ASSOCIATION FOR THE STUDY OF
AFRICAN AMERICAN LIFE AND HISTORY®

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2028 BLACK HISTORY THEME EXECUTIVE SUMMARY
BLACK AMERICAN CITIZENSHIP, 1868-2028

In 2028, America will mark the 160th Anniversary of the ratification of the Fourteenth Amendment, a constitutional milestone that extended birthright citizenship and equal protection under the law to free Black people and formerly enslaved people; the 60th anniversary of the release of the Kerner Commission and of the assassination of Rev. Dr. Martin Luther King, Jr. These three moments are powerful markers in the ongoing struggle for Black citizenship, showing how demands for equality and justice have evolved and been challenged through the law and with violence throughout American history. The Fourteenth Amendment was designed to usher in a new era by recognizing Black American citizenship, yet decades later, the Kerner Commission Report noted the divisions in society and the failure to achieve true equality. The assassination of Dr. King, one month after the release of the Report, marked a turning point in the struggle for civil rights. Taken together, these three milestones frame this year's theme of **Black American Citizenship, 1868-2028**. They remind us that the "legal" granting of citizenship has never been sufficient and has always been contested. Citizenship is not just a legal status, but it is supposed to be full participation in democratic life: access to the ballot, economic opportunity, and freedom from state violence.

Originally passed by Congress in 1866, the Fourteenth Amendment was designed as a direct follow-up to the 1865 Thirteenth Amendment and was born out of the 1866 Civil Rights Act that struck down the Black Code. It was a cornerstone of the Radical Reconstruction movement, as Republicans believed that they needed to put citizenship beyond the reach of Congress. It took two years to be ratified, and once it was, it was contested almost immediately. In the immediate aftermath, Southern states passed another round of Black Codes and engaged in widespread racial violence, specifically aimed at suppressing the rights of newly recognized Black citizens. Additionally, local officials routinely denied Black Americans the right to testify in court, sit on juries, or own property, which, along with the acts of terror, were meant to undermine the amendment's intent. These acts of resistance showed that legal citizenship faced fierce opposition on the ground from both individuals and state authorities.

The collapse of Reconstruction—coupled with the later Supreme Court rulings in the *United States v. Cruikshank (1875)*, which noted that the Fourteenth Amendment only applied to state actions and offered no protections against acts by individual citizens, and *Plessy v. Ferguson (1896)*, which upheld the constitutionality of segregation and Jim Crow laws and Black codes—ushered in a period of racial terror that stripped Black Americans of the rights the Constitution theoretically guaranteed. Even though many Black Americans waged an unrelenting campaign to make the law of the land the law of the lived experience, some chose to leave the United States in search of safety from racial violence and a greater potential for economic success.

For those who stayed—the educators, activists, college students, pastors, lawyers, entertainers, and lay people—the work to push back included staged sit-ins at lunch counters, Freedom Rides, and voter registration drives across the Deep South at tremendous personal risk. This work, alongside the legal pressure from the NAACP Legal Defense Fund, led to the passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Civil Rights Act of 1966. But, by 1968, one month before the assassination of Dr. King, the Kerner Commission Report, which was organized to investigate the 1967 riots, declared that America was "moving toward two societies, one black, one white—separate and unequal". They argued that it was happening because white racism was creating and maintaining economically disenfranchised Black communities, which, by its very nature, threatened democratic values.

The murder of Dr. Martin Luther King Jr. on April 4, 1968, was not simply the assassination of a man; it was an attempt to silence a movement's moral conscience after years of struggle and sacrifice. It was an abrupt and horrific moment in the struggle for civil rights. Since then, mass incarceration, voter suppression, and persistent wealth gaps have ensured that the contestation of Black citizenship continues.

To be clear, Black Americans have not merely survived a society that did not see them as citizens but rather have thrived by finding and creating pathways to success. They built educational institutions, organized freedom/citizenship schools, sustained and developed religious and faith-based, as well as social and fraternal organizations, founded businesses, and created cultural movements.

After 160 years, the goals laid out in the Fourteenth Amendment are promises that are still being fulfilled. Our 2028 theme, **Black American Citizenship, 1868-2028**, is a call to action, and, like every generation before us, we are being called to take up the unfinished work of contesting citizenship in every arena available to us—from the courthouse to classrooms, in Congress here or across the Atlantic, from the streets to the voting booths, the goal is the same: we must refuse to accept less than full humanity for every Black person, everywhere. The ancestors who marched, litigated, taught, wrote, and sacrificed did not do so for commemoration. They did it for continuation, and that continuation is our responsibility, and it begins now.