

Can you think of anything you learned about American history that changed your perspective on it?

When I was growing up, I always learned that the American Civil War was fought over slavery, and with the defeat of the Southern Confederacy, slavery ended in the United States. The 13th Amendment to the Constitution, passed in 1865, guaranteed the end of slavery. Getting rid of slavery allowed our moral status in the world to increase. That is why the leadership of the United States over the "Free World" is unquestioned.

When I took American History classes in college, I was never taught anything different than this view. Even when I went to graduate school, majoring in American History, this fact was never challenged.

This fact, that slavery ended in the USA in 1865, is the way I taught my own courses in American History. It became a bedrock of my view of my country, that we are a morally superior nation, a free and independent people, an exemplar of Democracy, always in the forefront of expanding human rights.

And then, one day, I deeply pondered the 13th Amendment. I had read the text of it many times before, but there was nothing I had read that caused me to change my view of my national heritage. But for some reason, on that day, when I read it again, it changed my whole view of America.

Read it to yourself, right now, and take time to read it slowly. See if you can absorb its meaning as I did on that day many years ago. This is the text of the 13th Amendment:
"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

For some reason, on that day, the whole meaning of that Amendment jumped out at me when I focused on the word "EXCEPT." Without it, the wording would be "Neither slavery nor involuntary servitude shall exist in the United States..." And that would certainly be the final end of slavery in the USA.

But with the word "EXCEPT" the 13th Amendment specifically states that slavery and involuntary servitude continue. With that large exception, the wording allowed the Southern state governments to continue enslaving African Americans, by convicting massive numbers of black men of some sort of crime.

They started doing this right after Confederate armies surrendered in 1865. Southern state governments passed laws called the "Black Codes." Those state governments were led by essentially the same men who founded and supported the rebellion against the United States in the Civil War. And that rebellion occurred because those white Southerners wanted to continue the enslavement of black Southerners.

The Southern establishment was amazingly persistent. The Reconstruction era came and went, and as the old elite came back into power after Republican Party leaders abandoned policies of racial injustice, they called themselves "Redeemers." They felt that they were "redeeming" the old order. They were able to do this because, while everyone mouthed the words "the 13th Amendment ended slavery," they could carry on the practice in another guise due to the exception for persons convicted of a crime.

The main difference from the old establishment of slavery was that few women and children were convicted of a crime, so there was no more slavery from birth. In some ways the new system was more efficient, because it did not have to support entire families as before the Civil War. Just get men at the height of their years of strength, and more labor can be extracted. Otherwise, black families could continue to exist, but at minimal economic status.

The new system became even more efficient for the upper class when they developed the convict lease system. Landowners and business owners in need of extra laborers could go to the local sheriff and pay a fee to "lease" a convict for a specified length of time. This convict lease system was not much different from the old slave trade. Instead of purchasing a slave, though, the employer paid cash to lease a convict for a short time. For a black man convicted of a crime, however, the experience was not much different from slavery. They were just owned by a master for a short time. Then it was back to jail until another plantation owner or business owner came along to pay the sheriff for another lease.

Everyone made money from this new system. The sheriff had a financial incentive to arrest more men, in order to get paid for leasing them. Arrest rates went up at harvest time, and down during recessions.. Employers liked it because they could get cheap labor just at times of need. They did not have to support workers year round. They did not have to provide years of care for enslaved children or those who were elderly, infirm, or injured. In many ways, the convict lease system was capitalism on steroids.

The rich got richer and the poor got poorer. Landowners and business owners got richer through their control of local governments, which they achieved by stuffing ballot boxes and systematically terrorizing black men (this was decades before women could vote) to keep them from voting. And, if the sheriff was your brother or cousin, he might charge you less to lease prisoners.

Under convict lease the poor got poorer because they might be charged a large fee to be left alone, and if they were arrested they lost the ability to make money for their own family while they were incarcerated. They became poorer, in short, because they had no political influence.

In the 20th century, scandal after scandal finally forced the South to end convict leasing. But in the 1970s the US government began a new system. President Richard Nixon began the War on Drugs, which became the excuse to arrest large numbers of

poor black, white, and Latino men. Prison populations exploded, and by the 1980s and 1990s the United States had over 20% of the world's prisoners (even though the US has only 4% of the world's population).

Today, the United States has more prisoners than any other nation on earth. One in nine adult men in the USA has some sort of criminal record. For African American men, the statistic is one in three.

If one third of any population of people suffers under such a government, it is not surprising if resentment and alienation eventually boils over into extreme reactions. Even the oppressive British colonial government did not arrest this many Americans, before the patriots rose up in resistance, in the American Revolution of 1775 to 1781.

Prisoners in the USA today are forced to work, making equipment for the US military and other agencies. Plus, prisoners are paid only pennies per hour, while they must pay exorbitant costs, such as more than \$3.00 **per minute** to make telephone calls to their families. This forced labor and economic exploitation is allowed by the courts because, you guessed it, the 13th Amendment to the Constitution specifies it. The only conclusion to be made is that the United States, in fact, continues to allow the enslavement and forced labor of its citizens.

The United States was founded on the principle that "life, liberty, and the pursuit of happiness" is the purpose of government. Today, for many people, this government is not accomplishing those goals. Part of the reason is because the 13th Amendment to the Constitution allows slavery to continue, to the present. That exception should be repealed, and a new more comprehensive Bill of Rights should be adopted.

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