

Do Black Life Really Matters or Just a Hoax? A Societal Impact

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Abstract:

Slave trade is one of the darkest part of American History. The story of Black history in the United State begins with the transatlantic slave trade, which brought millions of Africans to America as enslaved black people. Despite the brutal Agony, conditions of slavery, black people resisted and fought for their freedom, culminating in the abolition of slavery in 1865. But after the abolition of slavery, Black Americans still faced systemic racism and many forms discrimination such as segregation, Jim Crow laws, etc. The Black American in the stream of time faced many challenges but Nevertheless, people continued to fight for their rights, culminating in the Civil Rights Movement of the 1950s and 1960s, which brought about important legal and social changes, such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965 etc. No doubt, that every human life matters, this paper Enlightens about the Landmark case laws, which established The Systematic Racism, and Discrimination, Jim Crow laws, Flaws etc. Also this paper discussed about How Still in Present time, Black American, are suffering from many atrocious act of the few members of society towards them. Many case laws and incident states malefaction acts against the black, in analysis and discuss about such case and recent India. This paper also conclude on a comparative study of the conditions of black American with some enlisted reform.

Keywords: Jim Crow, Plessey, Board Of Education, Amendment, Racism.

Introduction

The International Convention on the Elimination of All Forms of Racial Discrimination under Article 1(1) states that “the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”¹

Black Americans have played a vital role in shaping the course of American history, from the horrors of the transatlantic slave trade to the triumphs of the Civil Rights movement. In the United States, Black history is often associated with the struggle for freedom and equality. From the early abolitionist movement to the modern-day Black Lives Matter movement, Black Americans have fought tirelessly to challenge systemic racism and injustice. Few Hon’ble people such as Harriet Tubman, Frederick Douglass, Sir Martin Luther King Jr., and Malcolm X are just a few of the Black leaders who have made significant contributions to American history. Despite the many challenges and obstacles they have faced, Black people have continued to push for progress and make history in countless ways. Today, as we

¹ About the term "racial discrimination" Available at: <https://un.org/internaational-convention-article-1/306811>(last visited on 16th, April 16, 2023)

continue to grapple with issues of systemic racism and inequality, it is important to recognize and honor the contributions of Black people throughout history.

History of United States

The story of Black history in The United State begins with the transatlantic slave trade, which brought millions of Africans to America as enslaved people. Despite the brutal conditions of slavery, Black people resisted and fought for their freedom, culminating in the abolition of slavery in 1865. The thirteen amendment abolished the atrocious act of slavery. The Thirteen, fourteen and fifteen were few of the important amendment relating to black American in course of time, this amendments are explain below in brief:

The Thirteen Amendment of United states

The 38th Congress of the United States proposed the 13th Amendment to the United States Constitution on January 31, 1865, during then president Abraham Lincoln. However, President Lincoln was not alive to see the Amendment ratified, as he was assassinated on April 14, 1865, before its final ratification on December 6, 1865. The Thirteen Amendment to the United States Constitution was ratified on December 6, 1865, the thirteen amendment was widely known for abolished slavery and involuntary servitude, except as punishment for a crime. Some essential points of this Amendment are been enlisted below:

Abolition of Slavery: The most significant essence of the 13th Amendment is that it abolished slavery, which had been legal in the United States for more than 200 years. The Amendment effectively ended the Atrocious practice of slavery and recognized that all humans had a right to freedom and liberty.

Exception for Punishment: The exception in the 13th Amendment for slavery and involuntary servitude as punishment for a crime has been used justified to the use of forced labor in prisons; it was criticized as a form of modern-day slavery.

Limited Effectiveness: The 13th Amendment did not immediately bring about the end of slavery in the United States. Many slaveholders continued to hold their slaves until the end of the Civil War in 1865, and the Amendment did not fully address the social and economic injustices that African Americans faced.

Equal Rights: The Amendment recognized that all individuals are equal under the law and that no one should be held in slavery or servitude against their will. This helped to pave the way for further civil rights legislation in the United States.

