

ACLU-VT Public Comment on Proposal 2
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We are resubmitting the same comments we made in 2019, in which we voiced our strong support for Proposal 2.

The Vermont constitution is the bedrock legal document from which numerous freedoms and protections enjoyed by this state's residents are derived. Yet there remains in the document an incongruous provision: one that bans slavery for most, except for children, and in recompense for "debts, damages, fines, costs, or the like."

Which is to say, right now, in Vermont, slavery and involuntary servitude are not fully unconstitutional. That fact is incongruous with a state that prides itself on liberty and unity, justice, and equality for all, with no exceptions. This specific provision offends those values and is at odds with the liberties granted in our state constitution. For these reasons, it should be removed.

Despite important gains, white supremacy and racial injustice remain deeply embedded in the fabric of our democracy. Systemic racism is still in evidence throughout Vermont: in daily interactions in our communities and in our schools, in access to employment, housing, health care, and in our criminal justice system—from interactions with law enforcement to our prisons, where Black men are incarcerated at a higher rate than in any other state. Removing this provision from the state constitution sends an important message that Vermont is serious about addressing racial inequality and injustice, and that Vermont has the will and the capacity to change for the better.

Vermont is justifiably proud of being the first state to outlaw slavery. Even though slavery continued for years afterwards, its prohibition was undoubtedly a defining moment for this state and a marker of real progress.ⁱ But just as the work was not finished then, it is not finished now. We should again demonstrate our commitment to equality by eliminating slavery in all its forms from Vermont's constitution.

ⁱ Tim Johnson, *Vermont's 1777 slavery ban had a complicated reality*, USA Today (April 2, 2014), <https://www.usatoday.com/story/news/nation/2014/04/02/vermont-slavery-ban/7200493/>.



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