

14th Amendment

The 14th amendment is a very important amendment that defines what it means to be a US citizen and protects certain rights of the people. There are three important “clauses” in the 14th amendment, each of which are still important today. A clause is a sentence in any part of our constitution.

Citizenship Clause – the citizenship clause gives individual born in the United States, but especially at that time, African Americans the right to citizenship. Before the 14th amendment, African Americans could not become citizens and this limited the rights of those that were able to escape slavery and become free. This clause allows all people born in the United States to be US citizens. Although this right was established by the Civil Rights of 1866, this amendment made the law permanent as many feared that the law could be overturned and take away the citizenship of African Americans. Later on, the Supreme Court protected this right for the children of immigrants and the right of Native Americans to become citizens also was protected later on.

Once you have American citizenship, it cannot be taken from you by Congress or other authorities, unless you lie to government during the process to get US citizenship. Otherwise, everyone that becomes an American citizen stays an American citizen, unless they give it up themselves.

Due Process Clause – the due process clause protects the 1st amendment rights of the people and prevents those rights from being taken away by any government without “due process.” Due process is a trial by jury for all people accused of wrongdoing. Although you may think the 1st amendment already protects these rights, the 14th amendment specially enforces the Bill of Rights on the states, to make sure that they can never limit the rights of Americans without fairness. There were also a number of rights that are protected for those that are accused of a crime but have not been proven to do anything wrong yet.

Equal Protection Clause – This part of the fourteenth amendment states that “all men are created equal” and therefore, there may be no discrimination against them by the law. The federal government enforces this protection on the states, ensuring that they do not.

Remember that the Bill of Rights protects some rights for Americans. The equal protection clause extended this protection to the state governments. This clause of the 14th amendment would later be used to end discrimination and segregation in the South.

The 14th amendment was important in bring the Confederacy back into the United States after the Civil War. The US took responsibility for the pensions for soldier that had fought in the war and refused to take on the Confederate debts, while also preventing former Confederate leaders from holding elected office or civil positions. Section 3 of the amendment allowed some of these leaders to regain their posts if 2/3 of the state legislatures voted to allow it. The 14th amendment also ensured that debts due to the emancipation of slaves were “null and void” (not allowed).