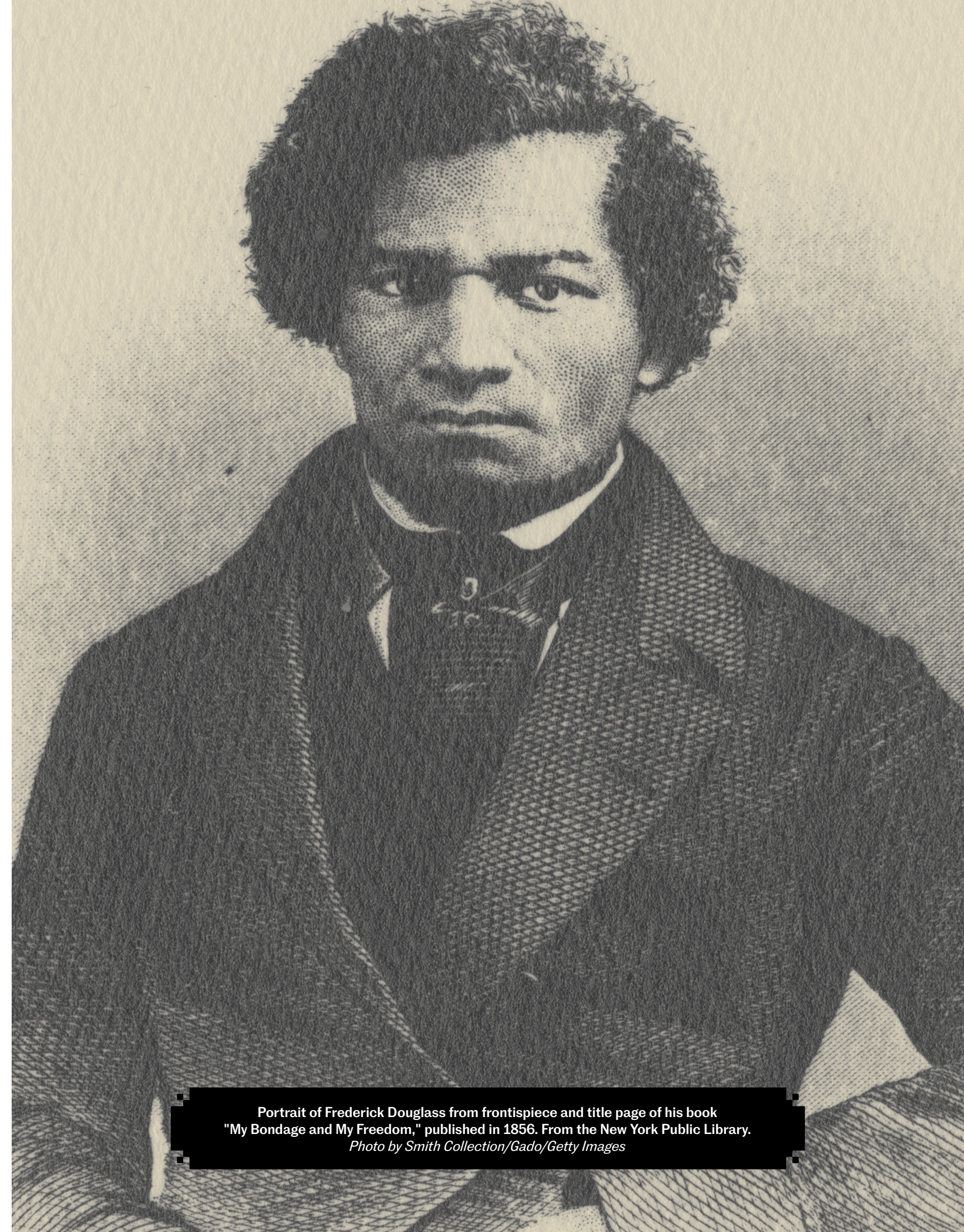
At the annual conventions, Black people who had been born free and those who had previously been enslaved mingled with one another.²⁶ Delegates consisted of businessmen, lawyers, and skilled tradespeople.²⁷ Although they were belatedly admitted to the annual conventions in 1848, Black women also raised their voices alongside their counterparts.²⁸ The different lived experiences and ideological backgrounds of the delegates invited a diversity of thought and robust debates on the convention floor. However, this diversity of opinions and backgrounds did not detract from the delegates' shared commitment to securing freedom, citizenship, and equality for all.

In 1830, this dedication to universal liberty motivated delegates to hold the first National Convention of Free People of Colour at Mother Bethel African Methodist Episcopal Church in Philadelphia, Pennsylvania.²⁹ At this inaugural meeting, delegates came together to assess how to support the 2,000 Black people who had emigrated from Ohio to Canada in 1829 in response to anti-Black mob violence and laws designed to restrict

the rights of free Black residents.³⁰ From then on, Black delegates regularly convened to discuss the challenges facing their communities living in different parts of the country.³¹

Formerly Enslaved and Free-Born Black People at the Conventions

Although the delegates who attended the conventions were free Black people, the perspectives of enslaved people did not go without representation because a fair number of delegates were themselves formerly enslaved and carried their lived experiences with them.³² For example, the facilitator of the first Convention, Bishop Richard Allen, was born enslaved and eventually purchased his freedom.³³ He later established the historic Mother Bethel African Methodist Episcopal Church, where the first National Convention occurred in 1830.³⁴ Other leading figures in the CCM had also survived the brutality of slavery. Frederick Douglass escaped slavery in Maryland and secured his freedom in 1838, before becoming a world-renowned orator and anti-slavery activist.³⁵ Douglass presided over multiple annual conventions.³⁶ Similarly, Reverend Henry Highland Garnet was born into slavery in 1815 in Maryland.³⁷ At nine years old, he and his family self-emancipated and relocated to New York City. After becoming an ordained Presbyterian minister,³⁸ he engaged in rigorous debate at the annual national conventions, where he advocated for self-determination, armed resistance, and emigration as avenues for Black liberation.³⁹ Many other formerly enslaved people joined the national delegation as the CCM expanded into former Confederate states following the Civil War.⁴⁰



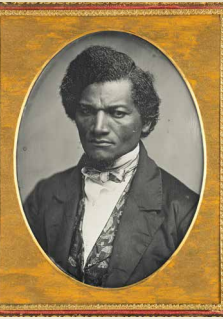
Portrait of Frederick Douglass from frontispiece and title page of his book "My Bondage and My Freedom," published in 1856. From the New York Public Library. Photo by Smith Collection/Gado/Getty Images

A Sample of CCM Delegates



Frances Ellen Watkins Harper⁴¹

Date of Birth: September 24, 1825
Birthplace: Baltimore, Maryland
Status at Birth: Born free to free parents
Education: Formally educated and later self-educated
Occupations: Seamstress, domestic worker, author, poet, abolitionist, educator, lecturer, and activist
Ideological Leaning: Moral persuasion, and proponent of social uplift and temperance



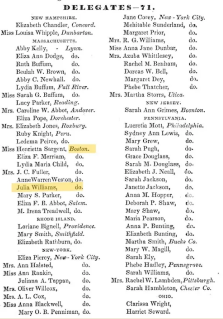
Frederick Douglass⁴²

Date of Birth: February 1818
Birthplace: Talbot County, Maryland
Status at Birth: Born enslaved, self-manumitted as a young adult
Education: Self-educated⁴³
Occupations: Chimney sweeper, orator, abolitionist, activist, publisher, and writer
Ideological Leaning: Moral persuasion, moral and racial uplift,⁴⁴ and eventually adopted direct political activism



Reverend Henry Highland Garnet⁴⁵

Date of Birth: December 23, 1815
Birthplace: New Market, Maryland
Status at Birth: Born enslaved, self-manumitted as a child
Education: Formally educated
Occupations: Seaman, pastor, abolitionist, lecturer, and activist
Ideological Leaning: Direct political activism, and advocated for armed resistance against slavery

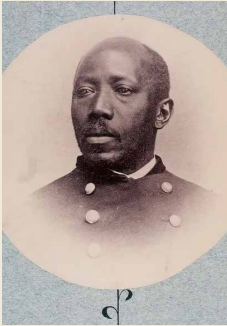


Julia Williams Garnet⁴⁶

Date of Birth: July 1, 1811
Birthplace: Charleston, South Carolina
Status at Birth: Unknown
Education: Formally educated
Occupations: Educator, abolitionist, and activist
Ideological Leaning: Direct political activism, and advocated for armed resistance against slavery

Image sources top to bottom: Documenting the American South, UNC Library; Major Acquisitions Centennial Endowment, Art Institute of Chicago; Collection of the Smithsonian National Museum of African American History and Culture; Samuel J. May Anti-Slavery Pamphlet Collection, Cornell University Library.*

