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## Equal Protection

### Overview

The [Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution](#) prohibits states from denying any person within its territory the equal protection of the laws. This means that a state must treat an individual in the same manner as others in similar conditions and circumstances. The [Federal Government](#) must do the same, but this is required by the [Fifth Amendment Due Process](#).

The point of the equal protection clause is to force a state to govern impartially—not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective. Thus, the equal protection clause is crucial to the protection of civil rights.

Every equal protection clause issue can be broken down into three questions:

1. What classification does a government action create?
2. What level of scrutiny should be applied to this classification?
3. Does this particular government action meet that level of scrutiny?

Moreover, the equal protection clause analysis becomes more complicated when an individual is discriminated against because of his unique positions (i.e. as a class-of-one). Additional challenges arise when laws favor a group of people, rather than discriminating against a group of people (e.g. affirmative action). The equal protection clause could also be implicated when states redraw district lines (racial gerrymandering). The following sections will present a brief summary of these issues.

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