

# ***The 14<sup>th</sup> Amendment: Background Information/Historic Context***

Following the end of the Civil War, three amendments were added to the Constitution over a five year span: the Thirteenth, Fourteenth and Fifteenth Amendments. Together, these additions are referred to as the Civil War Amendments or Reconstruction Amendments. The Thirteenth Amendment effectively ended slavery and the Fifteenth prohibited the states from denying the vote to males based on race, color, or previous condition of servitude.

The Fourteenth Amendment was the most complex of the three. It was passed by Congress in June 1866 and ratified by the states in 1868. The Fourteenth Amendment defined United States citizenship, declaring all persons born or naturalized in the United States to be both national and state citizens, and attempted to guarantee equal civil and legal rights to all people (including former slaves).

Frequently cited portions of the amendment include:

## **Citizenship**

“All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States...”

## **Due Process**

“...nor shall any State deprive any person of life, liberty or property without due process of law...”

## **Equal Protection**

“...nor deny to any person within its jurisdiction the equal protection of the laws.”

Despite the promise of equality in these words, the reality of equal rights under the law was quickly undermined by various state laws and federal court decisions over the course of the 19th century. The Fourteenth Amendment has done much to positively change American democracy but the transformation didn't happen overnight.

**Read recent news reports, in-print or online, for news involving local legal proceedings involving questions of citizenship, due process or equal protection - living examples of rights under the Fourteenth Amendment.**

***Next: The 14<sup>th</sup> Amendment: Plessy v. Ferguson and Separate But Equal***



*This is one of seven Newspaper In Education features created to educate and celebrate Law Day 2017.*

*Sponsored by the Law, Youth and Citizenship Program of the NYS Bar Association and produced by the NYNPA NIE Program.*