



Justice and Jurisprudence: An Inquiry Concerning the Constitutional Limitations of the Thirteenth, Fourteenth, and Fifteenth Amendments (Classic Reprint)

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Excerpt from Justice and Jurisprudence: An Inquiry Concerning the Constitutional Limitations of the Thirteenth, Fourteenth, and Fifteenth Amendments

An inquiry concerning the constitutional provisions of the Thirteenth, Fourteenth, and Fifteenth Amendments seemed to the Brotherhood of Liberty the primal step to be taken by an Order instituted for the advancement of the African race in America.

Their Dedicatory Address and Epistles make a full revealment of the objective points of this Christian, constitutional, sociological, and political treatise. The author has contributed a fitting introductory accompaniment to his work, in a cold and critical, but lucid, vigorous, and trenchant dissertation upon the peril of juristic innovation upon the Constitution.

As a generalization, this work may be said to consist of two parts. The first concerns the Positive Law of the Fourteenth Amendment, by which the whole power of the American state is pledged to maintain the equality of civil rights of every American citizen by Due Process of Law. The second discloses the transparent veils of legal fiction under cover of which the civil rights of all races are being slowly undermined. It shows how judicial construction has so impaired the *lex scripta* that, although the letter may remain, yet the heart has been eaten out.

Mature reflection and a close observation of the course of events have led the Brotherhood to the conclusion that, if the complex constitutional questions, and the perplexing social problems involved in the much-mooted race-question could be examined, and their deep, broad, ethical and political significance demonstrated by an interesting discussion, free as possible from dry abstraction, sectionalism, and partisanship, public opinion might become disentangled from the many knotty disputes by which it is now obscured, chiefly through the chicanery of a narrow system of vicious politics.

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