** The author was unable to find any images of Julia Williams Garnet; however, she was able to find evidence of Julia's existence and activism in archival records. This image of a document shows that Julia was listed among the attendees at the inaugural Anti-Slavery Convention of American Women held in 1837.*



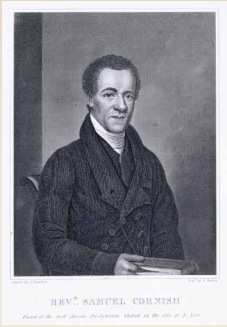
Martin Delany⁴⁷

Date of Birth: May 6, 1812
Birthplace: Charles Town, Virginia (later West Virginia)
Status at Birth: Born free to a free mother and enslaved father who eventually purchased his freedom
Education: Informally homeschooled and pursued formal education
Occupations: Physician, writer, editor, abolitionist, and officer in the U.S. Army (Civil War veteran)⁴⁸
Ideological Leaning: Direct political activism, advocate of armed resistance, and supporter of Black-led emigration



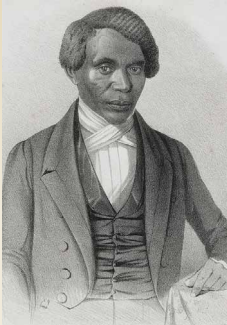
Mary Ann Shadd Cary⁴⁹

Date of Birth: 1823
Birthplace: Wilmington, Delaware
Status at Birth: Born free to formerly enslaved parents
Education: Formally educated
Occupations: Lawyer, educator, publisher, abolitionist, suffragette, and activist
Ideological Leaning: Direct political activism, and supporter of Black-led emigration



Reverend Samuel Cornish⁵⁰

Date of Birth: 1795
Birthplace: Sussex County, Delaware
Status at Birth: Born free to free parents
Education: Formally educated
Occupations: Minister, abolitionist, community organizer, journalist, and newspaper editor
Ideological Leaning: Moral persuasionist



Reverend Theodore S. Wright⁵¹

Date of Birth: 1797
Birthplace: Providence, Rhode Island
Status at Birth: Born free to free parents
Education: Formally educated
Occupations: Writer, editor, abolitionist, minister, and community organizer
Ideological Leaning: Direct political activism

Image sources top to bottom: Photo by © CORBIS/Corbis via Getty Images; Library and Archives Canada / C-029977; Schomburg Center for Research in Black Culture, Photographs and Prints Division, The New York Public Library; Randolph Linsly Simpson African-American Collection. James Weldon Johnson Memorial Collection in the Yale Collection of American Literature, Beinecke Rare Book and Manuscript Library.

A Sample of Abolitionists and Equal Rights Advocates Whom CCM Delegates Considered Allies and Who Attended the 1869 Annual National Colored Convention



Source: Liljenquist Family Collection of Civil War Photographs, Library of Congress

William Lloyd Garrison⁵²

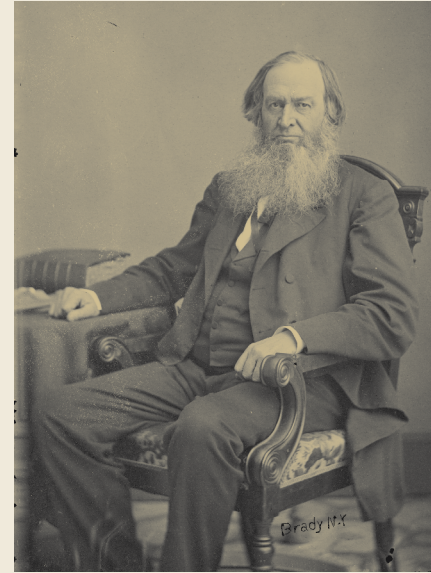
Newspaper publisher, editor, and abolitionist



Source: Brady-Handy Collection, Library of Congress

John M. Thayer⁵³

Lawyer, U.S. Army officer, U.S. Senator, and Governor



Source: Brady-Handy Collection, Library of Congress

Gerrit Smith⁵⁴

Philanthropist, abolitionist, and founding member of the Liberty Party

Black Women's Participation in the CCM

Black women's participation in the CCM stood in stark contrast to the social norms that excluded white women from political spaces led by their white male counterparts.⁵⁵ During the sixth session of the 1848 National Colored Convention, an attendee named Mrs. Sanford stood to deliver her remarks on the "Rights of Woman."⁵⁶ In her speech, she advocated for the rights of women to vote, to own property, and to shape the laws governing their lives.⁵⁷ Following her speech, Douglass proposed a resolution that officially invited Black women to participate in convention deliberations.⁵⁸ The resolution passed with "three cheers for woman's rights."⁵⁹

Black women had already made meaningful contributions to the CCM well before their formal admission as delegates in 1848.⁶⁰ For example, Julia Williams Garnet, born in 1811 in South Carolina,⁶¹ pioneered bold ideas about resistance to slavery that later received wide support.⁶² Together with her husband, Rev. Garnet—a staunch advocate for women's admission to the CCM—she co-authored "An Address to the Slaves of the United States of America."⁶³ This address was delivered by Rev. Garnet at the 1843 National Colored Convention and later reprinted in 1848 and 1856.⁶⁴

(right) Three unidentified Black women.
Photo by Heritage Art/Heritage Images via Getty Images

**“Let your motto be:
Resistance! Resistance!
Resistance!”** No oppressed people have ever secured their liberty without resistance. What kind of resistance you had better make, you must decide by the circumstances that surround you, and according to the suggestion of expediency. Brethren, adieu! Trust in the living God. Labor for the peace of the human race, and remember that you are four millions.”

— Rev. Henry Highland Garnet and Julia Williams Garnet, "An Address to the Slaves of the United States of America," 1843⁶⁵

Class Inclusion in the CCM

Just as the CCM’s membership challenged the idea that race or gender determined one’s value within society, it likewise did the same for occupation. What a person did for a living did not disqualify them from contributing to the CCM. While delegates like Garnet and Allen were ministers,

other delegates were tradespeople, farmers, and entrepreneurs.

The minutes from the 1848 Colored National Convention in Cleveland, Ohio, noted the attendees’ occupations.⁶⁶ Among those present were:

Trades

→ Carpenters
→ Blacksmiths
→ Gunsmiths
→ Engineers
→ Shoemakers

Construction

→ Plasterers
→ Masons
→ Wheelwrights

Farming and Livestock

→ Livery Stable Keepers
→ Farmers
→ Coopers

Health and Wellness

→ Dentists
→ Physicians
→ Clergy

Commerce

→ Grocery Store Keepers
→ Bath House Keepers
→ Merchants

Service Providers

→ Printers
→ Tailors
→ Editors
→ Painters
→ Barbers
→ Hairdressers

Moral Persuasionists and Political Activists in the CCM

The CCM created a space where debate was inevitable because delegates held differing perspectives about how to best secure Black people’s liberty, equal citizenship, and civil rights. The delegates roughly aligned themselves into two opposing camps: moral persuasion and political activism.⁶⁷ Moral persuasionists,ⁱⁱ such as Charles L. Remond,⁶⁸ sought to abolish slavery by appealing to the nation’s conscience.⁶⁹ Douglass, who spent a large part of his career advocating against the inherent evils and immorality of enslavement and racial prejudice, also adhered to moral persuasion.⁷⁰

In contrast, the political activism camp continued the radical tradition set in motion by people like David Walker by calling for strategic, direct political action. To the discomfort of moral persuasionists,

ⁱⁱ Moral persuasion (also referred to as moral suasion) is not to be confused with moral uplift or racial uplift. Supporters of moral uplift believed that the education, religious edification, and economic achievements of Black people would garner more respect from white people, which in turn would move white people to treat Black people as equals. Moral uplift language and arguments also appeared in CCM reports and speeches.

political activists openly endorsed the Liberty Party during the 1843 Annual Convention and encouraged all Black people to throw their support behind any party committed to the cause of abolition and equality.⁷¹ Although the Liberty Party was the first anti-slavery political party, moral persuasionists opposed party affiliations, fearing political corruption.⁷² Some delegates—most notably Rev. Garnet—even advocated for forceful, physical resistance as a means of abolition.⁷³ Rev. Garnet’s personal lived experience likely informed his ideas about how to abolish slavery and safeguard Black citizenship: in 1829, when he was fourteen years old, slave catchers abducted his sister in New York City.⁷⁴ Six years later, after integrating an educational institution, he had to fire a shotgun to defend himself and his classmates against a mob of 300 white people.⁷⁵ Rev. Garnet’s fight to survive the violence of slavery and the tyranny of racial apartheid may explain why he endorsed physical resistance as a means of liberation.⁷⁶

A profile of Rev. Henry Highland Garnet published in *Ebony Magazine* in 1964, at the height of the Civil Rights Movement.⁷⁷



One Voice, One Sound: Unity in Shared Values

Despite the delegates' diverse backgrounds and perspectives, they shared a commitment to self-determination that propelled the CCM's activism beginning with its establishment in 1830. Black delegates created the CCM because they saw that no one else had the desire—nor perhaps the ability—to address the challenges facing Black people, both free and enslaved. Although the abolitionist movement advocated on behalf of enslaved Black people, most abolitionists did not rigorously commit themselves to protecting free Black people's citizenship and civil rights.⁷⁸ CCM delegates therefore assembled because they knew that they must do for themselves what other groups either could not or would not do. This value of self-determination instilled in the Black delegates a collective spirit of resilience, innovation, and self-sufficiency.⁷⁹

As the Black delegates advocated for their civil rights as citizens,⁸⁰ including equal access to education, economic opportunities, and the right to vote, they simultaneously pushed for the establishment of Black-led institutions and enterprises.⁸¹ These institutions would provide alternative, dignifying spaces for Black people to access knowledge, build skills, and obtain services that would otherwise remain inaccessible to them due to racial segregation and discrimination. The Black delegates understood both the benefits and the necessity of creating institutions responsive to their needs, even as they advocated for national recognition of their equal citizenship and legal protections for their civil rights. Whether or not the laws and the general public were on their side, delegates knew that Black people had the resolve, intellect, and power to not only survive, but to also lead dignified lives in the United States.