Racial Discrimination: Even after the abolition of slavery, racial discrimination persisted in the United States, and African Americans continued to face discrimination in education, employment, housing, and other areas. The Amendment did not address these issues, and it took further civil rights legislation to bring about greater equality.

Fourteenth amendment

The Fourteenth Amendment to the United States Constitution was ratified on July 9, 1868. It has several important provisions that have had a significant impact on American society. Here are some of the key points of the Fourteenth Amendment:

Citizenship: The Fourteenth Amendment granted citizenship to all persons born or naturalized in the United States, including former slaves. This provision overturned the Supreme Court's decision in *Dred Scott v. Sandford* (1857), which had held that black people could not be citizens of the United States.

Equal Protection: The Fourteenth Amendment guarantees equal protection of the laws to all persons within the United States. This provision has been used to strike down laws that discriminate based on race, gender, sexual orientation, and other factors.

Due Process: The Fourteenth Amendment prohibits states from depriving any person of life, liberty, or property without due process of law. This provision has been used to protect individual rights in a wide range of contexts, from criminal justice to education.

Enforcement: The Fourteenth Amendment gives Congress the power to enforce its provisions through appropriate legislation. This has been used to pass civil rights laws, such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Overall, the Fourteenth Amendment has played a crucial role in expanding civil rights and protecting individual liberties in the United States. It has been used to strike down discriminatory laws and to promote greater equality and justice for all Americans.

Fifteenth Amendment:

Fifteenth Amendments, The Fifteenth Amendment to the United States Constitution was ratified on February 3, 1870. It prohibited the federal and state governments from denying a citizen the right to vote based on that citizen's "race, color, or previous condition of servitude." Here are some of the key points of the Fifteenth Amendment:

Voting Rights: The Fifteenth Amendment guaranteed African American men the right to vote. This was a significant step forward in the struggle for civil rights, as it overturned state laws and constitutions that had explicitly denied black people the right to vote.

Limited Scope: The Fifteenth Amendment only applied to the right to vote and did not guarantee other civil rights or protections to Black American. No voting rights were given to women women, who would have to wait another 50 years for the right to vote.

Enforcement: The Fifteenth Amendment empowered Congress to enact suitable laws to carry out its mandates. However, Southern states frequently disregarded or weakened this power, using a range of measures to discourage black people from casting ballots, including poll taxes, literacy tests, and intimidation.

Impact: The Fifteenth Amendment had a significant impact on American culture because it increased African American political power and representation. It also laid the stage for future civil rights legislation, such as the Voting Rights Act of 1965, which expanded voting rights and provided further protections for minority voters.

Overall, the Fifteenth Amendment was a crucial step forward in the fight for civil rights and helped to expand the right to vote to a significant portion of the American population. However, its limited scope and the difficulties encountered in enforcing it demonstrate that considerable work remains to be done to guarantee that all Americans have equal rights and protections under the law.

Jim Crow Laws

From the late 1800s to the mid-1960s, Jim Crow laws were state and local legislation in the United States that enforced racial segregation and discrimination against Black people. These laws required segregation in public venues such as schools, restaurants, and public transit, and they limited Black people's ability to vote and engage in politics. Jim Crow laws also mandated racial segregation in housing, work, and other public areas. These rules were called after a minstrel figure that represented a Black man as a lazy and

ignorant clown in minstrel shows. The phrase "Jim Crow" later became a disparaging slur for Black people. Jim Crow laws were enacted in response to the Reconstruction era, when Black Americans gained some political and civil rights in the aftermath of the Civil War. The laws were designed to restrict these gains and reassert white supremacy in the South. The Jim Crow laws were meant to marginalize African Americans by denying them the right to vote, hold jobs, get an education or other opportunities. Those who attempted to defy Jim Crow laws often faced arrest, fines, jail sentences, violence and death.² The Civil Rights Movement of the 1950s and 1960s eventually led to the end of Jim Crow laws and the dismantling of legal segregation in the United States.

