



2021 South Dakota Legislature

House Concurrent Resolution 6005

Introduced by: **Representative Phil Jensen**

1 **A CONCURRENT RESOLUTION, Celebrating Black History Month.**

2 WHEREAS, the accomplishments of African Americans throughout this country's history
3 have been abundant, significant, and far-reaching, and have helped shape this country into
4 an exceptional nation of unprecedented opportunity and achievement; and

5 WHEREAS, the countless contributions by African Americans have been varied and diverse,
6 as well as indispensable and inspiring, and have influenced politics, religion, education,
7 science, research, business, entrepreneurship, and the military, among others; and

8 WHEREAS, many important and indisputable facts from our history have been
9 underemphasized and overlooked; and

10 WHEREAS, the first Africans were originally brought to North America unwillingly, having
11 been conquered, captured, and sold by other African tribes and Muslim slave-catchers to the
12 Dutch and other traders journeying to America; and

13 WHEREAS, the first African slaves in North America were brought by the Spanish to their
14 colonies in the Florida region in 1565; and

15 WHEREAS, the first African slaves in a North American English colony arrived in Virginia
16 in 1619, but became indentured servants instead of remaining slaves, earning their freedom,
17 with the state giving them their own land after a set number of years; and

18 WHEREAS, the first documented occasion of legalized black chattel slavery in the English
19 colonies of America did not occur until 1651, in Virginia, when free African American, Anthony
20 Johnson, sued and won the right to own another African American for life; and

21 WHEREAS, a slave ship arrived in 1646, in New England, whereupon the slaves were freed,
22 and the slave owners imprisoned, being charged with the capital crime of man-stealing; and

1 WHEREAS, the two English colonies of Virginia and Massachusetts began a dual track for
2 African Americans, with much slavery and oppression in the South and much freedom and
3 opportunity in the North, including the early right to vote and hold office; and

4 WHEREAS, African Americans contributed much to this country's rich colonial history,
5 including political officials such as Mathias DeSouza, who was elected to office in 1641;
6 Wentworth Cheswill, who was elected to office in 1768 and reelected for the next 49 years to
7 eight different political offices; and Thomas Hercules, who was elected to office in 1793; and

8 WHEREAS, one of the first casualties of the movement for Independence was black patriot
9 Crispus Attucks, who was shot by British soldiers during the Boston Massacre; and

10 WHEREAS, notable black soldiers in the War for Independence included James Armistead,
11 Jack Sisson, Prince Whipple, Peter Salem, Salem Poor, Lemuel Haynes, Richard Allen, Prince
12 Estabrook, Crispus Attucks, Jordan Freeman, Oliver Cromwell, Brister Baker, and numerous
13 others; and

14 WHEREAS, during the War for Independence, blacks and whites served together, in
15 integrated units, in virtually every battle of the war and African Americans routinely reenlisted,
16 voluntarily serving an average of nine times longer than white soldiers; and

17 WHEREAS, influential black colonial clergymen included Richard Allen, the founder of this
18 country's first black denomination; Absalom Jones, the first black clergyman to be ordained
19 in a major Christian denomination; Lemuel Haynes, the first black American to receive a
20 degree in higher education and to have a sermon published, while pastoring multiple white
21 churches; and Harry Hoosier, credited as being the namesake of the Hoosier state - Indiana;
22 and

23 WHEREAS, African Americans also contributed to this country's history, well beyond the
24 colonial era and the country's founding; and

25 WHEREAS, throughout the 18th and 19th centuries, there were many distinguished African
26 American entrepreneurs and business leaders, including Paul Cuffe, Stephen Smith, Clara
27 Brown, Robert Gordon, Bridget Mason, and Charles Patterson; and

28 WHEREAS, notable 19th century black soldiers included Robert Smalls, the first black
29 United States naval captain and Major General in the South Carolina militia and William
30 Carney, Christian Fleetwood, Alfred Hilton, Charles Veal, and Alexander Kelly—five of the

1 seven black Americans who received the medal of honor for protecting this country's flag—
2 with many others receiving that medal for other acts of courage; and

3 WHEREAS, in the 19th century, influential African Americans included federal political
4 leaders such as Hiram Rhodes Revels, the first black United States Senator; Blanche Kelso
5 Bruce, the second black United States Senator and the first black man to be nominated for
6 Vice President and to have his name printed on federal currency; and Joseph Hayne Rainey,
7 the first black man to preside over the United States House of Representatives; and

