

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE CONCURRENT RESOLUTION NO. 3

Whereas, Missouri was part of the 1803 Louisiana Purchase and became a state in 1821; and

Whereas, the terms of Missouri's statehood included that Missouri would be the only state north of the Mason-Dixon line that was a slave state; and

Whereas, the tensions in the nation regarding racial equality, or lack thereof, have played out in profound ways in the state of Missouri; and

Whereas, St. Louis, being situated on the Mississippi River, was uniquely positioned to be a destination for the slave trade; and

Whereas, tensions of human inequality are profoundly apparent in the history of the state; and

Whereas, when persons with African ancestry in Missouri sued for their freedom, such freedom was sometimes granted, within the legal parameters allowed; and

Whereas, the tension in the nation over the issue of slavery and human inequality resulted in Dred and Harriet Scott, persons with African ancestry, being denied freedom in this state in a decision by the Missouri Supreme Court on March 22, 1852; and

Whereas, that 1852 Missouri Supreme Court decision deviated from Court precedent freeing former slaves and stated: "Times are not now as they once were when the former decisions on this subject were made. Since then not only individuals but States have been possessed with dark and fell spirit in relation to slavery . . . the state of Missouri . . . is willing to assume her full responsibility for the existence of slavery within her limits, nor does she seek to share or divide it with others,"; and

Whereas, after this decision, the Scotts persisted in their pursuit for freedom, ultimately resulting in the infamous decision by the Supreme Court of the United States on March 6, 1857, holding that as African Americans, Dred and Harriet Scott did not have the right to sue for their freedom, consigning African Americans to a permanent inferior status in this country; and

Whereas, the March 22, 1852, Dred Scott decision is a regrettable legacy for this state and antithetical to the nation's founding values, specifically the tenet that all men are created equal; and

Whereas, the 1852 Missouri Supreme Court Dred Scott decision opened the door for the 1857 United States Supreme Court's decision declaring that people of African ancestry "had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit", an expression of racism and a precursor to Jim Crow laws, which perpetrated over a century of injustice; and

Whereas, it is time for these open doors to be unequivocally closed; and

Whereas, all political power is vested in and derived from the people; and

Whereas, all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole; and

Whereas, all constitutional government is intended to promote the general welfare of all people; and

Whereas, all persons have a natural right to life, liberty, and the pursuit of happiness; and

Whereas, no person shall be deprived of life, liberty, or property without the due process of law; and

Whereas, all human beings are created equal and are entitled to equal rights and opportunity under the law; and

Whereas, two hundred years after this state's founding, during the bicentennial of this state's founding, it is time to draw a line between Missouri's history, which encompassed such inhumane and unfair treatment to our citizens, and the present and future Missouri, which aims to be a place of equal treatment for all:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One Hundred First General Assembly, First Regular Session, the House of Representatives concurring therein, that, as the 1852 Missouri Supreme Court decision recognized "times are not now as they once were when the former decisions on this subject were made"; and, that the times have once again changed and we declare the March 22, 1852, Missouri Supreme Court Dred Scott decision is fully and entirely renounced, Dred Scott decision issued by the Missouri Supreme Court; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor, the Clerk of the Supreme Court of Missouri, the justices of the Supreme Court of Missouri, and the members of the Missouri congressional delegation.