Civil Right Movement:

The civil rights movement was a struggle for social justice that took place mainly during the 1950s and 1960s for Black Americans to gain equal rights under the law in the United States. The Civil War had officially abolished slavery, but it didn't end discrimination against Black people—they continued to endure the devastating effects of racism, especially in the South. By the mid-20th century, Black Americans had had more than enough of prejudice and violence against them. They, along with many white Americans, mobilized and began an unprecedented fight for equality that spanned two decades.³

Landmark Case laws

Plessey v. Ferguson, 163 U.S. 537 (1896)

This decision is been refereed as a landmark judgement in the history of united states of America, By the ruling of this judgement the Supreme court created the doctrine of "separate but equal". The State in this case argued that Plessey and black people did receive so-called "equal treatment" but "separate". This case was decided on May 18, 1896, This decision also raised that white were not totally in support to provide equal treatment. This Separation also indicate the Master- Slave mentally separation.

Background: The Louisiana's Separate Car Act (1890) was a germ due to which this Lawsuit originated. The law forbade passengers from entering accommodations other than those to which they had been assigned based on their race and mandated that all railroads operating in the state provide "equal but separate accommodations" for white and African American passengers. In Simple, there was a separation made between white and "Colored" races, this act represented a sense of divisional hierchy between whites and black.

Summary: On June 7, 1892 Homer Plessey, who was seven-eighths white and one-eighth African American, bought a train ticket and sat in a car designated for white people. When Plessey refused to leave the "coloured" car, the train conductor and a private detective prepared to arrest him. He was taken into custody and accused of breaking the Separate Car Act after refusing to transfer to a car designated for African Americans. This led to Plessey being prosecuted for violating the Separate Car Act of 1890 and establishing the case that ultimately resulted in the famous Supreme Court decision, Plessey v. Ferguson. Judge John H. Ferguson rejected Plessey's claim that the act was unconstitutional at his trial in United State District Court. The United State Supreme Court granted certiorari when the state Supreme Court upheld the lower court's decision, and oral arguments were held on April 13, 1896. One month later, on May 18, the U.S Supreme Court issued its decision, with the in majority of 7-1. In the Decision, The Apex Court

² About Jim Crow laws, Available at: <https://www.history.com/topics/early-20th-century-us/jim-crow-laws>(last visited on 16th, April 16, 2023)

³ About Black Civil Rights Movement Available at: <https://www.history.com/topics/black-history/civil-rights-movement>(last visited on 16th, April 16, 2023)

Of United states Upheld the Constitutionally of Louisiana laws, finding that it did not violate the Equal Protection Clause, as long as the separate facilities provided for blacks(Colored) were equal in quality to those provided for whites. The Court reasoned that segregation did not necessarily indicate discrimination and that the state had a legitimate interest in preserving racial separation in order to protect public peace and order. The Court further argued that the 14th Amendment was not intended to eradicate all racial disparities, but rather to provide equal protection under the law to all citizens, regardless of race. The court's decision in Plessy v. Ferguson established the legal precedent for racial segregation in public facilities, including schools, and stayed in effect for nearly 60 years, until 1954, when the Supreme Court overturned it in Brown v. Board of Education. But its legacy was felt throughout American society. The judgement had far-reaching consequences for the lives of black Americans, who faced a variety of discriminatory practices ranging from segregated public transit to inferior schools and housing. Still in present scenario in the United states the Racial persist in a range of areas, from education to housing to the criminal justice system, and many minority groups continue to face discrimination and marginalization.

The United States Supreme Court that upheld the legitimacy of racial segregation under the "separate but equal" doctrine.

Cumming v. Richmond County Board of Education, 175 U.S. 528 (1899)

Cummings v. Board of Education was a landmark case that took place in 1899, in which the United States Supreme Court upheld the right of states to pass laws mandating racial segregation in public schools. Reverend S. H. Cummings, a black minister in Kentucky, who challenged a state law that required separate schools for white and black children, brought the case.