This value of self-determination instilled in the Black delegates a collective spirit of resilience, innovation, and self-sufficiency.

PART II

CLAIMING ALL THE RIGHTS, PRIVILEGES, AND DUTIES OF CITIZENSHIP

Even though the Black delegates themselves were either born free or had gained freedom from slavery, neither national statutes nor the common law formally recognized them as citizens on account of their race until after the Civil War. Rather than accept this exclusion, the Black delegates effectively challenged what they perceived to be the law's prejudicial and limited definition of citizenship. CCM meeting notes, speeches, and debates reflected delegates' expansive understanding of citizenship, one predicated on not only birthplace, but also contributions—a person's work, service, and sacrifice. The Black delegates' perspectives about citizenship derived from a counternarrative about the nation's founding, emphasizing that Black people's military service and labor were integral to the very existence of the United States. Black people's contributions demonstrated their national belonging and served as the basis upon which they established their right to citizenship. Ultimately, the Black delegates proposed an understanding of citizenship rooted in contribution, rather than race, and challenged the government to treat them accordingly.

This section begins by explaining how the CCM's conceptualization of citizenship challenged the nineteenth century's longstanding legal definition that based citizenship on racial identity. The prejudicial definition of citizenship emerged from the legal framework of tiered personhood, which treats some people as inherently inferior to others. This section then articulates how the Black delegates' counternarrative about the nation's founding, and their contextualization of Black people's role in it, shaped their conceptualization of citizenship as based on a person's contributions.

Moreover, it elucidates why the delegates believed that Black people in the United States had always been and would always be citizens of the nation. Finally, this section discusses how the delegates viewed civil rights as essential to establishing and safeguarding Black people's equal citizenship—as opposed to tiered personhood or second-class legal status. When the historical narrative considers the perspectives of the Black CCM delegates living in nineteenth-century America, it reveals a counter-story about citizenship based on contributions, belonging, and reciprocity.

Race, Personhood, and Citizenship

As early as the eighteenth century, race played a central role in formally excluding Black people from citizenship in the United States. Up until 1868, the only law that explicitly enumerated the requirements to become a U.S. citizen was the 1790 Naturalization Act,⁸² which effectively limited citizenship eligibility to free, white, male property holders.⁸³ Meanwhile, the Three-Fifths Compromise of 1787 in the U.S. Constitution counted three out of every five enslaved persons for the purposes of determining each state's congressional representation and taxation.⁸⁴ This meant that under the law, an enslaved individual was not even a full person, let alone a legally recognized citizen with civil rights.

Although free Black people did not suffer the most extreme indignities of slavery, their personhood, citizenship status, and associated rights varied from state to state.⁸⁵ Until the U.S. Constitution defined citizenship in 1868, each state determined the contours of belonging within its borders. Consequently, when free Black people from around

the country congregated for annual conventions, they did so in the face of unrelenting assaults on their humanity and rights. Just one year before the establishment of the CCM in 1830, the Cincinnati Riots of 1829 terrorized communities of free Black people, pushing some to seek refuge in Canada.⁸⁶ Black people in other states were also losing their political rights: by 1838, Pennsylvania, Connecticut, and New York had each adopted constitutional provisions restricting voting rights to white men.⁸⁷

occupy. We are yet the most oppressed people in the world. In the Southern States of this Union, we are held as slaves. All over that wide region our paths are marked with blood. Our backs are yet scarred by the lash, and our souls are yet dark under the pall of slavery. Our sisters are sold for purposes of pollution, and our brethren are sold in the market, with beasts of burden. Shut up in the prison-house of bondage—denied all rights, and deprived of all privileges, we are blotted from the page of human existence, and placed beyond the limits of human regard. DEATH, moral DEATH, has palsied our souls in that quarter, and we are a murdered people.

In the Northern states, we are not slaves to individuals, not personal slaves, yet in many respects we are the slaves of the community. We are, however, far enough removed from the actual condition of the slave, to make us largely responsible for their continued enslavement, or their speedy deliverance from chains. For in the proportion which we shall rise in the scale of human improvement, in that proportion do we augment the probabilities of a speedy emancipation of our enslaved fellow-countrymen. It is more than a mere figure of speech to say, that we are as a people, chained together. We are one people—one in general complexion, one in a common degradation, one in popular estimation.—As one rises, all must rise, and as one falls all must fall. Having now, our feet on the rock of freedom, we must drag our brethren from the slimy depths of slavery, ignorance, and ruin. Every one of us should be ashamed to consider himself free, while his brother is a slave. The wrongs of our brethren, should be our constant theme. There should be no time too precious, no calling too holy, no place too sacred, to make room for this cause. We should not only feel it to be the cause of humanity, but the cause of christianity, and fit work for men and angels. We ask you to devote yourselves to this cause, as one of the first, and most successful means of self improvement. In the careful study of

Excerpt from “An Address to the Colored People of the United States,” in the report of the proceedings of the Colored National Convention held in 1848 in Cleveland, Ohio. The address was prepared by Frederick Douglass, H. Bibb, D.H. Jenkins, W.L. Day, and A.H. Francis.⁸⁸

Still, despite constant attacks on their personhood and their rights, the Black delegates chose to fight rather than to surrender their claims to citizenship. Douglass, serving as the Chairman of the Committee on Declaration of Sentiments at the 1853 National Convention, articulated the CCM’s battle cry, stating, “We claim all the rights and privileges and duties” attached to citizenship.⁸⁹ The Black delegates opposed the dominant narrative that painted the United States as a nation of, by,

and for white people, and that therefore justified the exclusion and erasure of non-white people. Instead, the Black delegates reasserted their claims to personhood, equal citizenship, and civil rights through counter-storytelling.

Citizenship Predicated on Contribution

During the nineteenth century, Black people in the United States were not considered full persons under the law and thus could not legally access citizenship. However, the Black delegates’ framing of who could be a citizen challenged the idea that Black people were not and could never be citizens, thereby destabilizing the legal framework of tiered personhood. From the perspective of the Black CCM delegates, citizenship was based not only on birthright, but also on contributions to the nation.

The counternarrative of Black citizenship articulated by the CCM was powerful because it came amid continued attacks on Black people’s freedom, equality, and rights. In 1850, President Millard Fillmore signed the Fugitive Slave Act into law.⁹⁰ This law empowered white vigilantes, kidnappers, and civilians to violently abduct and traffic enslaved individuals who sought refuge and freedom in non-slaveholding states.⁹¹ Free Black people were also at risk of losing their freedom.⁹² The Fugitive Slave Act legally permitted white law enforcement officers, civilians, and “slave catchers” to question and deny the free status of any Black person.⁹³ Amid rampant racial profiling, all Black people lived in a surveillance state that could facilitate their deportation to slaveholding states with little to no legal recourse.⁹⁴ Chief Justice Roger Taney’s opinion in the 1857 U.S. Supreme Court case *Dred Scott v. Sanford* reinforced the dominant narrative that Black people were neither citizens nor equal to white people, when he wrote that Black people “had no rights which the white man was bound to respect.”⁹⁵

During this period, Douglass articulated Black people’s claim to citizenship based on birthright, declaring in a speech at the 1853 National

Convention in Rochester, New York, “By birth, we are American citizens.”⁹⁶ He further stated, “We address you [fellow citizens] as American citizens asserting their rights on their own native soil.”⁹⁷ He also reminded his audience that it was not Black people’s nativity alone that secured their citizenship; rather, their citizenship was recompense for their meaningful contributions to the nation. He said, “By the courage and fidelity displayed by our ancestors in defending the liberties and in achieving the independence of our land, we are American citizens.”⁹⁸ Like their white counterparts whose citizenship went undisputed, Black people had “fought and bled in the same battles” and “gloried in the same victories.”⁹⁹ There was ample proof of the valor with which Black soldiers fought on behalf of the United States. For example, the notes of the 1834 Convention included a copy of an 1814 proclamation to Black soldiers delivered by General Andrew Jackson’s military secretary, stating, “I know well how you loved your native country. . . . You have done more than I expected. . . . The President of the United States shall hear how praiseworthy was your conduct in the hour of danger.”¹⁰⁰

“By birth, we are American citizens.”

