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Juneteenth

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Slavery didn't end in the United States on January 1, 1863, with President Lincoln's Emancipation Proclamation. As the National Archives notes, the proclamation

applied only to states that had seceded from the United States, leaving slavery untouched in the loyal border states. It also expressly exempted parts of the Confederacy (the Southern secessionist states) that had already come under Northern control. Most important, the freedom it promised depended upon Union (United States) military victory.^{[1](#)}

Page three of "The Emancipation Proclamation" specifies the states to which it applies. Source: *National Archives*, 6 Oct. 2015, <https://www.archives.gov/exhibits/featured-documents/emancipation-proclamation>.

In fact, it wasn't until the summer of 1865 — two and a half years after the proclamation — that slaves in Texas were informed of their freedom.

On June 19, 1865, Union Major-General Gordon Granger read General Order No. 3 to the people of Galveston. It stated:

The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor. The freedmen are advised to remain quietly at their present homes and work for wages. They are informed that they will not be allowed to collect at military posts and that they will not be supported in idleness either there or elsewhere.

Original version of General Order No. 3 from General Gordon Granger. Courtesy of the United States National Archives.

General Orders, No. 3. U.S. House, 54th Congress, 1st Session (H. Doc. 369, Part 2). "General Order Number 3," 1896. U.S. Documents Collection. Y 1.1/2: SERIAL 3437

Juneteenth, celebrating this announcement of abolition over two years after the proclamation, is the name given to

Emancipation Day by African Americans in Texas.² Similar celebrations are also called Freedom Day, Jubilee Day, Juneteenth Independence Day, and Black Independence Day.³

The practice of slavery didn't end in the United States didn't end on Juneteenth either, though.

As the Congressional Research Service remarks in its factsheet for elected officials,

Even after the general order, some slave masters withheld the information from their enslaved people, holding them enslaved through one more harvest season.⁴

The Thirteenth Amendment to the U.S. Constitution passed January 31, 1865, but wasn't ratified by the required 27 of the then 36 states until December 6, 1865, and proclaimed on December 18, 1865:

13th Amendment/Amendment XIII

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

*Congress shall have power to enforce this article by appropriate legislation.*⁵

This ended slavery in the Union border states of Delaware, Maryland and Kentucky.

Yet *still* officially sanctioned slavery survived in the United States.

For a few months more, Native American tribes on "Indian territory" were allowed to continue to hold slaves, as explained by J. Gordon Hylton:

By Indian Territory, I refer to that part of the unorganized portion of the American public domain that was set apart for the Native American tribes. More specifically, I use the term to refer to those lands located in modern day Oklahoma that was set aside for the relocation of the so-call "Civilized Tribes" of the Southeastern United States: the Cherokee, Chickasaw, Choctaw, Creek, and Seminole.

These tribes were the only Native American groups to formally recognize the institution of African-slavery. As Southerners, the Civilized Tribes had accepted the institution of African-slavery, and at the outset of the Civil War, African-American slaves made up 14% of the population of Indian Territory occupied by the civilized tribes.

As it turns out, neither document applied to Indian Territory, and consequently, slavery survived in that part of the United States for several months after it was abolished everywhere else with the ratification of the Thirteenth Amendment in December, 1865.⁶

Slavery didn't *officially* end in the United States until treaties with each of the Civilized Tribes were entered into in mid-1866, more than three years after the Emancipation

Proclamation.

. . . in each of the 1866 treaties the tribal signatory acknowledged that slavery would no longer be recognized as a legal institution by the tribe.

If we simply go by the dates on which the Tribes ratified these treaties, slavery in the continental United States came to an end as a legal institution on June 14, 1866, when the Creek Tribe agreed to abandon African-American slavery. The was, somewhat ironically, the day after Congress approved the Fourteenth Amendment.⁷

Slavery's end in the United States has a long, delayed, long-delayed and staggered history.⁸ Official recognition of Juneteenth celebrations traversed a similar path until the summer of 2021.

