

Preserving Priceless Principles

In the effort to nullify the South's abrasive assault on human rights and further the principles exhibited in the Declaration of Independence, the inspired and insightful language presented in John Armor Bingham's 1868 Fourteenth Amendment sought to promote and ensure the equality of man and the extension of the Bill of Rights. Being based on the simple premise that all men are created equal, this notable piece of legislation has stood the test of time as a fundamental landmark in the civil rights movement. However, what makes the Fourteenth Amendment so unprecedented? From its quintessential Due Process Clause and Equal Protection Clause to the immortal and immutable Privileges and Immunities Clause, the Fourteenth Amendment has been at the forefront for the preservation of natural rights and the protection of indispensable societal values.

Reiterating the proficient precepts of the Fifth Amendment, the Due Process Clause of the Fourteenth Amendment prescribes the actions by which government must follow when forced to seize life, liberty, or property. Bingham's nonpareil newly amended law extended privileges concisely articulated in the Bill of Rights to individual state enforcement. Whether through substantive due process or procedural due process, this vital piece of legislation prohibits government infringement on human rights in enforcing laws, criminal prosecution, and the adjudication procedure. Fundamentally, under the Fourteenth Amendment's Due Process Clause, American citizens are entitled to a grand jury, to not be twice jeopardized in court, to not be compelled to witness against himself, and to receive sufficient compensation for government requisitioning of private property. Today we can attribute much of the impartiality and proficiency of our Nation's pillar of justice to the vital Due Process Clause.

As the famous Preamble of the Declaration of Independence irrevocably states, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” Implemented to reconcile the antebellum South to these unifying words, the Fourteenth Amendment’s Equal Protection Clause and Privileges and Immunities Clause were carefully crafted to reconstruct Southern civilization through reinforcing social and economic equality. Penned under the premise that all men are equal, the Equal Protection Clause clarifies a state’s responsibility to entitle all persons within its jurisdiction equal protection under its laws. Consequently, the Privileges and Immunities Clause relates to the supremacy of federal citizenship over state citizenship. The architects of both the Constitution and the Fourteenth Amendment understood that in order to preserve the Union privileges and immunities must be ubiquitously endowed to all citizens on a federal level. Although the Reconstruction era’s intentions have been surpassed with the emancipation of the slaves, the Fourteenth Amendment’s Equal Protection Clause and Privileges and Immunities Clause are needed more than ever in the fight for societal equality and national unity.

The proficiency of justice. The protection of equality. The preservation of endowed rights. In any constitutional republic, these crucial features are necessary in the incessant struggle to defend the vital precepts of life, liberty and the pursuit of happiness. Soundly grounded in the ideologies of the Declaration of Independence and natural law, the Fourteenth Amendment is the manifestation of the Founder’s ideology that due process, equality, and citizenship are human rights. However, this unprecedented piece of legislation is useless without correct interpretation and fervent application. Truly, as free American citizens, it is our calling to understand and uphold the Fourteenth Amendment’s auspicious legacy of preserving priceless principles.