PROCLAMATION.

Head Quarters, Seventh Military District, Mobile, September 21, 1814. To the Free Coloured Inhabitants of Louisiana.

Through a mistaken policy you have heretofore been deprived of a participation in the glorious struggle for national rights, in which our country is engaged. This no longer shall exist.

As sons of Freedom, you are now called upon to defend our most inestimable blessing. As Americans, your country looks with confidence to her adopted children, for a valourous support, as a faithful return for the advantages enjoyed under her mild and equitable government. As fathers, husbands, and brothers, you are summoned to rally round the standard of the Eagle, to defend all which is dear in existence.

An 1814 “Proclamation to the Free People of Colour,” reprinted in the minutes of the 1834 Annual Convention.¹⁰¹

“ Proclamation to the Free People of Colour.”

“Soldiers !—When on the banks of the Mobile, I called you to take up arms, inviting you to partake the perils and glory of your white fellow citizens, I expected much from you ; for I

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was not ignorant that you possessed qualities most formidable to an invading enemy. I knew with what fortitude you could endure hunger and thirst, and all the fatigues of a campaign. I know well how you loved your native country, and that you had as well as ourselves, to defend what man hold most dear—his parents, relations, wife, children and property. You have done more than I expected. In addition to the previous qualities I before knew you to possess, I found moreover, among you, a noble enthusiasm which leads to the performance of great things.

Soldiers !—The President of the United States shall hear how praiseworthy was your conduct in the hour of danger, and the representatives of the American people will, I doubt not, give you the praise your exploits entitle you to. Your General anticipates them in applauding your noble ardour.

The enemy approaches, his vessels cover our lakes, our brave citizens are united, and all contention has ceased among them. Their only dispute is, who shall win the prize of valor, or who the most glory, its noblest reward.

By Order,

THOMAS BUTLER, Aid de Camp.”

Adjourned till to-morrow, at 9 o’clock, A. M.

Tuesday Morning, June 10.

An 1814 “Proclamation to the Free People of Colour,” reprinted in the minutes of the 1834 Annual Convention.¹⁰²

We ask that the Fugitive Slave Law of 1850, that legislative monster of modern times, by whose atrocious provisions the writ of “*habeas corpus*,” the “right of trial by jury,” have been virtually abolished, shall be repealed.

While Black soldiers shed their blood for the United States, enslaved Black people were the backbone of the nation’s economy but without any compensation for their labor.¹⁰³ Black people planted and harvested cash crops like cotton, sugar, and tobacco, driving domestic economic growth and positioning the United States as a power player in the global economy.¹⁰⁴ Between 1839 and 1859, the labor of enslaved people in the United States was responsible for as much as eighteen percent of the increase in per capita national output.¹⁰⁵ The labor of enslaved people in the South propelled the growth of the textile industry in the North, as New England mills consumed 283.7 million pounds of cotton in 1860, amounting to sixty-seven percent of the cotton used by U.S. mills that year.¹⁰⁶ Enslaved people also worked to meet international demand for cotton: Great Britain’s industrial manufacturers depended on U.S. cotton—and thus its enslaved laborers—for more than eighty percent of their raw material in the years before the Civil War.¹⁰⁷

Considering their birthright as well as the contributions of their ancestors and themselves to the nation’s establishment and prosperity, the Black CCM delegates believed they could rightfully claim their status as full and equal citizens. The CCM delegates made these arguments despite continued attacks on the freedom, citizenship, and equal rights of Black people. The official invitation to the 1853 National Convention described the Fugitive Slave Act of 1850 as “the most cruel, unconstitutional[,] and scandalous outrage of modern times.”¹⁰⁸ Delegates called the law a “legislative monster” because it suspended “the right of trial by jury” as well as the writ of *habeas corpus*, a protection that guarantees both the right to emergency relief in the courts and the right to be free from unlawful detention by a state actor.¹⁰⁹

(above) Excerpt from the “Address of the Colored National Convention to the People of the United States” delivered by Frederick Douglass in 1853.¹¹⁰

Black people had few options at their disposal to resist these attacks on their rights. They could either stay in the United States to continue the fight for citizenship here, or they could leave the United States in pursuit of it elsewhere.¹¹¹ The Black people who decided to leave the United States did so in search of a dignified life and equal opportunity.¹¹² However, not all emigration initiatives had the same goal of Black liberation.

The CCM fiercely opposed the American Colonization Society (ACS), an organization founded in 1816 on the belief that free Black people should not and could not co-exist alongside white people equally.¹¹³ The ACS sought to facilitate the immigration of free Black people to what is now Liberia.¹¹⁴ The ultimate objective of the ACS was to eradicate the population of free Black people from the United States while simultaneously maintaining slavery in the South.¹¹⁵ In his opening remarks at the 1834 National Convention, William Hamilton claimed that the ACS viewed the expansion of disenfranchisement laws, anti-Black expulsion laws, and anti-Black prejudice as advantageous to its exclusionary cause.¹¹⁶ Unlike the ACS, the CCM rejected the mischaracterization of Black people as outsiders who lacked any claim to the United States. Rather, CCM delegates used counter-storytelling to establish the basis of Black people’s claims to citizenship, arguing that Black people were citizens because they were born in the United States and because they and their predecessors made meaningful contributions to the nation. The delegates believed that this citizenship entitled Black people to the same rights that allowed their fellow white citizens to live freely.

Civil Rights as a Guarantor of Equality and Protector of Freedom

The Black delegates made civil rights the focus of the CCM in the 1840s and 1850s because they believed that securing equality for the nation’s estimated 250,000 free Black people was integral to fighting for the full liberation of the more than three million people who were enslaved.¹¹⁷ The delegates viewed civil rights as necessary tools for protecting freedom for all, which could not exist in a society that allowed any group to dominate another socially, economically, or politically. For this reason, the Black delegates advocated for the equal rights to access education, pursue economic opportunities, and participate in elections. It was not enough to be free if a person could not be a citizen; similarly, it was not enough to be a citizen if a person was treated as inferior.

The delegates understood that the fates of all Black people in United States were linked and that what happened to one group had a ripple effect on another. The degree to which free Black people could equally exercise their civil rights impacted whether they could effectively use their power to advocate on behalf of their enslaved counterparts.¹¹⁸ This awareness of Black people’s linked fates was articulated in the 1848 Convention’s official address: “We are one people—one in general complexion, one in a common degradation, one in popular estimation. As one rises, all must rise, and as one falls[,] all must fall.”¹¹⁹ The strong sense of solidarity explains why the Black delegates traveled as far north as Buffalo, New York, and as far south as New Orleans, Louisiana, to participate in national conventions.¹²⁰

“It is more than a mere figure of speech to say, that we are as a people, chained together. We are one people—one in general complexion, one in a common degradation, one in popular estimation. As one rises, all must rise, and as one falls[,] all must fall.”

— “An Address to the Colored People of the United States,” 1848 National Convention¹²¹

Equal Access to Education as a Civil Right

During the 1855 Convention, delegates focused much of their attention on education because they saw knowledge as a pathway to greater opportunities, and thus integral to advancing the social equality of Black people.¹²² Delegates believed that education, described by members of the Business Committee as “the great elevator of mind,” would place free Black people on equal footing with other members of society.¹²³ Delegates explained that when all students had the right to learn, schools became “the greatest leveller [sic] of all species of prejudice.”¹²⁴

For many, education played a pivotal role in their own lives. For example, 1855 Convention delegate Mary A. Shadd had limited educational opportunities despite being born free in Delaware in 1823.¹²⁵ After her family moved to Pennsylvania, she and her siblings attended a Quaker-run school. The value of education was not lost on Shadd, who returned to Wilmington, Delaware, at sixteen years old to open a school for Black children.¹²⁶ Whether delegates were born free or enslaved, they valued education. Douglass, for whom learning to read was a crime, said he knew the value of formal education precisely because he did not possess it.¹²⁷ As he later expressed in an 1894 speech, education “means emancipation.”¹²⁸ A self-taught individual, he believed that education equipped people with “the means of freedom” and the ability to realize their limitless potential, as well as with knowledge that could help them earn a living.¹²⁹ This understanding of education was why, during the 1853 Convention, the Committee on Manual Labor Schools advocated for education that combined “practical art” and “literary preparation.”¹³⁰ The hope was that education would prepare each Black student to be both a “thinker and worker.”¹³¹