Juneteenth celebrations began in Texas and spread to other parts of the country as Black people migrated over the years. It was declared an official state holiday by Texas in 1980.⁹

On June 15, 2021, the U.S. Senate passed by unanimous consent Senate Bill 475, declaring Juneteenth a federal holiday.¹⁰

On June 16, 2021, the U.S. House of Representatives passed Senate Bill 475.¹¹

Art by [Camila Rosa](#) /
Courtesy: [Amplifier](#)

Juneteenth National Independence Day Act: The House passed S. 475, to amend title 5, United States Code, to designate Juneteenth National Independence Day as a legal public holiday, by a yea-and-nay vote of 415 yeas to 14 nays, Roll No. 170.

Pages H2863–72

Image of *Congressional Record — Daily Digest* of June 16, 2021. Available at [Congress.gov](https://www.congress.gov).

The following representatives voted against recognition:

- Rep. Chip Roy of Texas
- Rep. Ronny Jackson of Texas
- Rep. Andy Biggs of Arizona

- Rep. Mo Brooks of Alabama
- Rep. Andrew Clyde of Georgia
- Rep. Scott DesJarlais of Tennessee
- Rep. Paul Gosar of Arizona
- Rep. Doug LaMalfa of California
- Rep. Thomas Massie of Kentucky
- Rep. Tom McClintock of California
- Rep. Ralph Norman of South Carolina
- Rep. Mike Rogers of Alabama
- Rep. Matt Rosendale of Montana
- Rep. Tom Tiffany of Wisconsin

President Joe Biden signed the legislation on the afternoon of June 17, 2021.^{[12](#)}

Bill Signed: S. 475

JUNE 17, 2021 • STATEMENTS AND RELEASES

On Thursday, June 17, 2021, the President signed into law:

S. 475, the “Juneteenth National Independence Day Act,” which designates Juneteenth National Independence Day as a legal public holiday.

Image from [whitehouse.gov](https://www.whitehouse.gov).

William O. Pate II is the founding editor and publisher of San Antonio Review.

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Footnotes

1. "The Emancipation Proclamation." *National Archives*, 6 Oct. 2015, <https://www.archives.gov/exhibits/featured-documents/emancipation-proclamation>. Accessed 15 June 2021. [↵](#)
2. "Juneteenth | TSLAC." *Juneteenth*, Texas State Library and Archives Commission, 10 June 2021, <https://www.tsl.texas.gov/ref/abouttx/juneteenth.html>. Accessed 15 June 2021. See also Teresa Palomo Acosta, "Juneteenth," *Handbook of Texas Online*, accessed June 15, 2021, <https://www.tshaonline.org/handbook/entries/juneteenth>. Published by the Texas State Historical Association. [↵](#)
3. Erin M. Smith. *Juneteenth*. Factsheet, R44865, Congressional Research Service, 7 June 2021, p. 7, <https://crsreports.congress.gov/product/pdf/R/R44865>. Accessed 16 June 2021. [↵](#)
4. Ibid. [↵](#)
5. "13th Amendment." *LII / Legal Information Institute*, Cornell Law School, <https://www.law.cornell.edu/constitution/amendmentxiii>. Accessed 16 June 2021. [↵](#)
6. J. Gordon Hylton. "When Did Slavery Really End in the United States?" *Marquette University Law School Faculty Blog*, 15 Jan. 2013, <https://law.marquette.edu/facultyblog/2013/01/when-did-slavery-really-end-in-the-united-states/>. Accessed 18 June 2021. [↵](#)
7. Ibid. [↵](#)
8. Perhaps a better treble adjectival phrase might be "long, difficult, and uneven process" as Christopher Hager uses to describe Emancipation, literacy and education in *Word by Word: Emancipation and the Act of Writing*. Harvard University Press, 2013. [↵](#)
9. Erin M. Smith. *Juneteenth*. Factsheet, R44865, Congressional Research Service, 7 June 2021, p. 7, <https://crsreports.congress.gov/product/pdf/R/R44865>. Accessed 16 June 2021. [↵](#)
10. Markey, Edward J. *All Info - S.475 - 117th Congress (2021-2022): Juneteenth National Independence Day Act*. 16 June 2021, <https://www.congress.gov/bill/117th-congress/senate-bill/475/all-info>. Accessed 17 June 2021. [↵](#)

11. *Congressional Record*. <https://www.congress.gov/congressional-record/2021/06/16/daily-digest>. Accessed 17 June 2021. [↵](#)
12. “Bill Signed: S. 475.” *The White House*, 17 June 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/17/bill-signed-s-475/>. Accessed 18 June 2021. [↵](#)