8 WHEREAS, distinguished black ministers and civil rights advocates who should be honored,
9 include Frederick Douglass, Henry Highland Garnet, Booker T. Washington, Harriet Tubman,
10 and Sojourner Truth, and more recently Dr. Martin Luther King Jr; and

11 WHEREAS, many critics today wrongly assert that the United States Constitution was a
12 pro-slavery document, pointing to the three-fifths clause and claiming the Constitution states
13 that blacks are only three-fifths of a person; and

14 WHEREAS, famous black clergyman and abolitionist Frederick Douglass had been told this
15 and accepted that the Constitution was a pro-slavery document, until he read it for himself,
16 together with the writings of those men who actually wrote the document; and

17 WHEREAS, after personal examination, Frederick Douglass concluded that the Constitution
18 was an anti-slavery document and declared, "I defy the presentation of a single pro-slavery
19 clause in it" and that, to the contrary, "it will be found to contain certain principles and
20 purposes entirely hostile to the existence of slavery"; and

21 WHEREAS, Frederick Douglass understood that the three-fifths clause dealt only with
22 representation and not the worth of any individual, regardless of color; and

23 WHEREAS, many today overlook or ignore this country's positive record on race and
24 slavery; and

25 WHEREAS, by 1804, every northern state had passed laws for the abolition of slavery;
26 and

27 WHEREAS, in 1807, the United States became the first nation in the world to sign a law
28 banning the slave trade, with Great Britain doing so shortly thereafter; and while the British
29 law went into effect two months before that of the United States, it contained major loopholes,

1 which the United States law did not, causing the United States to be the first nation in the
2 world with an immediate ban on the slave trade; and

3 WHEREAS, beginning in 1819, the United States dispatched and maintained a naval
4 presence off the coast of Africa to prevent other nations from taking slaves out of Africa, and
5 United States naval vessels intercepted and turned back numerous ships from other countries,
6 continuing this effort until the outbreak of the Civil War, when those ships were called home
7 to fight the southern slave-holding Confederacy; and

8 WHEREAS, the United States was not a major world leader in the African slave trade; for
9 of the 12.7 million Africans involuntarily removed from Africa and sold into slavery from 1501-
10 1875, 46 percent were made slaves in Portuguese holdings, 26 percent in English holdings,
11 11 percent in French holdings, 8 percent in Spanish holdings, and 4 percent in Dutch holdings,
12 while only 2.4 percent were brought to the United States; and

13 WHEREAS, of the nearly 200 nations in the world today, 94 still have not criminalized
14 slavery or the slave trade; and

15 WHEREAS, there are currently 40 million slaves in the world—three times more than were
16 taken in the entire 400 year history of the transatlantic African slave trade; and

17 WHEREAS, the United States is ranked as one of the top nations in the world when it
18 comes to fighting slavery, the slave trade, and human trafficking; and

19 WHEREAS, despite early progress and work in advancing racial freedom and equality,
20 those issues have become more political and polarizing, with many leaders directly opposing
21 freedom and racial equality; and

22 WHEREAS, one example is a 1789 law that prohibited slavery in the federal territories but
23 was reversed, in 1820, when Democrats passed the Missouri Compromise; and

24 WHEREAS, in 1850, the Democrat-controlled Congress passed the Fugitive Slave Law,
25 denying even minimal constitutional protections to accused slaves and allowing slave-hunters
26 to take blacks from the North to slavery in the South; and

27 WHEREAS, in 1854, the Democrat-controlled Congress passed the Kansas-Nebraska Act,
28 legally allowing the extension of slavery all the way north, to Canada, through many formerly
29 anti-slavery territories; and

1 WHEREAS, in May of 1854, following the passage of pro-slavery laws in Congress, a
2 number of anti-slavery Democrats joined with anti-slavery members of Congress to form the
3 Republican Party, to fight slavery and secure equal civil rights for black Americans; and

4 WHEREAS, in 1856, Republicans issued their first national platform, affirming the call, not
5 only for the end of slavery, but also for equality and civil rights; and

6 WHEREAS, in 1857, the majority Democrat United States Supreme Court delivered the
7 Dred Scott decision, declaring that blacks were not persons, but property, that blacks had no
8 rights, and that Congress could not ban slavery anywhere; and

9 WHEREAS, the 1860 Democrat platform openly supported slavery and Democrats gave
10 out a copy of the Dred Scott decision, along with their platform, to show they agreed with
11 that Court's decision; and