Cummings claimed that the statute violated the 14th Amendment to the United States Constitution, which provides all people equal legal protection. He maintained that the law was discriminatory because separate schools for black and white children were inherently unequal. The Supreme Court, however, disagreed with Cummings and upheld the state legislation. The Court's ruling was founded on the idea of "separate but equal," which stated that segregation was legal as long as the separate facilities offered for different races were of similar quality. The Supreme Court's ruling in Cummings v. Board of Education had far-reaching consequences, effectively legalizing segregation in public schools across the country. This decision remained in place for nearly six decades until the landmark case of Brown v. Board of Education in 1954, which overturned the "separate but equal" doctrine and declared racial segregation in public schools to be unconstitutional. In retrospect, the Cummings case is viewed as a regrettable chapter in American history, one in which the Supreme Court failed to protect the constitutional rights of minority citizens. For many years, the decision reinforced racial inequality and segregation and served as a spark for the civil rights movement of the 1950s and 1960s. Today, the Cummings legacy stands as a reminder of the need to ensure equal rights for all individuals, regardless of race, ethnicity, or origin.

Sweatt v. Painter, 339 U.S. 629 (1950),

Sweatt v. Painter was a landmark United States Supreme Court case decided in 1950 that challenged the constitutionality of segregation in public higher education. The case involved Heman Sweatt, a black man who applied to the University Of Texas School Of Law but denied admission solely based on his race. At the time, Texas maintained a separate law school for black students, which deemed inferior to the University Of Texas School Of Law. Sweatt launched a lawsuit against Texas' segregation policies,

claiming that the separate law school was not comparable to the University Of Texas School Of Law. The Supreme Court concurred, ruling that the separate law school failed to offer Sweatt with the same educational opportunities as the University Of Texas School Of Law, and thereby violated the Fourteenth Amendment's Equal Protection Clause. Sweatt v. Painter was a significant victory for the Civil Rights Movement since it was the first time the Supreme Court overturned segregation in higher education. The decision paved the way for future challenges to segregation in other areas of public life, and cited as precedent in subsequent cases such as Brown v. Board of Education (1954), which declared segregation in public schools unconstitutional.

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954)

Brown v. Board of Education was a landmark decision United States Supreme Court decision that declared public school segregation unconstitutional. This case was determined in 1954 and is regarded as one of the Civil Rights Movement's most significant legal victories.

Background:

In the years following the Civil War and the passage of the 13th, 14th, and 15th Amendments, African Americans enjoyed some legal protections and were able to make significant social and economic progress. However, in the late 1800s and early 1900s, many Southern states began implementing Jim Crow laws that enforced racial segregation in public places, including schools. These laws were upheld by the Supreme Court in the landmark case Plessy v. Ferguson (1896), which established the doctrine of "separate but equal" and allowed for racial segregation to be legally enforced.

Despite legal obstacles and violent opposition, the Civil Rights Movement gained traction in the 1950s, with activists advocating for the abolition of segregation in all public spaces, including schools. The NAACP's Legal Defense and Educational Fund (LDF) began pursuing lawsuits challenging the validity of public school segregation, with Brown v. Board of Education being one of the most notable cases.

Summary:

In Brown v. Board of Education, the Supreme Court considered five cases from different states involving segregation in public schools. The lead plaintiff, Oliver Brown, was a black father in Topeka, Kansas, who had denied the right to enroll his daughter, Linda, in a nearby elementary school that was designated for white children only. The Topeka Board of Education argued that Linda Brown could attend a nearby black school that was just as good as the white school.

The Supreme Court heard oral arguments in the case twice, with Thurgood Marshall representing the LDF. In its unanimous decision, the Court overturned Plessy v. Ferguson and declared that segregation in public education was inherently unequal and violated the Equal Protection Clause of the Fourteenth Amendment. The Court's decision in Brown v. Board of Education had far-reaching implications for the Civil Rights Movement and for American society as a whole. It marked the beginning of the end of legal segregation and paved the way for future civil rights victories. However, the decision did not immediately end segregation in schools, as many Southern states resisted the ruling and employed tactics such as "massive resistance" and "token integration" to maintain segregated schools.

It was not until the Civil Rights Act of 1964 and subsequent Supreme Court decisions that school desegregation was fully enforced. However, Brown v. Board of Education remains a crucial moment in the fight for civil rights and is remembered as a landmark case in American history.

