

SENATE JOINT RESOLUTION

No. 67

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED APRIL 5, 2018

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

Commemorates 150th anniversary of ratification of Fourteenth Amendment to United States Constitution.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/19/2018)

1 **A JOINT RESOLUTION** commemorating the 150th anniversary of the
2 ratification of the Fourteenth Amendment to the United States
3 Constitution.

4
5 **WHEREAS**, The Fourteenth Amendment to the United States
6 Constitution, which granted citizenship to all persons born in the
7 United States, including former slaves, and which prohibits states
8 from denying to any person the equal protection of the law or
9 denying to any person life, liberty, or property without due process
10 of law, was ratified 150 years ago in July 1868; and

11 **WHEREAS**, No amendment to the Constitution is cited in litigation as
12 often as the Fourteenth Amendment, and it is the basis for
13 numerous landmark Supreme Court cases; and

14 **WHEREAS**, Many of the amendments in the Bill of Rights, which are
15 protections against federal government action, have been applied to
16 state government action through the Fourteenth Amendment; and

17 **WHEREAS**, High profile Supreme Court cases over the past few
18 decades very often dealt with interpreting the Fourteenth
19 Amendment; and

20 **WHEREAS**, The Equal Protection Clause of the Fourteenth
21 Amendment figures prominently in court decisions striking down
22 state-sanctioned racial and gender discrimination as, for example, in
23 public education; and

24 **WHEREAS**, Underlying the Supreme Court's rationale for ruling state
25 prohibitions on abortion and same-sex marriage unconstitutional is
26 the Due Process Clause of the Fourteenth Amendment; and

27 **WHEREAS**, Along with the other two post-Civil War amendments
28 abolishing slavery and prohibiting the denial of the right to vote on
29 account of race, many scholars describe the Fourteenth
30 Amendment's ratification as America's "Second Founding"
31 because these amendments reshaped the Constitution to protect
32 fundamental rights from state government abuse in addition to
33 protections against federal government abuse; and

34 **WHEREAS**, Prominent among those leading the effort to transform the
35 country after the Civil War was Congressman Thaddeus Stevens of
36 Pennsylvania who, together with others, helped craft and push for
37 passage of the post-Civil War amendments; and

38 **WHEREAS**, It is fitting and proper for the State of New Jersey to
39 commemorate the 150th anniversary of ratification of the important
40 and transformative Fourteenth Amendment; now, therefore,

41
42 **BE IT RESOLVED** *by the Senate and General Assembly of the*
43 *State of New Jersey:*

44
45 1. The Governor and Legislature of the State of New Jersey
46 hereby commemorate the 150th anniversary of the ratification of the
47 Fourteenth Amendment to the United States Constitution.

3. This joint resolution shall take effect immediately.

The importance of the amendment is captured in the fact that scholars describe its passage as the “Second Founding” of America. Along with the other post-Civil War Amendments banning slavery and prohibiting the denial of the right to vote on account of race, the Fourteenth Amendment transformed the U.S. Constitution to one that protects fundamental rights from state as well as federal government abuse.