12 WHEREAS, in the 1860 presidential election, anti-slavery candidate Abraham Lincoln
13 represented the Republican Party, and the national Democrat vote was split between three
14 pro-slavery candidates—Stephen Douglas of Illinois, John Breckenridge of Kentucky, and John
15 Bell of Tennessee—with Lincoln receiving 39 percent of the national popular vote and 60
16 percent of the electoral votes, and the pro-slavery Democrats receiving 61 percent of the
17 popular vote and 40 percent of the electoral votes, after which Abraham Lincoln became
18 president; and

19 WHEREAS, Republicans not only won the presidency but also gained control of the United
20 States House and Senate, after the majority of pro-slavery Democrats resigned and seceded,
21 and they began passing anti-slavery and civil rights laws; and

22 WHEREAS, in 1865, when the 13th Amendment was passed to abolish slavery, only 21
23 percent of Democrats in Congress voted to end slavery; and

24 WHEREAS, on the same day that Congress abolished slavery, Republican Senator Charles
25 Sumner took black American attorney—and teacher, dentist, and physician—John Rock to the
26 United States Supreme Court, where he became the first black American to be admitted to
27 the Supreme Court bar; and

28 WHEREAS, after the passage of the 13th Amendment, Republicans asked black pastor,
29 Rev. Henry Highland Garnet, a former slave, to preach a sermon commemorating the end of

1 slavery at the church service held every Sunday in the Hall of the House of Representatives
2 inside the United States Capitol; and

3 WHEREAS, the Rev. Garnet preached his sermon on Sunday, February 12, 1865, recalling:
4 "What is slavery? Too well do I know what it is I was born among the cherished
5 institutions of slavery. My earliest recollections of parents, friends, and the home of my
6 childhood are clouded with its wrongs. The first sight that met my eyes was my Christian
7 mother enslaved"; and

8 WHEREAS, by this sermon, Garnet became the first black American officially to speak in
9 the halls of Congress; and

10 WHEREAS, the 14th Amendment securing civil rights for black Americans was passed,
11 without a single Democrat vote of support, and the 15th Amendment—securing voting rights—
12 was then passed, also without Democrat support; and

13 WHEREAS, when black Americans in southern states received civil rights, including the
14 right to vote, they promptly elected state Republican Legislatures across the South, which
15 moved quickly to protect voting rights for African Americans, prohibit segregation, and open
16 public education, public transportation, and state police, schools, and other institutions to
17 black Americans; and

18 WHEREAS, black Americans became active legislators in the South, with the first 42 blacks
19 elected to the state Legislature in Texas being Republicans, along with the first 127 black
20 legislators in Louisiana, the first 103 in Alabama, the first 112 in Mississippi, the first 190 in
21 South Carolina, the first 46 in Virginia, the first 30 in Florida, the first 30 in North Carolina,
22 the first 41 in Georgia; and

23 WHEREAS, the first 23 black legislators elected to the United States Congress were
24 Republicans, and were largely from the southern Democrat states, where 13 of them had
25 been slaves; and

26 WHEREAS, in 1866, Democrats began to retaliate against black advancement in the
27 southern states, not only by the manipulation of election laws in the South, but also by
28 physical violence—as in Louisiana, where 40 black and 20 white Republicans were killed, with
29 150 more wounded, at the Republican Party convention; and

1 WHEREAS, in 1866, Democrats openly acknowledged in congressional hearings that they
2 formed the Ku Klux Klan, as a political affiliate, to help regain Democrat control in elections;
3 and

4 WHEREAS, the national leader and Grand Wizard of the Ku Klux Klan was a prominent
5 Democrat leader and former Confederate General—Nathan Bedford Forest—an honored
6 member of the Democrat National Convention of 1868; and

7 WHEREAS, the Ku Klux Klan reign of violence often targeted and lynched not only blacks,
8 but also white Republicans, with 3,345 blacks and 1,297 whites being lynched between 1882
9 and 1964; and

10 WHEREAS, by 1875, Republicans had successfully passed almost two dozen civil rights
11 laws to secure equality and full civil rights; and

12 WHEREAS, in 1876, Democrats regained control of the United States House and not only
13 successfully blocked further civil rights progress, but began repealing existing civil rights laws
14 so that it would be another 89 years before the next federal civil rights law was passed; and

15 WHEREAS, Democrats also regained control of southern state legislatures, becoming
16 known as the "solid Democrat South"; and

17 WHEREAS, Democrats succeeded in barring southern blacks from federal elected offices
18 for an additional 70 years; and

19 WHEREAS, Democrats did not elect their first black American to the United States House
20 until 1935, nearly 65 years after Republicans had done so, and no black Democrats from the
21 South were elected to Congress until 1973, more than a century after Republicans, and that
22 1973 election occurred only after the United States Supreme Court struck down the
23 gerrymandered district lines that Democrat state legislators had drawn to keep blacks from
24 being elected to federal office; and