Equal Access to Economic Opportunity as a Civil Right

The Black delegates believed that access to education would open the door to enterprise, helping Black people build power while also challenging their economic and social subordination

based on race.¹³² A statistical report included in the 1843 Convention minutes summarized the kinds of work free Black people performed. In Northeastern and Western states, a reported sixty-six percent of the free Black population worked in mechanical trades, about five percent worked in business, and thirteen percent worked in other trades (such as cooper, blacksmith, tailor, and carpenter).¹³³ In an 1894 speech, Douglass reflected on the sentiment that he and his fellow delegates held in the 1840s and 1850s, that free Black people “could not hope to rise” while they were “excluded from all profitable employments.”¹³⁴ Even if a Black person were legally free, they would live as a “slave to society.” Although Douglass respected all forms of labor, he and his fellow delegates worried that restricting Black people to undervalued and poorly compensated jobs such as domestic service or waitressing would inevitably impede their ability to navigate society on an equal playing field.¹³⁵

Many Black delegates considered access to trades and professions to be a key to economic stability that would open the door to independence. At the 1855 Convention, members of the Business Committee shared survey responses from Black tradesmen and professionals in the Northeastern, Midwestern, and Western regions. The data showed that access to opportunities in trades, professional fields, and entrepreneurship created pathways to steady employment and wealth generation.¹³⁷ In total, at least sixty-nine percent of surveyed tradespeople and professionals worked in the fields for which they had been trained, demonstrating job security.¹³⁸ The Business Committee also shared the cumulative wealth accrued by active Black businesses. For example, in Michigan, Ohio, and Illinois, home to 33,298 free Black people in 1850,¹³⁹ the collective wealth amounted to \$1.5 million.¹⁴⁰ In New York and Pennsylvania, home to a total of 102,695 free Black people in 1850,¹⁴¹ that figure

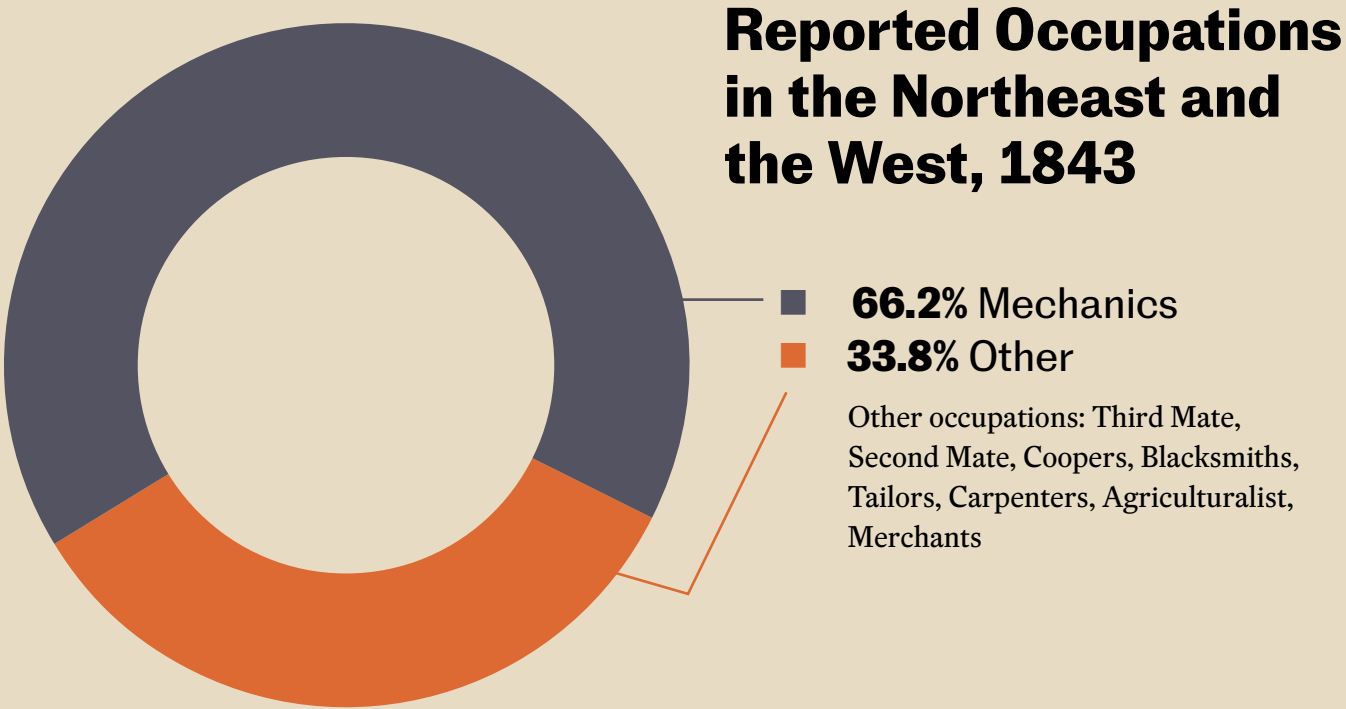
Black people had the right to vote—a privilege bestowed upon citizens.

rose to \$3 million.¹⁴² The delegates believed that the right to access economic opportunity, facilitated by education, was essential to the pursuit of equality and freedom.¹⁴³ Specifically, they saw trade schools and professional apprenticeships as pathways to gainful employment and financial security, both of which were crucial to establishing Black people’s status as equal—not second-class—citizens.¹⁴⁴

Equal Access to Political Participation as a Civil Right
In addition to calling for equal rights to education and economic opportunity, the Black delegates also advocated strongly for the right to vote.¹⁴⁵ In his “Address of the Colored National Convention to the People of the United States” before the 1853 Convention, Douglass proclaimed that as American citizens, Black people in the United States had the right to “elective franchise.”¹⁴⁶ That is, Black people had the right to vote—a privilege bestowed upon citizens. This sentiment was shared by the other

delegates in attendance, who collectively approved a resolution that read, “[W]e, as American citizens, are entitled to the right of elective franchise, in common with the white men of this country.”¹⁴⁷ To them, the right to vote was integral to their ability to participate in society as equal citizens.

The Black delegates also considered the right to vote a necessary tool in the fight for freedom. At the 1853 Convention, the delegates approved another resolution encouraging those who had the ability to vote to elect individuals who opposed slavery and the Fugitive Slave Act.¹⁴⁸ At the 1855 Convention, Dr. J. McCune Smith framed voting as a lawful strategy for abolishing slavery,¹⁴⁹ imploring delegates, “Elect such a Congress, such a President, and thereby secure the appointment of such a Judiciary as will guarantee to each man, woman[,] and child, in the land, the right to their own persons, which the Constitution guarantees.”¹⁵⁰



According to the statistical report included in the 1843 Convention minutes, two-thirds of free Black people residing in the Northeast and the West worked as mechanics.¹³⁶

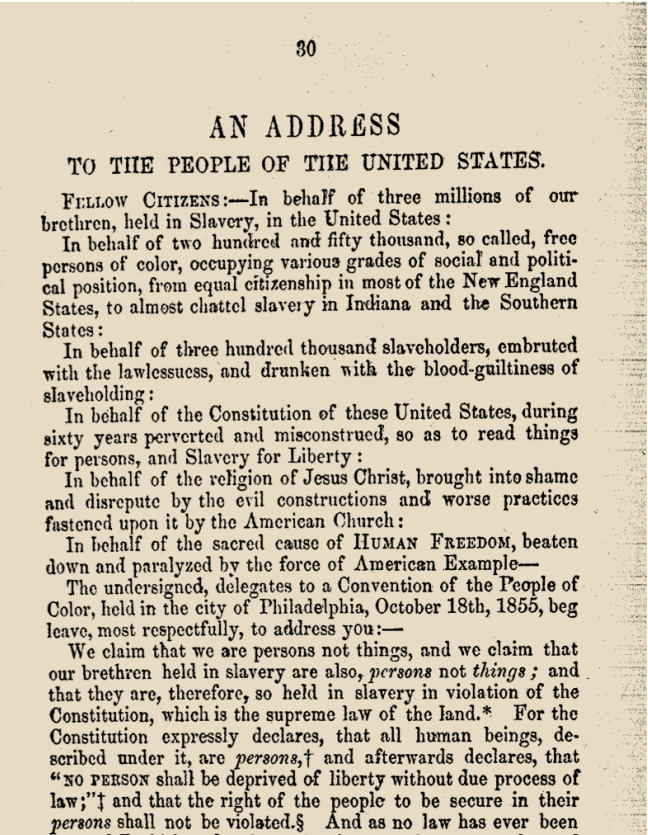
PART III

THE RECONSTRUCTION AMENDMENTS AS THE LEGAL CONCRETIZATION OF BLACK CITIZENSHIP

The Black delegates of the CCM were very clear in their conviction that the federal government must fulfill its reciprocal obligations.¹⁵¹ Reciprocity refers to an implied understanding of what a government has agreed to do and should do in return for what an individual, group, or entity has done or will do.¹⁵² The norms of reciprocity necessitate that the government recognize, reward, and fairly compensate individuals or groups who make contributions on behalf of the nation.¹⁵³ Based on this perspective, the Black delegates believed that the government must explicitly protect the citizenship of Black people by: unequivocally acknowledging their inherent personhood through the abolition of slavery; legally recognizing their citizenship under the law; and granting them the civil rights owed to all citizens. Speaking as the Chairman of the Committee on Declaration of Sentiments at the 1853 Convention, Douglass noted that the government had a duty “to protect, not to destroy, the rights of mankind.”¹⁵⁴ Moreover, he described the U.S. Constitution as a national tool for establishing justice, promoting general welfare, and safeguarding the liberty of every person.¹⁵⁵ The government finally began to meet the Black delegates’ standards when it ratified the Thirteenth, Fourteenth, and Fifteenth Amendments to the U.S. Constitution. This section provides a sample of evidence demonstrating the influence that the CCM had on the meaning and ratification of these amendments.

