two-thirds vote in the House of Representatives, the amendment was forwarded to the states on February 1, 1865, and ratified by the following December 18.[4]

In selecting the text of the Amendment, Congress "reproduced the historic words of the ordinance of 1787 for the government of the Northwest Territory, and gave them unrestricted application within the United States."[5] By its adoption, Congress intended, said Senator Trumbull, one of its sponsors, to "take this question [of emancipation] entirely away from the politics of the country. We relieve Congress of sectional strifes . . . ."[6] An early Supreme Court decision, rejecting a contention that the Amendment reached servitudes on property as it did on persons, observed in dicta that the "word servitude is of larger meaning than slavery, . . . and the obvious purpose was to forbid all shades and conditions of African slavery."

Although the Court was initially in doubt whether persons other than African-Americans could share in the protection afforded by the Amendment, it did continue to say that, although "[N]egro slavery alone was in the mind of the Congress which proposed the thirteenth article, it forbids any other kind of slavery, now or hereafter. If Mexican peonage or the Chinese coolie labor system shall develop slavery of the Mexican or Chinese race within our territory, this amendment may safely be trusted to make it void."[7]

"This Amendment . . . is undoubtedly self-executing without any ancillary legislation, so far as its terms are applicable to any existing state of circumstances. By its own unaided force and effect it abolished slavery, and established universal freedom."[8] These words of the Court in 1883 have generally been noncontroversial and have evoked little disagreement in the intervening years. The "force and effect" of the Amendment itself has been invoked only a few times by the Court to strike down state legislation which it considered to have reintroduced servitude of persons, and the Court has not used

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[4] The congressional debate on adoption of the Amendment is conveniently collected in 1 B. Schwartz, Statutory History of the United States: Civil Rights 25–96 (1970).

[5] Bailey v. Alabama, 219 U.S. 219, 240 (1911). During the debate, Senator Howard noted that the language was "the good old Anglo-Saxon language employed by our fathers in the ordinance of 1787, an expression which has been adjudicated upon repeatedly, which is perfectly well understood both by the public and by judicial tribunals. . . ." Cong. Globe, 38th Cong., 1st Sess. 1489 (1864).

[6] Cong. Globe at 1313–14.

[7] *Slaughter-House Cases*, 83 U.S. (16 Wall.) 36, 69, 71–72 (1873). This general applicability was again stated in Hodges v. United States, 203 U.S. 1, 16–17 (1906), and confirmed by the result of the peonage cases, discussed under the next topic.

[8] *Civil Rights Cases*, 109 U.S. 3, 20 (1883).