25 WHEREAS, Democrats strongly opposed equal education for all students, as evidenced by
26 87 percent of congressional Democrats voting against the 1872 civil rights education bill, and
27 burned down many schools and churches in which black children were being taught, thereby
28 causing segregated, inferior, and dilapidated schools to become the norm for black children
29 in the southern states under Democrat control; and

1 WHEREAS, in the 1954 case of Brown v. Board of Education, the United States Supreme
2 Court struck down mandatory state segregation laws in education, thereby reinstating the
3 anti-segregation standard that Republicans had passed nearly 75 years earlier, in the 1875
4 civil rights bill, which had been strongly opposed by Democrats at the time; and

5 WHEREAS, 100 Democrats in the United States Congress—19 Senators and 81
6 Representatives—passed the "Southern Manifesto," denouncing the Court's 1954 decision to
7 end segregation; and

8 WHEREAS, although under President Franklin Roosevelt, the Democrat platform for the
9 first time called for an end to racial discrimination, Democrats in Congress killed every piece
10 of civil rights legislation introduced in that era; and

11 WHEREAS, when Democrat President Harry S. Truman introduced an aggressive ten-point
12 civil rights legislative package that included an anti-lynching law, a ban on the poll tax, and
13 desegregation of the military, Democrats killed all of his proposals, including his proposed
14 Civil Rights Commission; and

15 WHEREAS, Republican President Dwight D. Eisenhower issued executive orders to
16 eliminate racial discrimination and segregation in the District of Columbia and federal
17 agencies, and became the first president to appoint a black American, Frederick Morrow, to
18 an executive position on the White House staff; and

19 WHEREAS, in 1957, Eisenhower proposed a bold civil rights bill to increase black voting
20 rights and protections, but it was blocked by Democrat Senator James Eastland, who is
21 credited with killing every civil rights bill that came before his committee in the 1950s; and

22 WHEREAS, in 1960, Democrat President John F. Kennedy refused to sign an executive
23 order to integrate public housing until the violent racial discord in Birmingham in 1963 caused
24 him to change his mind, after which he began promoting the civil rights bill; and

25 WHEREAS, when Democrat President Lyndon Johnson promoted the 1964 Civil Rights Act,
26 which he had voted against while serving in the United States Senate, it was halted by
27 Democrat Senators Robert Byrd and Richard Russell, until Republican Senator Everett Dirksen
28 was able to move the measure forward, thereby enacting the Civil Rights Act of 1964, and
29 following it with the Voting Rights Act of 1965; and

1 WHEREAS, it was the Republicans in Congress who made possible the passage of both the
2 1964 Civil Rights Act and the 1965 Voting Rights Act, for at the time Democrats had 315
3 members in Congress, holding almost two-thirds of the House and two-thirds of the Senate,
4 needing only 269 votes to pass those bills, but garnering only 198 Democrat votes; and

5 WHEREAS, Democrats had it completely within their power to pass those landmark civil
6 rights bills but did not, and Republicans overwhelmingly supported the 1964 Civil Rights Act,
7 with 83 percent of Republicans voting for that bill—a percentage of support almost 20 points
8 higher than that of the Democrats; and

9 WHEREAS, the most recognizable civil rights leader of that era was the Rev. Martin Luther
10 King, Jr., a Christian minister who was with President Johnson when the famous civil rights
11 bill was signed into law; and

12 WHEREAS, the contributions of not only the African Americans noted above but also of
13 countless others, should also be recognized and honored; and

14 WHEREAS, the story of black heroes, over the past three-and-a-half centuries, needs to
15 be told and understood by all people today, but is often ignored or rewritten; and

16 WHEREAS, these heroes are not just black heroes, but national heroes, and deserve to be
17 honored by all people of this country, regardless of race or ethnicity; and

18 WHEREAS, the State of South Dakota is committed to preserving historical literacy and
19 honoring the names and lives of those who have contributed so much to making the United
20 States such a remarkable nation among the nations of the world;

21 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-Sixth
22 Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature
23 urges each resident to become familiar with the names noted in this resolution and to
24 investigate and understand the truly remarkable achievements of those individuals; and

25 BE IT FURTHER RESOLVED, that South Dakotans celebrate the contributions of all people,
26 especially those of black heritage, during Black History Month, and express gratitude for
27 contributions that have spanned generations and will impact many more in the coming years.