Reconstruction Amendments

13th Amendment

* Ratified in December 1865.
* *Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.*
* *Congress shall have power to enforce this article by appropriate legislation*

14th Amendment

* Ratified in July 1868
  + Provide a constitutional guarantee of citizenship and the rights and security of freed people (equal protection under the law, due process)
  + Protection against neo-Confederate political power
  + Maintain the national debt, but eliminate that of the Confederacy
* Southern states would be punished for denying the right to vote to black citizens
  + Denial of federal funding for reconstruction efforts

**Challenges to the 14th:**

* *The Slaughterhouse Cases* (1873)
  + The court offered a narrow definition of the 14th Amendment
    - It distinguished between national and state citizenship
    - It gave the states primary authority over citizens’ rights
      * Therefore, the courts weakened civil rights enforcement!
* *Bradwell vs. Illinois* (1873)
  + Myra Bradwell, a female attorney, had been denied the right to practice law in Illinois
    - She argued that the state had unconstitutionally abridged her “privileges and immunities” as a citizen which were protected under the 14th Amendment
    - The Supreme Court rejected her claim, alluding to women’s traditional role in the home (basically arguing that women shouldn’t be practicing any profession) and didn’t give a clear answer of whether women were considered citizens
* Civil Rights Cases (1883)
  + The Court declared the 1875 Civil Rights Act unconstitutional
    - Held that the 14th Amendment gave Congress the power to outlaw discriminations by the state, but NOT by private individuals or organizations
    - Claimed that black people should no longer the “special favorites of the laws”
    - This marked the end of federal attempts to protect African American rights until the mid-20th century
* *U. S. vs. Cruickshank* (1876)
  + Louisiana white supremacists accused of attacking an African American meeting (Colfax Massacre) were convicted under the 1870 Enforcement Acts
    - The Court held that the 14th Amendment extended the federal power to protect civil rights ONLY in cases involving discrimination by STATES. Therefore, discrimination by individuals or groups was NOT covered.

15th Amendment

* Ratified in 1870.
* *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.*
* *The Congress shall have power to enforce this article by appropriate legislation.*
* Women’s rights groups were furious that they were not granted the vote

**Challenges to the 15th:**

* *U. S. vs. Reese, et. al.* (1876)
  + The Court restricted congressional power to enforce the KKK Act
  + The court ruled that the STATE alone could confer voting rights on individuals
    - The 15th Amendment did NOT guarantee a citizen’s right to vote, but just listed certain impermissible grounds to deny suffrage. Therefore, a path lay open for Southern states to disenfranchise blacks for supposedly non-racial reasons