



Everyman's Constitution: Historical Essays on the Fourteenth Amendment, the "Conspiracy Theory," and American Constitutionalism

By Howard Jay Graham



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In 1938, Howard Jay Graham, a deaf law librarian, successfully argued that the authors of the Fourteenth Amendment--ratified after the American Civil War to establish equal protection under the law for all American citizens regardless of race--were motivated by abolitionist fervor, debunking the notion of a corporate conspiracy at the heart of the amendment's wording. For over half a century, the amendment had been used to endow corporations with rights as individuals and thus protect them from state legislation. By 1968, when *Everyman's Constitution* was first published, the Fourteenth Amendment had become a tool for the incorporation of the Bill of Rights to apply to all American citizens. The essays in this reprinted edition are still relevant as the nation continues to interpret our framing legislation in light of the concerns of today and to balance citizens' rights against those of corporations. Howard Jay Graham was a law librarian brought in by the NAACP's legal team to write a brief on the Fourteenth Amendment for the Supreme Court case *Brown v. Board of Education*. Though the Supreme Court justices ruled in favor of the NAACP based on the sociological rather than historical evidence it provided, Graham's work, published in various law journals over several decades, contributed greatly to the ongoing interpretation of the Fourteenth Amendment.



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Editorial Review

Review

“Howard J Graham made enormous contributions to our understanding of the original meaning and enduring implications of the 14th amendment. No historian of that subject can afford to neglect these significant articles.” (Stanley Kutler, Fox Professor of American History and Law, University of Wisconsin)

“This timely re-issue is a cause for celebration. Graham’s work is a must read for anyone interested in understanding the background and context of the current debate on “corporate personhood.”” (Stephan L. Chorover, Professor, MIT Department of Brain and Cognitive Sciences, Cambridge, MA)

Originally hired to write a brief on the Amendment for a supreme court case on education, Graham's work was published in law journals for decades- and this reprint offers important insights to legal and political studies collections surveying key works on constitutional analysis. (James A. Cox, Editor-in-Chief, Midwest Book Review, The Bookwatch, November 2013)

About the Author

Howard Jay Graham was a law librarian brought in by the NAACP’s legal team to write a brief on the Fourteenth Amendment for their Supreme Court case, Brown v. Board of Education. Though the Supreme Court justices ruled in favor of the NAACP based on the sociological rather than historical evidence they had provided, Graham’s work contributed greatly to the ongoing interpretation of the Fourteenth Amendment.

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