The Abolition of Slavery as the Government’s Obligation
Based on their understanding of the national government’s role and responsibilities, the Black

delegates at the 1855 Convention believed that Congress had a duty to abolish slavery.¹⁵⁶ They explained that the institution of slavery harmed the general welfare, and because the Constitution stated that “Congress shall provide for the general welfare,” Congress therefore must eradicate the system of slavery.¹⁵⁷

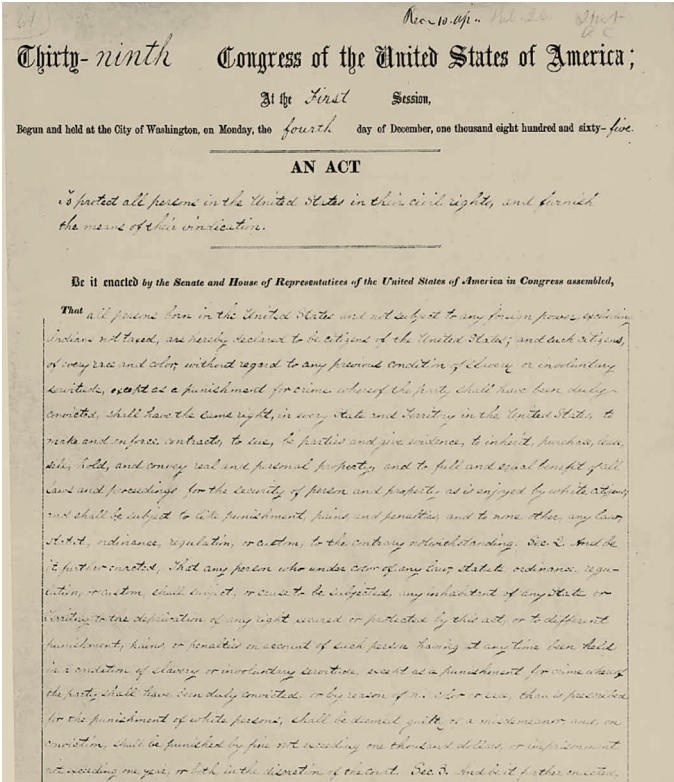


The 1855 National Convention's “An Address to the People of the United States” emphasized the personhood of Black people and argued that slavery violated the Constitution because it deprived Black people of their liberty.¹⁵⁸

The Black delegates’ aspirations for the abolition of slavery were fulfilled through the Thirteenth Amendment to the U.S. Constitution, passed by Congress on January 31, 1865, and ratified on December 6, 1865.¹⁵⁹ The Thirteenth Amendment finally satisfied the calls of the delegates in attendance at the 1853 Convention, who demanded that slavery in the United States “be immediately, unconditionally, and forever abolished.”¹⁶⁰ Similarly, the Black delegates at the 1864 Convention in Syracuse, New York, gave voice to the same desire,¹⁶¹ advocating for “the complete abolition of the slavery of our race.”¹⁶²

In addition to ending slavery, the second clause of the Thirteenth Amendment empowered Congress to pass laws to enforce abolition. In the following years, Congress passed the Civil Rights Acts of 1866¹⁶³ and 1875 and the Enforcement Acts between 1870 and 1871.¹⁶⁴ This likely reassured the Black delegates, especially those who had expressed concerns during the 1864 Convention (toward the end of the Civil War) that absent the full eradication of slavery, a lack of political will would allow the treasonous Confederate states to rejoin the Union with slavery intact.¹⁶⁵

Congress passed the Civil Rights Act in 1866, overriding President Andrew Johnson's veto. Enacted shortly after the ratification of the Thirteenth Amendment, the Civil Rights Act aimed to protect the equal rights of Black people and served as a template for the Fourteenth Amendment.¹⁶⁶



Citizenship as Recompense for Contributions
As discussed above, the Black delegates advocated that in addition to abolishing slavery, Congress must formally recognize and protect the citizenship of free Black people.¹⁶⁷ The delegates believed that anyone who made meaningful contributions to the advancement and betterment of the nation could lay claim to U.S. citizenship, regardless of their racial identity. Integral to their conceptualization of citizenship was equality and fairness under the law. At the 1853 Convention, they condemned any effort to privilege one group of citizens above another and called for equality among citizens, so that “the white and [B]lack man may stand upon an equal footing before the laws of the land.”¹⁶⁸ The Black delegates at the 1864 Convention reaffirmed their belief that in order to achieve the “highest welfare” of the United States, the nation must eradicate all laws “discriminating in favor or against any class of its people.”¹⁶⁹ That is, in pursuit of equal citizenship, they rejected the notion that there should be one law for white people and another law for Black people; rather, they argued that the government must not allow prejudice to dictate who received the privileges and protections afforded citizens.¹⁷⁰
The Fourteenth Amendment, which officially established citizenship for Black people in the United States when it was ratified in 1868, reflected several important ideas expressed by the Black delegates. The first was the Citizenship Clause, which stated that persons born in the United States and those formerly enslaved were U.S. citizens and were granted the privileges and protections associated with that status.¹⁷¹ In addition to birthright citizenship, the Fourteenth Amendment created a path toward naturalization for individuals born outside the United States.¹⁷² The Citizenship Clause of the Fourteenth Amendment marked a stark departure from the status quo. Except for the Naturalization Act of 1790, there was no clear legal definition of who could be a U.S. citizen before 1868.¹⁷³ Although the Naturalization Act established the criteria for who could become a citizen upon immigration, it limited eligibility to free white males

only.¹⁷⁴ In addition, the Fourteenth Amendment repealed the Three-Fifths Clause¹⁷⁵ by stating, “Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State.”¹⁷⁶

The Fourteenth Amendment’s principles of fairness and equality under the law mirrored the ideas expressed by members of the CCM. By establishing equal citizenship, the Fourteenth Amendment challenged the idea that race indicated inferiority or superiority, one of many falsehoods condemned by the Black delegates.¹⁷⁷ It did so through both the Due Process Clause, which ensured that all persons in the United States would have the benefit of a fair legal process, and the Equal Protection Clause, which prevented states from denying any person equal treatment under the law. The ratification of the Fourteenth Amendment was particularly significant because it overturned the 1857 Supreme Court decision in *Dred Scott*, which held that Black people were neither citizens nor equal to white people.¹⁷⁸ Under the Fourteenth Amendment, the law of the land finally said otherwise.

