[Name of the Writer]

[Name of Instructor]

[Subject]

[Date]

**Loving v. Virginia case Brief**

**Introduction:**

The case “Loving v. Virginia” was argued on April 9, 1967, while the decision was made on June 11, 1967. The state of Virginia passed the law about marriage. It became a felony for the white individual to marry with black and vice versa. The laws raised the question on the constitutionality of the statutes. It also violates the concept of equal protection clause.

**Facts:**

Mildred Jeter and Richard Loving married in the Columbia district in 1958. Richard Loving was a white man while Mildred Jeter was black, both were the residents of Virginia. After marriage when they returned to Virginia they were charged for violating the law of state according to which inter-racial marriages were banned. The couple was found guilty and the court sentenced them one-year imprisonment. The trial judge agreed that if the couple leaves Virginia and does not return for twenty-five years then the sentence can be suspended. Lovings filed the case in U.S. Supreme Court with the claim that the law violates the equal protection of the citizens. The case pertains to the Equal Protection Clause of the Fourteenth Amendment (388 US 1 (1967)).

**Issue:**

Did anti-miscegenation law of Virginia violate the Equal Protection Clause of the Fourteenth Amendment?

**Holding:**

Yes, the court held that the distinctions drawn on the basis of race restricted the freedom of citizens. Therefore, the statute violated the Equal Protection Clause of the fourteenth amendment.

**Rationale:**

The supreme court of United State unanimously (9-0) repealed state laws about marriages in Virginia as a violation of equal protection and fourteenth amendment. The Virginia Supreme court stated that the main reason for the Virginia anti-miscegenation law was to avoid the corruption of blood and preserving the racial integrity of the citizens. The court found that the law of Virginia had no reasonable cause. Invidious racial discrimination was the only purpose of Virginia’s law which violates the equal protection of the citizens. The state argued that the law was equally imposed on both white and black people. However, the court rejected the argument with the statement that laws about marrying, not marrying, or an individual of the different race living with a person, cannot be controlled by the state as it violates the due process clause of the fourteenth amendment.

**Significance:**

Loving v. Virginia is a significant case as it was about constitutionality of the statute. It decision set a good example of the discriminatory laws. It violated the fourteenth amendment which was established for the equal legal and civil rights for the African-Americans and slaves. The second most important aspect of the case was marriage. The case decision implies that marriage is the fundamental right of the person. The state has no right to make it a felony on the basis of race.

**References**

"Loving v. Virginia." *Oyez,* www.oyez.org/cases/1966/395. Accessed 9 Jul. 2019.