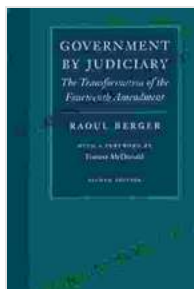


# The Transformation of the Fourteenth Amendment: Studies in Jurisprudence and Constitutional Interpretation

The Fourteenth Amendment to the United States Constitution, adopted in 1868, is one of the most important and controversial amendments in American history. It has been interpreted in a variety of ways over the years, and its meaning continues to be debated today. This article will explore the history of the Fourteenth Amendment, its major provisions, and its impact on American law.

The Fourteenth Amendment was adopted in the wake of the Civil War. The war had ended slavery, but it had also left a legacy of racial discrimination and violence. The Fourteenth Amendment was intended to address these problems by guaranteeing equal protection under the law to all citizens, regardless of race.

The amendment was drafted by a congressional committee led by Representative John Bingham of Ohio. Bingham was a strong advocate for civil rights, and he believed that the Fourteenth Amendment would help to create a more just and equitable society.



## Government by Judiciary: The Transformation of the Fourteenth Amendment (Studies in Jurisprudence and Legal Hist) by Raoul Berger

★★★★☆ 4.8 out of 5

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Screen Reader : Supported

Enhanced typesetting: Enabled  
Word Wise : Enabled  
Print length : 578 pages



The amendment was passed by Congress in 1866, but it was not ratified by the states until 1868. The ratification process was difficult, and several states initially refused to ratify the amendment. However, the amendment was eventually ratified by all 37 states that were then in the Union.

The Fourteenth Amendment has three main provisions:

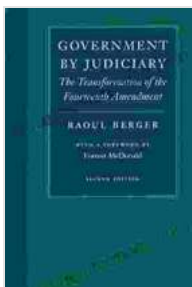
1. The **Citizenship Clause** states that all persons born or naturalized in the United States are citizens of the United States and of the state in which they reside. This clause overturned the Supreme Court's decision in *Dred Scott v. Sandford* (1857), which had held that African Americans were not citizens of the United States.
2. The **Equal Protection Clause** states that no state shall "deny to any person within its jurisdiction the equal protection of the laws." This clause has been interpreted to mean that states must treat all people equally under the law, regardless of their race, gender, religion, or other characteristics.
3. The **Due Process Clause** states that no state shall "deprive any person of life, liberty, or property, without due process of law." This clause protects individuals from government actions that are arbitrary or unfair.

The Fourteenth Amendment has had a profound impact on American law. It has been used to strike down laws that discriminate on the basis of race, gender, and other characteristics. It has also been used to protect individuals from government actions that are arbitrary or unfair.

The Fourteenth Amendment has been a source of controversy throughout its history. Some people argue that the amendment has been interpreted too broadly, and that it has led to the federal government having too much power over the states. Others argue that the amendment is essential to protecting individual rights and liberties.

The Fourteenth Amendment is a complex and important piece of legislation. Its meaning continues to be debated today, and it is likely to remain a source of controversy for many years to come.

The Fourteenth Amendment is one of the most important and controversial amendments in American history. It has been interpreted in a variety of ways over the years, and its meaning continues to be debated today. The amendment has had a profound impact on American law, and it is likely to remain a source of controversy for many years to come.



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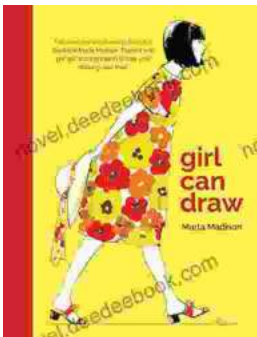
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