

AM14 / EQUAL PROTECTION CLAUSE

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

This part is important. This is the **equal protection clause** that is supposed to guarantee equal enforcement and application of law. Created during Reconstruction. This clause builds the basis of many arguments pertaining to inequality.

AM13 and AM15

The thirteenth amendment made slavery illegal across the United States, and the fifteenth amendment specifically prohibits restrictions on voting based on color, race and whether or not the person was previously enslaved.

It is important to note however that people were fucking racist back then, and therefore devised a number of ways of getting around the Reconstruction amendments. These laws are known as the **Jim Crow laws**. Some states began allowing voters to vote only after passing a **literacy test**, which technically did not discriminate on the basis of race.

Other ideas included:

- **poll tax:** voters must pay to vote. Not technically unconstitutional but still heavily disenfranchising.
- **grandfather clause:** "if your grandad passed the literacy test, paid the tax, etc., you can vote, bypassing restrictions and still disenfranchising African Americans"
- **white primaries:** primary elections in which only white men could vote.

These practices would eventually be challenged by activist groups.

CIVIL RIGHTS ACT OF 1875 AND SUBSEQUENT CHALLENGING

The CRA of '75 made it illegal for private businesses, schools, transportation, churches, etc. from discriminating between patrons based on race.

It was subsequently challenged around 1883 and overruled which was a major setback.

In a landmark decision, *Brown vs. Topeka BOE*, the SC overturned previous decisions again. The decision was that separate but equal was unconstitutional because the facilities weren't equal and sometimes the "separate" facilities didn't exist. This also set the precedent that separate but equal did not hold anywhere else, even outside of schools.

PLESSY V. FERGUSON 1896

The SC rules that separate but equal falls under the EQ protection clause and was not unconstitutional. This way of thinking would continue for two generations, according to the book.

NAACP

NAACP stands for the National Association for the Advancement of Colored People. They frequently helped POCs defend themselves in court and pushed for progress in front of various appellate courts, such as the tie they convinced the SC to abolish white only primaries.

RECONSTRUCTION AMENDMENTS

13	<p>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.</p> <p>Section 2. Congress shall have power to enforce this article by appropriate legislation.^[1]</p>
14	<p>Section 1 All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.</p> <p>Section 2 Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.</p> <p>Section 3 No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress</p>

	<p>may by a vote of two-thirds of each House, remove such disability.</p> <p>Section 4 The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.</p> <p>Section 5 The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.</p>
15	<p>Section 1 The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.</p> <p>Section 2 The Congress shall have the power to enforce this article by appropriate legislation.</p>