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Andrew Napolitano Says Governments Denied Blacks' Rights In The Past

Posted by Staff on June 18, 2009 | [ShareThis](#)

By Michael Combiar-Talk Radio News Service

Former Judge Andrew P. Napolitano used an 1857 Supreme Court decision as a metaphor to argue that American governments have legally suspended the rights of Blacks for more than 300 years.

Judge Napolitano cited *Dred Scott v. Sanford*, a decision that ruled that people of African descent were not U.S. citizens, and therefore not entitled to constitutional protections.

Napolitano's remarks came during a presentation for his new book, "Dred Scott's Revenge: A Legal History of Race and Freedom in America," Thursday at the CATO Institute in Washington D.C.

Said Napolitano, "a series of governments [state and federal] have not withstanding the lofty words of the Declaration of Independence...and some efforts to incorporate those ideas in the Constitution...A government that would think it could write any law, enact any policy and, enforce any program not withstanding its utter rejection of the natural law."

To prove his point, Napolitano added that the Supreme Court upheld the Jim Crow laws of Southern states in *Plessy v. Ferguson*.

"These are examples, historic and modern, of government thinking that it can do away with the natural law, that it can suspend the free will of a class of human beings."

For Napolitano, the Constitution is "a glorious liberty document, with obviously some defect in it. It is for the first time in the history of the world the inverse of the way liberty came about...It is the greatest document for the preservation of human liberty ever written in the Western world."

June 18, 2009

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