Securing the Right to Vote

The Black delegates knew that without the equal right to vote, Black people could neither exercise their freedom nor enjoy equal citizenship, especially in former Confederate states. The delegates at the 1864 Convention did not equivocate in their demands for political enfranchisement when they stated, “We want the elective franchise in all the States now in the Union, and the same in all such States as may come into the Union hereafter.”¹⁷⁹ In response to those who asked why Black people needed the right to vote in addition to personal freedom and other rights, the delegates declared: “Because in a republican country,ⁱⁱⁱ where general suffrage is the rule, personal liberty, the right to

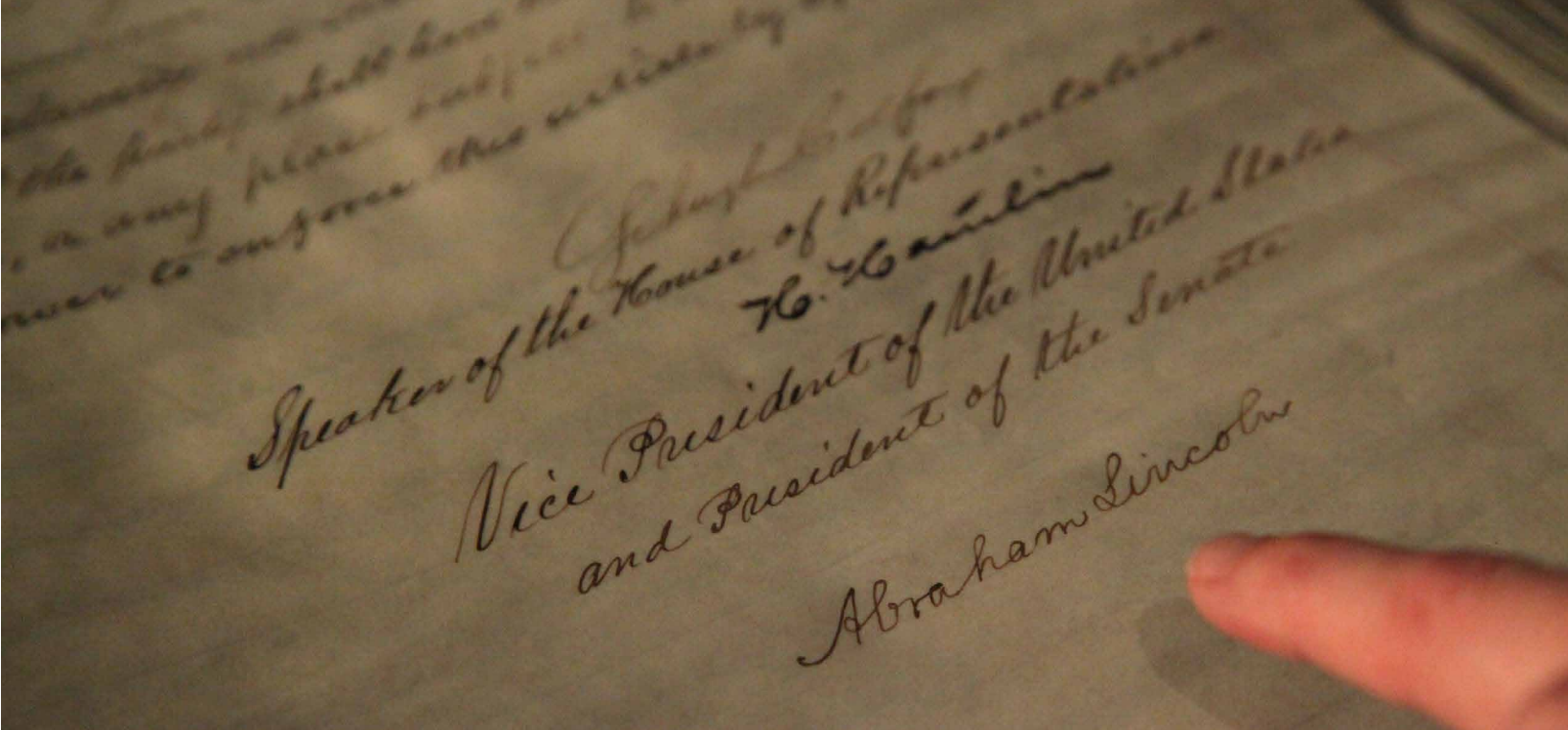
iii The term “republican” in this quote does not refer to the political party of the nineteenth century, nor does it refer to the contemporary Republican Party. In the context of this quote, “republican” is the adjective form of “republic,” which refers to a form of government in which members of the public elect representatives who govern on their behalf.

testify in courts of law, the right to hold, buy, and sell property, and all other rights, become mere privileges, held at the option of others, where we are excepted from the general political liberty.”¹⁸⁰

The wording and 1870 ratification of the Fifteenth Amendment were due, at least in part, to the direct advocacy of the Black delegates who convened in Washington, D.C., on January 13, 1869, for the National Convention. The delegates discussed a disturbing letter from Bishop D.A. Payne describing events taking place in Georgia, where duly elected Black citizens were forced out of their seats by a “mobocratic Legislature.”¹⁸¹ Election integrity and voter suppression were also issues across the country. According to Payne, the inability to vote forced Black residents in a number of states to live in oppressive conditions.¹⁸² Given the clear need for voting rights protections, the Black delegates agreed to send a group of representatives to advocate before the U.S. House Judiciary Committee in support of what would later become the Fifteenth Amendment.¹⁸³ The Black delegates left Congress with these words about the right to vote:

“It is ours because it is yours, and for the same reason that it is yours. It is one of the pursuits of happiness. It is the most honorable means and, in the estimation of intelligent Americans, the most permanent and effectual mode of securing the blessings of liberty to ourselves and for those who shall come after us.”¹⁸⁴

The ratification of the Fifteenth Amendment in 1870 was so monumental because it stated that the right to vote could not be withheld or infringed upon due to a citizen’s race, color, or previous condition of servitude, and it empowered Congress to enforce the right to vote through legislation.



Thirteenth Amendment (1865)

- Abolished slavery.
- Empowered Congress to pass laws to enforce the abolition of slavery.

(above) Abraham Lincoln's signature on the ratified 13th Amendment. Photo by Mayra Beltran/Houston Chronicle via Getty Images

Fourteenth Amendment (1868)

- Stated that persons born in the United States and those formerly enslaved are citizens of the United States and are granted the privileges and protections associated with that status.
- Ensured that all persons in the United States have the benefit of a fair legal process.
- Prohibited states from denying any person equal treatment under the law.
- Repealed the Three-Fifths Clause by stating: “Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each State.”

Fifteenth Amendment (1870)

- Stated that the right to vote cannot be withheld or infringed upon due to a citizen’s race, color, or previous condition of servitude.
- Empowered Congress to enforce the right to vote through legislation.

PART IV

CONNECTING THE CCM'S UNDERSTANDING OF CITIZENSHIP WITH LDF'S VISION OF A MULTI-RACIAL DEMOCRACY

The Black delegates of the CCM showed what citizenship could look like in a multi-racial, representative democracy and why civil rights are necessary to protect equal citizenship and freedom. Today, LDF carries on the CCM's vision of a multi-racial, multi-ethnic democracy that provides equal opportunities for all, working toward a future where human dignity is sacred and power is shared.¹⁸⁵ If the Black delegates of the CCM were here today, they would likely urge LDF to make their dreams of inclusive citizenship a reality. The following recommendations can serve as a starting point for organizing collective action in pursuit of this goal.

To achieve a multi-racial democracy where human dignity is sacred:

Congress must completely abolish slavery in the United States.¹⁸⁶ When Congress passed the Thirteenth Amendment in 1865, it created a loophole for the continuation of slavery: the Exceptions Clause states that involuntary servitude is legal as a punishment for a crime.¹⁸⁷ This loophole laid the groundwork to continue legalized slavery in forced, exploitative, and unregulated prison-based labor.¹⁸⁸ Today, the United States incarcerates about 1.2 million people in state and federal prisons,¹⁸⁹ forcing approximately 800,000 people who are incarcerated to produce more than two billion dollars per year in goods and services.¹⁹⁰ Although people who are incarcerated and working make quantifiably valuable contributions, they earn only an average of \$0.13 to \$0.52 in hourly wages, and in Alabama, Arkansas, Florida, Georgia, Mississippi, South Carolina, and Texas, the majority of these workers receive no compensation.¹⁹¹ This issue

overwhelmingly affects Black people, who are more likely to be assigned to lower-wage prison jobs compared to their white counterparts.¹⁹²

To ensure that citizenship is equally accessible to people of all races, ethnicities, and nationalities:

Legal advocates must disrupt efforts to abolish birthright citizenship. On January 20, 2025, President Donald Trump signed an executive order rescinding birthright citizenship for children born after February 19, 2025.¹⁹³ That same day, LDF and co-counsel filed a lawsuit, *New Hampshire Indonesian Community Support v. Trump*, in the U.S. District Court for the District of New Hampshire to challenge the constitutionality of the executive order.¹⁹⁴ LDF's litigation resulted in a victory on February 10, 2025, when the District Court issued a nationwide order that temporarily blocked the executive order. In a separate case, however, the U.S. Supreme Court issued an opinion on June 27, 2025, that sided with the Trump administration in finding that certain nationwide injunctions are impermissible.¹⁹⁵ In response to the Supreme Court's decision, LDF and co-counsel filed a nationwide class action lawsuit, *Barbara v. Trump*, in the U.S. District Court for the District of New Hampshire on June 27, 2025.¹⁹⁶ The lawsuit was a success: on July 10, 2025, the District Court certified a nationwide class action and again instituted a nationwide order that temporarily blocked the executive order from going into effect.¹⁹⁷ The court's order extended protection to *all* children born in the United States to undocumented parents. At the time of this Brief's publication, the

LDF President and Director-Counsel Janai Nelson at the *Trump v. Barbara* rally at the Supreme Court in Washington, D.C., on April 1, 2026. Photo by Valerie Plesch



temporary, nationwide order blocking the Trump administration’s executive order remains in place; however, the Supreme Court is expected to rule on the constitutionality of the executive order in spring 2026.¹⁹⁸

To guarantee a multi-racial democracy in which high-quality education and economic mobility are available to all and in which power is shared:

State and local lawmakers must allow educators to tell the truth about the United States’ multi-racial national identity.¹⁹⁹ In states across the country, legislators are depriving students of the right to learn about past and present racial and social injustices.²⁰⁰ This ongoing attack on the truth is further amplified by social media users and politicians who mischaracterize the United States as a primarily white, Christian nation.²⁰¹ State and local lawmakers can defend multi-racial citizenship by passing laws that guarantee access to historically accurate curricula and inclusive learning materials. For example, in September 2023, California enacted a law that prohibited school boards from banning books, teaching materials, or curricula that educate students about diverse communities.²⁰² Illinois also passed a law preventing book bans in 2023, and two years before that enacted a law to expand school instruction about Black American history.²⁰³ However, in the absence of such state policies, organizers and community members with influential platforms should educate the public about how people of Black, Indigenous, and Latinx ancestry, as well as immigrants, have contributed to the flourishing of the nation and have participated in the fight for liberation.

