

HANDOUT

Quotes about the Fourteenth Amendment

Quote #1

Rep. Thaddeus Stevens (Republican from Pennsylvania):

“[The Fourteenth amendment] allows Congress to correct the unjust legislation of the states, so far that the law which operates upon one man shall operate equally upon all. Whatever law punishes a white man for a crime shall punish the black man precisely in the same way and to the same degree. Whatever law protects the white man shall afford ‘equal protection’ to the black man.”¹

¹ Except where noted, all quotations excerpted from Garrett Epps, *Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil War America* (Henry Holt, 2006), 224–39.

Quote #2:

Scholar Garrett Epps describes Democratic opposition to the Fourteenth Amendment:

“Andrew Rogers of New Jersey gave the fullest explanation of the opposition when he warned that the [amendment] would take away the government’s traditional power to choose groups among citizens who are worthy of ‘privileges and immunities,’ and would instead confer these treasured prerogatives as rights on the unworthy. ‘The right to vote is a privilege,’ he said. ‘The right to marry is a privilege. The right to contract is a privilege. The right to be a juror is a privilege. The right to be a judge or President of United States is a privilege. I hold if [Section 1] ever becomes a part of the fundamental law of the land it will prevent any state from refusing to allow anything to anybody embraced under this term of privileges and immunities,’ he said. ‘That, sir, will be an introduction to the time when despotism and tyranny will march forth undisturbed and unbroken, in silence and in darkness, in this land which was once the land of freedom ...’”²

² Garrett Epps, *Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil War America* (Henry Holt, 2006), 224–239.

Quote #3:

Scholar Garrett Epps describes the impact of the amendment's definitions of citizenship:

“Nearly a century and a half later, the citizenship language seems almost obvious. But in 1866, the idea of a preeminent national citizenship was a radical repudiation of the ‘state sovereignty’ theory, which held that each state had a right to define its own qualifications for citizenship, and that Americans were state citizens first and only secondarily citizens of the Union.³

³ Garrett Epps, *Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil War America* (Henry Holt, 2006), 224–239.

Quote #4:

Senator Edgar Cowan (Democrat from Pennsylvania) warns about the ramifications of the amendment's definition of citizenship:

"There is a race in contact with this country which, in all characteristic except that of simply making fierce war, is not only our equal but perhaps our superior. I mean the yellow race; the Mongol race. They outnumber us largely. Of their industry, their skill, and their pertinacity in all worldly affairs, nobody can doubt ... They may pour in their millions upon our Pacific Coast in a very short time.

Are the states to lose control over this immigration? Is the United States to determine that they are to be citizens?"⁴

⁴ Garrett Epps, *Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil War America* (Henry Holt, 2006), 224–239.

Quote #5:

In 1853, Frederick Douglass delivered a speech that included his vision of birthright citizenship and the rights of African Americans. The birthright citizenship principle would later be enshrined into law with the passage of the Fourteenth Amendment:

“[B]y birth, we are American citizens; by the principles of the Declaration of Independence, we are American citizens; within the meaning of the United States Constitution, we are American citizens; by the facts of history; and the admission of American statesmen, we are American citizens; by the hardships and trials endured; by the courage and fidelity displayed by our ancestors in defending the liberties and in achieving the independence of our land, we are American citizens.”⁵

⁵ Garrett Epps, *Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil War America* (Henry Holt, 2006), 224–239.

Quote #6:

Historian Eric Foner describes the impact of the Fourteenth amendment:

The whole question of what is citizenship, who is a citizen and what rights come along with it – that was central to the political conflict in Reconstruction. [The Reconstruction amendments] are the effort of the Republican Congress, and indeed of African Americans themselves, to put into the Constitution the basic idea of equality for all Americans. It's important to remember that ideal didn't exist before the Civil War. Remember, the Dred Scott decision, 1857, said no black person can be a citizen. Only white people can be citizens of the United States.

This was a country with strong belief in liberty but with a strong racial barrier excluding nonwhites from enjoyment of many of those liberties. And so Reconstruction is an effort to shatter those boundaries and to create a new...republic. I mean, that's why I call it the "Second Founding." It really transforms the Constitution, not just adding a few things here and there...to try to implement this principle of equal rights for all Americans.⁶

⁶ Eric Foner, "['Second Founding' Examines How Reconstruction Remade The Constitution](#)," NPR, September 17, 2019.