What is the significance of the Equal Protection Clause for the practice of democracy in American history and contemporary society?

Democracy would not truly exist if not for the Equal Protection Clause. On July 4th of 1776, the Declaration of Independence was signed, setting off a chain reaction that would make the land of freedom we know today. The United States has been mentioned to be one of the best and most opportunistic countries, but not without its faults. For a country that claims to be all for freedom, there are a staggering amount of cases within the United States arguing against this. Whether it's against race, gender, sexuality, or socio-economic status, discrimination has been a rampant disease spreading throughout the world. To counter discrimination in 1866, the 14th Amendment was ratified into the American Constitution; however, southern states chose to ignore voters due to race. The 14th amendment clauses guaranteed that anyone born on United States soil could immediately gain citizenship, as well as due process for the legal system, privileges and immunities. The last was the Equal Protection Clause stating that no State shall "deny to any person within its jurisdiction equal protection under the laws". In spite of this, countless people have ignored these laws, and still continue to violate them today -- one of the earliest cases was Plessy v Ferguson (1896).

In 1896, Homer Adolph Plessy decided to get arrested to protest against a segregation law. While Plessy was 1/8th black, he was mostly white presenting. So when he sat in the white people section, no one noticed that he broke the law. Only after he informed an employee was he then arrested. Enraged, Plessy's team argued that this violated the 14th Amendment but was denied and Plessy was convicted, therefore reinforcing segregation. Fortunately Brown v Board

later in 1954 overruled segregation in public places. Transportation and school are two public services that dictate the lives of everyone within the United States borders; however, many take it for granted. The Equal Protection Clause paved the way for American residents to have access to jobs through buses, trains and/or trollies by the means of education. With no education, people cannot properly learn about government policies -- such as their Miranda rights.

Once every ten years, the United States does what you call a census survey, which counts the total population of a specific area. This is done to give or take away voting power, therefore evening out representation in certain communities. However, this wasn't always the most fair process, as when people started to move to cities, suburban areas remained just as powerful. Tennessee did not get the memo, failing to abide by the law once passed. Charles Baker, the mayor of one of these districts, sued to get his area their proper representation in 1962. Enter the Baker v Carr. Charles' case, which promptly lost, at first. In his second case, the judges sided with him, establishing the “one person one vote” doctrine. This allowed the higher courts to force lower courts to abide by the Equal Protection Clause ensuring that voting representation is fair and distributed.

Women's rights to vote have existed for almost a hundred years. This was a landmark for democracy as we know it, as half of the population was now able to vote on topics directly affecting them. In 1971, Richard Lynn Reed was adopted by the now divorced Mr. and Mrs. Reed. While he later passed, both parents petitioned to inherit his estate. Idaho gave the estate to Cecil Reed, the father, as their reasoning was "males must be preferred to females" in appointing administrators of estates creating Reed v Reed (1971). Of course, the courts ruled Idaho's gender bias was unconstitutional under the 14th Amendment. Without the Equal Protection Clause,

Idaho's reasoning would have taken us back right to 1919, before women even had the entitlement to the civil liberties men did. Without this revolutionary case, many women would have still been seen as inferior regarding economics. Allowing the Equal Protection Clause to protect women's monetary rights allows society to move forward progressively.

It wasn't until 2014 that the United States allowed gay couples to get married. This was a national celebration for most, but some states disagreed. As in 2015, only a year later, James Obergefell, who had originally had his marriage licence approved, later found that other states such as Ohio, Michigan, Kentucky, and Tennessee, had denied his marriage legality when visiting. In return, Hodges sued in Obergefell v Hodges (2015) -- and won; allowing not only his marriage to be recognized nationally, but all gay marriage in the United States. Marriage at its center is a unification between two individuals relating to love, so who can dictate who you love or not? The queer community has been at the center of this vast debate for decades now, but despite the United States claiming its equal in rights, it took them almost 235 years to accept same sex couples. The Equal Protection Clause uplifts our right to love, as well as our right to be able to unify ourselves and not be afraid of being prosecuted simply because of the gender of our spouse. That is the greatest joy in life -- love.

Whether it be voting rights, love, racial or gender opportunities, the Equal protection clause is one of the most important things to our republic of the United States of America. Many peoples who've bravely fought for anti-segregation, as well as women's rights protests and queer protests alike, these important stepping stones for our democracy would not be possible without the clause. As William O. Douglas a former supreme court member once said "As nightfall does not come at once, neither does oppression. In both instances, there is a twilight when everything remains seemingly unchanged. And it is in such twilight that we all must be most aware of

change in the air – however slight – lest we become unwitting victims of the darkness." We will always have to fight for our rights, regardless of the time that passes.

Citations :

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