Policymakers must protect and expand equal access to a quality education. Today, universal and equal access to education is still not guaranteed.²⁰⁴ Policymakers and community members must take steps to ensure equal access to a quality education that is well-funded and inclusive. First, constituents should advocate against school privatization and demand that state legislatures reduce or eliminate public funds for “school choice” programs (such as education savings accounts,

school vouchers, and tax credit scholarships), which divert resources away from public schools.²⁰⁵ Although supporters of such programs claim they are beneficial to students’ learning outcomes,²⁰⁶ studies show that they may benefit wealthier families and worsen racial and economic segregation, and they may not improve academic outcomes.²⁰⁷ Additionally, state legislatures should explore more equitable ways to fund public education.

Beyond K-12 schools, policymakers must also ensure that students of color and low-income students have equal access to higher education. Congress should protect federal student aid programs, increase grant aid for higher education and historically Black colleges and universities, and expand student debt relief and forgiveness programs.²⁰⁸ The burdens of student loan debt disproportionately impact Black people: Black students have more student loans across all income groups, and Black women have the most student loan debt among all demographic groups.²⁰⁹ Moreover, community members should advocate for universal college affordability, the eradication of predatory private lending, and the expansion of student loan relief programs. Costs should never be a barrier to the pursuit of education, which is and has always been a human right.

State and local lawmakers must defend the right to vote. Black people’s right to vote has been under a decades-long attack by private individuals, organized interests, and even elected officials. Several actions can be taken to protect the right to vote. First, legal advocates should continue to fight for fair district maps.²¹⁰ Second, state legislatures should enact state voting rights acts to provide key protections against discriminatory voting practices and policies. These protections may include prohibiting vote dilution and voter suppression, creating state-level preclearance programs to require local governments at high risk of voting discrimination to seek approval before making changes to the voting process, ensuring that language assistance is available for voters with limited English proficiency, and fighting against

voter intimidation. Seventy-eight percent of voters²¹¹ support their state enacting a voting rights act, and eight states have already done so, with additional efforts currently underway in several others.²¹² Finally, states and local jurisdictions should explore structural electoral changes, such as proportional

multi-winner ranked choice voting²¹³ and single-winner ranked choice voting,²¹⁴ to ensure that Black voters have an equal opportunity to elect candidates of their choice without the risk of racial vote dilution.²¹⁵



Mother Bethel African Methodist Episcopal Church in Philadelphia, Pennsylvania, where the Colored Conventions Movement was founded. Image courtesy of Mother Bethel African Methodist Episcopal Church, Richard Allen Museum and Archives, Photograph Collection, Philadelphia, PA

CONCLUSION

What does it mean to be a citizen? Who can lay claim to U.S. citizenship, and on what basis? What qualifies as civil rights, and why are they needed? These questions are as relevant today as they were when the Black delegates of the CCM gathered to discuss them at annual conventions during the nineteenth century. The history of the CCM, which has often been absent from mainstream discussions, provides salient lessons for the continued struggle for human dignity, racial justice, and equality. Furthermore, it underscores how far the United States still must go to achieve the Black delegates’ vision of a multi-racial democracy based on equal citizenship.

During the 250th anniversary year of the nation’s founding, it is important to reexamine U.S. history from the perspectives of Black people and other groups who have been marginalized and excluded from the narratives that continue to influence how people and courts interpret the law. Following the example of the visionary CCM delegates, the United States must adopt an expansive understanding of citizenship and civil rights that advances equality and safeguards freedom. Through coordinated efforts to completely abolish slavery, protect birthright and naturalized citizenship, advance quality and truthful education, and defend the right to vote, the United States can move closer to the promise of equal citizenship envisioned by the free Black delegates of the CCM.

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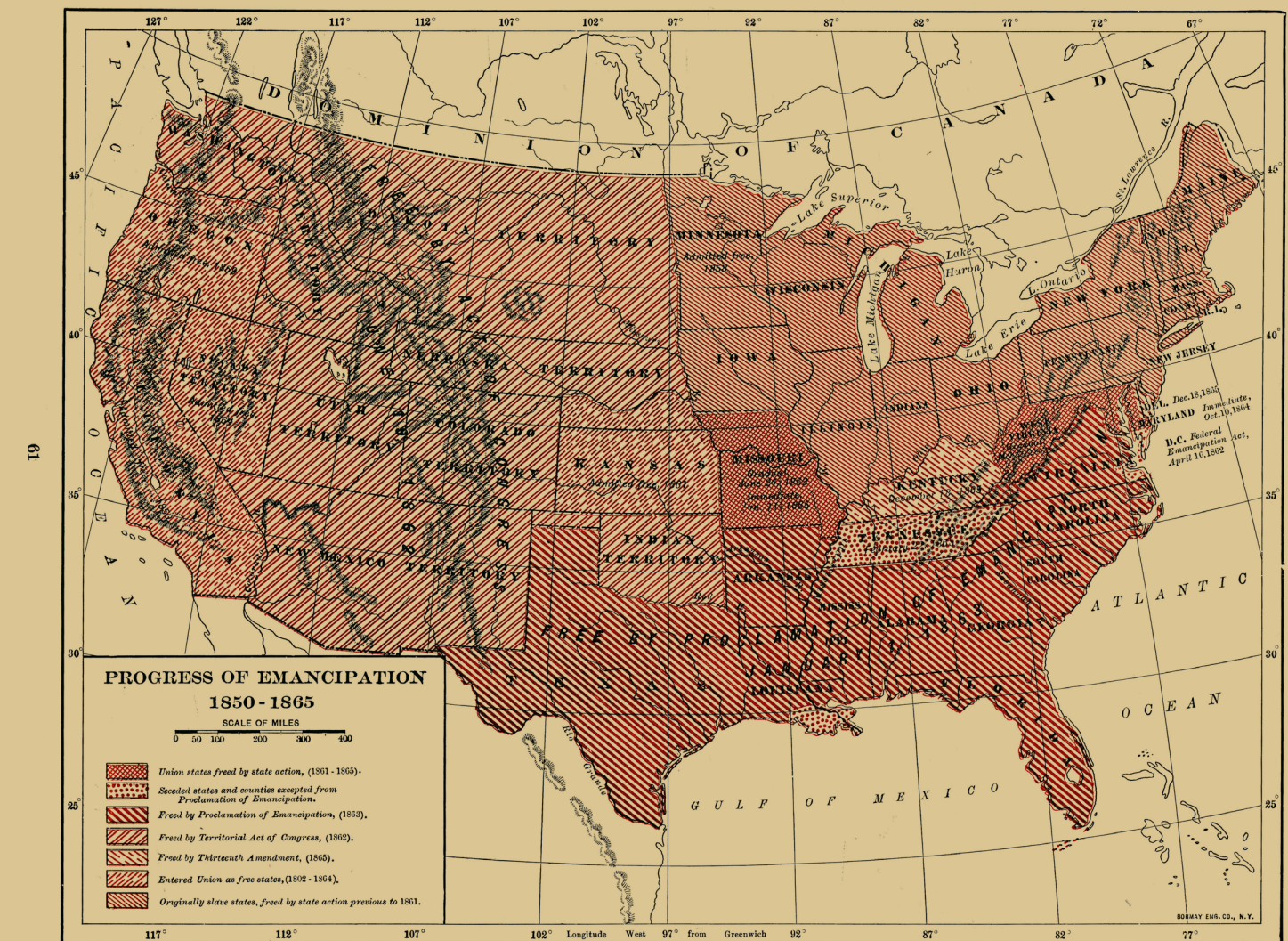


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