McLaurin v. Oklahoma State Regents, 339 U.S. 637 (1950),

McLaurin v. Oklahoma State Regents was a significant case decided by the United States Supreme Court in 1950. It addressed the topic of racial segregation in higher education and its impact on African American students' education. George McLaurin, the complainant, was an African American student admitted to the University of Oklahoma for graduate studies in education. However, he was obliged to attend classes in separate facilities, such as a separate classroom and library, and was not permitted to eat in the cafeteria with white pupils or use the same lavatory facilities. McLaurin filed a lawsuit against the Oklahoma State Regents, claiming that the segregation of his educational options violated his rights under the 14th Amendment's Equal Protection Clause. The Supreme Court concurred with McLaurin and ruled that segregating graduate students' facilities violated the Equal Protection Clause. The Court concluded that facility segregation produced a reputation of inferiority that hampered African American pupils' ability to get an education on par with their white counterparts. The Court also determined that the segregation was unreasonable, unnecessary, and hampered McLaurin's capacity to learn. The Court ordered the University of Oklahoma to stop facility segregation and provide equal educational opportunities to McLaurin. This verdict was a significant step forward in the struggle against racial segregation in education, paving the stage for future legal challenges to racial segregation in higher education.

McLaurin v. Oklahoma State Regents was a significant victory for the civil rights movement, and it helped to establish the legal precedent that segregation in education was unconstitutional. The case also highlighted the ongoing struggle for racial equality and the importance of ensuring equal educational opportunities for all students, regardless of their race or ethnicity.

Current Situation

There are certain recent incidents and sparked protests all over the America, this incident clearly represents the racial discrimination towards the black American, and few are enlisted below:

State of Minnesota v. Derek Michael Chauvin (2021)

George Floyd, a Black American, died in May 2020 after being restrained for more than nine minutes by Minneapolis police officer Derek Chauvin, who knelt on Floyd's neck during an arrest. Floyd's death provoked nationwide protests against police brutality and racial inequality after it was captured on film and widely shared on social media. In a high-profile trial in 2021, Chauvin was prosecuted and found guilty of second-degree murder, third-degree murder, and second-degree manslaughter, and was sentenced to 22 and a half years in jail. The case name is State of Minnesota v. Derek Michael Chauvin. Officer Derek Chauvin was found guilty of second-degree murder, third-degree murder, and second-degree manslaughter in the death of George Floyd, a Black man, during an arrest in May 2020. On June 25, 2021, Judge Peter Cahill of the Hennepin County District Court sentenced Chauvin to 22 and a half years in prison, a sentence that was more severe than what is typically handed down in cases of police violence against Black people. Members of George Floyd's family addressed the court and provided victim impact statements during the sentencing hearing, which was emotional and highly anticipated. Many saw the sentencing as a step towards responsibility for police officers who use excessive force, particularly against people of colour, and as a warning to other law enforcement agents that they will be held accountable for their conduct.

One recent instance of racial discrimination against Black people in the United States is the case of Christian Cooper, a Black man who was birdwatching in New York City's Central Park in May 2020. Cooper approached a white woman, Amy Cooper (no related), and requested her to leash her dog as

required by park rules. When she refused, Cooper began filming the exchange. Amy Cooper then contacted the police, claiming falsely that Christian was threatening her and her dog, adding, "There is an African American man threatening me and my dog." The event drew uproar on social media because it highlighted the persistent problem of racial profiling and the possible danger that Black people face when confronted by police. Amy Cooper was later charged with filing a false report and her actions were widely condemned as racist and dangerous. The incident also prompted discussions about the role of white privilege and the need for ally ship in combating racism and discrimination.⁴This incident also highlighted that racism still exist among few citizen of United States, there is need of strict laws against discrimination.

Another recent example highlighting racial discrimination against Black people is the case of Breonna Taylor. Taylor, a 26-year-old Black woman, was shot and killed by Louisville police officers in March 2020 during a bungled raid on her flat. The case aroused global outrage and calls for justice, as well as debates about police violence against Black women and how the criminal justice system fails to protect and serve marginalized populations. The case also emphasized the importance of structural change and accountability in law enforcement, as well as reform in areas such as racial profiling, no-knock warrants, and police training.

