

Section 1975e, Pub. L. 98-183, §7, Nov. 30, 1983, 97 Stat. 1307; Pub. L. 101-180, §2(1), Nov. 28, 1989, 103 Stat. 1325; Pub. L. 102-167, §3, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 102-400, §2, Oct. 7, 1992, 106 Stat. 1955, authorized appropriations to carry out this chapter. See section 1975c of this title.

A prior section 1975e, Pub. L. 85-315, pt. I, §106, Sept. 9, 1957, 71 Stat. 636; Pub. L. 90-198, §2, Dec. 14, 1967, 81 Stat. 582; Pub. L. 91-521, §3, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92-64, Aug. 4, 1971, 85 Stat. 166; Pub. L. 92-496, §6, Oct. 14, 1972, 86 Stat. 814; Pub. L. 94-292, §2, May 27, 1976, 90 Stat. 524; Pub. L. 95-132, §2, Oct. 13, 1977, 91 Stat. 1157; Pub. L. 95-444, §7, Oct. 10, 1978, 92 Stat. 1068; Pub. L. 96-81, §3, Oct. 6, 1979, 93 Stat. 642; Pub. L. 96-447, §2, Oct. 13, 1980, 94 Stat. 1894, related to authorization of appropriations for this chapter. See Codification note set out preceding section 1975 of this title.

Section 1975f, Pub. L. 98-183, §8, Nov. 30, 1983, 97 Stat. 1307; Pub. L. 101-180, §2(2), Nov. 28, 1989, 103 Stat. 1325; Pub. L. 102-167, §4, Nov. 26, 1991, 105 Stat. 1101, provided termination date for this chapter. See section 1975d of this title.

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SUBCHAPTER I—GENERALLY

**§ 1981. Equal rights under the law**

**(a) Statement of equal rights**

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

**(b) "Make and enforce contracts" defined**

For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

**(c) Protection against impairment**

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

(R.S. § 1977; Pub. L. 102-166, title I, § 101, Nov. 21, 1991, 105 Stat. 1071.)

CODIFICATION

R.S. § 1977 derived from act May 31, 1870, ch. 114, § 16, 16 Stat. 144.

Section was formerly classified to section 41 of Title 8, Aliens and Nationality.

AMENDMENTS

1991—Pub. L. 102-166 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-166, title IV, § 402, Nov. 21, 1991, 105 Stat. 1099, provided that:

"(a) IN GENERAL.—Except as otherwise specifically provided, this Act [see Short Title of 1991 Amendment note below] and the amendments made by this Act shall take effect upon enactment [Nov. 21, 1991].

"(b) CERTAIN DISPARATE IMPACT CASES.—Notwithstanding any other provision of this Act, nothing in this Act shall apply to any disparate impact case for which a complaint was filed before March 1, 1975, and for which an initial decision was rendered after October 30, 1983."

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-166, § 1, Nov. 21, 1991, 105 Stat. 1071, provided that: "This Act [enacting section 1981a of this title and sections 601 and 1201 to 1224 of Title 2, The Congress, amending this section and sections 1988, 2000e, 2000e-1, 2000e-2, 2000e-4, 2000e-5, 2000e-16, 12111, 12112, and 12209 of this title, and section 626 of Title 29, Labor, and enacting provisions set out as notes under this section and sections 2000e and 2000e-4 of this title, and section 1a-5 of Title 16, Conservation] may be cited as the 'Civil Rights Act of 1991'."

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-559, which amended section 1988 of this title, is known as "The Civil Rights Attorney's Fees