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## SENATE RESOLUTION NO. 60

Offered March 3, 2020

*Commending the adoption of the Fourteenth Amendment to the Constitution of the United States.*

Patron—Dunnavant

Referred to Committee on Rules

WHEREAS, the Fourteenth Amendment to the Constitution of the United States, which addressed numerous critical issues during the Reconstruction Era, including citizenship, voting rights, and equal protection under the law, and which has become one of the most frequently litigated constitutional amendments, was ratified in 1868; and

WHEREAS, the Fourteenth Amendment was drafted in response to questions regarding the legal status of African Americans freed from slavery by the Emancipation Proclamation in 1863 and the Thirteenth Amendment in 1865, as well as laws passed by former Confederate states to limit mobility and employment opportunities for formerly enslaved individuals; and

WHEREAS, Secretary of State William H. Seward certified the adoption date of the Fourteenth Amendment as July 9, 1868, and, under the subsequently enacted Reconstruction Acts, ratification of the Fourteenth Amendment became a requirement for former Confederate states to again receive representation in the United States Congress; and

WHEREAS, the first section of the Fourteenth Amendment includes clauses related to privileges and immunities, due process, and equal protection, as well as a clause on citizenship that nullified the ruling in *Dred Scott v. Sanford*, which had denied citizenship to descendants of enslaved people; and

WHEREAS, the second through fifth sections of the Fourteenth guaranteed the right to vote to all males over the age of 21, regardless of race; addressed the rights of former members of the Confederacy and the payment of public debts incurred by the Confederacy; and granted the United States Congress power to enforce the amendment through relevant legislation; and

WHEREAS, the Fourteenth Amendment represented an affirmation that the Bill of Rights extended to all citizens of the United States and was not only a landmark for the fight against racial discrimination, but also a transformative moment in the women's suffrage movement; and

WHEREAS, the Fourteenth Amendment, particularly its first section, has been the subject of multiple historically significant rulings by the Supreme Court of the United States, including *Plessy v. Ferguson*, *Korematsu v. United States*, *Brown v. Board of Education*, *Gideon v. Wainwright*, *Loving v. Virginia*, *Roe v. Wade*, *Bush v. Gore*, and *Obergefell v. Hodges*; and

WHEREAS, the Fourteenth Amendment has played a vital role in the protection of racial equality, individual rights, and economic liberty and served as the basis to overturn segregation of public schools, bans on interracial and same-sex marriage, and the establishment of a right to privacy in American jurisprudence, directly impacting countless lives over more than a century and a half; now, therefore, be it

RESOLVED by the Senate of Virginia, That the adoption of the Fourteenth Amendment to the Constitution of the United States hereby be commended on the occasion of the 152nd anniversary of its ratification by 28 states; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation as an expression of the Senate of Virginia's admiration for the historical and legal significance of the Fourteenth Amendment to the Constitution of the United States.

INTRODUCED

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