

Tuesday, April 24

Objective: TSW analyze the impact of the 14th Amendment to the Constitution

Warm-Up: Define the following Amendments 13th, 14th, and 15th

14th Amendment

Locate the amendments in your textbook

- Read the 14th Amendment
- What does “naturalized” mean? Why was this included?
- **TWO BIG** categories of the 14th:
 1. **MOST IMPORTANT = Equal Protection**
 2. **Due Process**



Prior to 14th Amendment

Bill of Rights did not apply to all states



Due Process

- **Selective Incorporation**
- Provisions of Bill of Rights will apply to states on a case-by-case basis
- First time Supreme Court applied this was **Gitlow v. NY** (1921)
- Since then, for last 80 years, Supreme Court has applied this to all 10 amendments (B or Rts) **EXCEPT** for _____

Equal Protection under the Law

- Why was this written (after the Civil War)
- Congress passed this Amendment because it was afraid _____
- 1876 → **Jim Crow**. Eliminated Blacks as part of the political process
- Instead of **legal** segregation, had **de facto** segregation

Equal Protection under the Law

- 1896 this issue came to a head. First time the Supreme Court made a decision based on the 14th Amendment – Plessey v. Ferguson
- After Plessey, have **legal** segregation
- The next time that the Supreme Court “visited” the 14th Amendment was in **Brown v Board of Education** in _____ (year?)

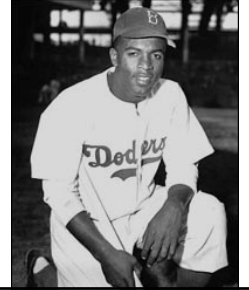
Equal Protection under the Law

- Why were some racial barriers broken down during war?
- **WWI** was the first time that large groups of Blacks and whites had such close “exposure” to each other
- What impact do you think this had?
- After WWI, mass **migration** of Blacks from the South to the North. This led to more “integration” (Harlem Renaissance...)



Equal Protection under the Law

- Who was Jackie Robinson? What impact did he have on the Civil Rights Movement?
- All of this was **BEFORE** *Brown v Board of Education*



Equal Protection under the Law

- Next major time 14th Amendment dealt with by Supreme Ct = **WWII**
- **POW** camps in South – Germans could use facilities that African Americans couldn't use
- 1948 – **Executive Order** (Truman had a right to do this because he was _____) – Truman had the right to integrate the army.



Equal Protection under the Law

- How did the NAACP “**PROVE**” that education was NOT “separate but equal?”
- Black and white dolls – smartest, prettiest, dumbest, who they look like... video of kids being interviewed



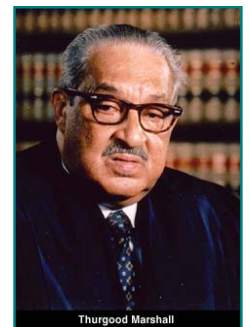
Equal Protection under the Law

- Supreme Court does not like to say that they were “wrong.” They don't like overturning previous decisions.
- Earl Warren – was not formerly a judge... he was Governor of CA – was picked because he was a friend of the President (Eisenhower). He was willing to overturn previous decisions – he changed the entire focus of the Supreme Court = Activist Court



Brown v. Board of Education Equal Protection under the Law

- Warren Court – activist Court = they “made” laws
- Thurgood Marshall argued the case (Brown v Board) for the NAACP
- Why did NAACP target education to start with?
- Brown was passed 1954– did that mean that this was the end of segregation?



Brown v. Board of Education



Equal Protection under the Law

- Where is the 14th Amendment in all of this? So far we have only dealt with schools, not restaurants, movie theaters, motels... These were still segregated
- To deal with this, Congress passed the **Civil Rights Acts of 1964**
- Illegal to have anything unequal in public facilities – did not apply to **private facilities** such as country clubs



Wednesday, April 25

Objective: TSW analyze the impact of the 14th Amendment to the Constitution

Warm-Up: What are the two main issues covered in the 14th Amendment? Which one is considered the **MOST** important?

Equal Protection under the Law

- **Voting Rights act of 1965** – attempts to open up the electoral process
- **Swann v. Mecklenburg County** – early 1970s – integration of schools moving too slowly, therefore bussing (mirror population of your district)



Equal Protection under the Law

- 1970s – cases *go from discrimination to reverse discrimination* i.e. Bakke
- **Inconsistency** in court opinions
- Last 10-15 years – reverse discrimination claims aimed mainly at Affirmative Action (created to redress wrongs of the past)



14th Amendment

Equal Protection – interpreted in many different ways



Thursday, April 26

Objective: TSW determine what “freedom of speech” really means

Warm-Up: What are the limitations put on “free speech”?

