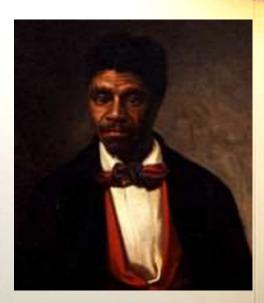
### **DRED SCOTT CASE**

- · Supreme Court ruled (1857) that
  - · African Americans are not U.S. citizens
  - Congress cannot prohíbít slavery in new
     U.S. territories
  - Constitutional Amendment was required to grant citizenship to blacks



### CIVIL WAR AMENDMENTS

 13th: (1865): freed all slaves, outlawed slavery permanently in the U.S.

· 14th (1868)

· 15th (1870): right to vote cannot be denied based on race





- · The 14th amendment was ratified in 1868.
- The 14th amendment was originally ratified to protect the freedman from the abolishment of his rights by southern states.

## **14TH AMENDMENT**

All persons born or naturalized in the United States are citizens.

- · <u>Jus Solí</u> (law of the soil) those born on U.S. soil are citizens.
- · Jus Sanguínís (law of blood) those born to parents who are U.S. cítízens are cítízens.

# **14TH AMENDMENT**

No State shall deprive any person of life, liberty, or property, without <u>due process of law</u>.

 Applies the guarantees of the Bill of Rights to state and local governments.



Nor deny to any person within its jurisdiction the equal protection of the laws.

Governments cannot draw <u>unreasonable</u>
distinctions among different groups of people.

# **14TH AMENDMENT**

Incorporation - the guarantees of the Bill of Rights apply to all state and local governments

# DO THESE LAWS VIOLATE THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT? WHY WHY NOT?

- · Adults under 21 can't drink alcohol
- · Women can't be firefighters
- · Physically handicapped people can't be firefighters
- 15% of all university of Georgia students must be minority races
- · Women can't be guards at all-male prisons
- · Only men have to register for the draft

#### MIRANDA WARNING

- YOU HAVE THE RIGHT TO REMAIN SILENT.
- ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
- YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED.
- IF YOU CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU WISH.
- 5. YOU CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.

#### WAIVER

DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU? HAVING THESE RIGHTS IN MIND, DO YOU WISH TO TALK TO US NOW?