Furthermore, the case of George Floyd, which we previously discussed, brought to light concerns of racial prejudice and police brutality against Black people in a strong way. The brutal video of Floyd's death at the hands of a police officer who knelt on his neck for more than nine minutes triggered protests and civil upheaval not only in the United States, but around the world. The case sparked a national debate about systemic racism and police reform, sparking calls for changes in policing practices such as increased accountability for officers who use excessive force, demilitarization of police departments, and a reimagining of public safety to address the root causes of crime and inequality. There are many movements organized in recent to highlight such issue, which is faced by Black American, such as Black Life matters etc. The Government must address such issues and problem, which are faced by the American and make strict laws against any form of racial discrimination.

Comparison

It is difficult to make a direct comparison between conditions of Black during historical and today's times as the experiences of Black people have been shaped by various social, political, and economic factors over the course of time. However, in general, many aspects of Black life have improved since historical times, while there are still areas where progress is needed.

For example, in old times, Black people were enslaved and treated as property, with having no legal rights or protections of any form. Today, slavery has been abolished, and Black people have legal protections and rights, such as the right to vote and the right to equal treatment under the law. However, racism and discrimination still exist. In terms of representation, Black people were largely absent from mainstream media and politics in historical times. Today, in comparison, there are more opportunities for Black people to be represented in positions of power and influence, such as elected officials, media personalities etc. However, representation is not yet equal, and Black people are still underrepresented in many areas. Health disparities also persist, with Black people experiencing higher rates of certain health conditions and lower access to healthcare in some areas. However, there are efforts being made to address these disparities and improve access to healthcare for Black people.

⁴ About Racial discrimination NYC cooper ,Available at: <https://www.nytimes.com/2020/07/06/nyregion/amy-cooper-false-report-charge.html>(last visited on 16th, April 16, 2023)

Representation: before, Black people were largely absent from mainstream media and politics. They were not represented in positions of power and influence. In current times, Black people have made strides towards representation, with the election of Barack Obama as the first Black President of the United States, and an increase in the number of Black people in positions of power and influence in media, politics, and other areas etc.

In summary, while there have been significant improvements in many areas of life Black American since historical times, there is still work to be done to achieve full equality and address ongoing challenges and disparities. Slavery vs. Systemic Racism: In old times, Black people were enslaved and treated as property. They had no legal rights and were subject to brutal treatment by their owners. In modern times, slavery has been abolished, but systemic racism persists. Black people continue to face discrimination and inequality in areas such as housing, employment, and education.

Conclusion

In the years that followed, Black Americans faced systemic racism and discrimination, including segregation, Jim Crow laws, and widespread violence. Nevertheless, Black people continued to fight for their rights, culminating in the Civil Rights Movement of the 1950s and 1960s, which brought about important legal and social changes, such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Since then, Black Americans have continued to make important contributions to American society and culture, in fields ranging from politics and business to sports and the arts. Notable figures such as Barack Obama, Oprah Winfrey, and Serena Williams have shattered barriers and inspired generations of people of all backgrounds. However, racism and inequality continue to impact the lives of Black Americans still today, racism was been deep-rooted in the society, the society is utmost trying to eradicate Atrocious act of racism and discrimination which will take time. one should also not forget the shrine of the leaders due to which many essential rights are been provided to Black American. Blacks are suffering not only in USA but in also severed other countries, there should be a uniform law made all over the world to support the life of Black people and to eradicate all forms of racism and discrimination against them. We can Simply, Concluded that Black Life really matter, Government must address issues and problem related Black American as soon as possible.

(Anyone neither is black nor white, everyone solely Human living or Citizen of The United States of America. Adding the Prefix such as Black American or White American in itself represent the flawed mentality established through atrocious act of racism. This Research paper uses Black American only for the convenience for the reader and urges the reader to avoid such prefix.)

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