

The 14th Amendment

The 14th amendment was added to the Constitution in 1868, after the end of the Civil War. It defines what it means to be a U.S. citizen and protects certain rights of the people. There are three clauses in the 14th amendment, each of which are still important today. (A constitutional clause is a sentence or phrase in any part of our Constitution that expresses a single idea.)

Citizenship Clause – the citizenship clause gives individuals born or naturalized in the United States the right to citizenship in the country and the state where they reside.

Before the 14th amendment, African Americans could not become citizens and this limited the rights of those that were able to escape slavery and become free. This clause allows all people born in the United States to be US citizens. Although this right was established by the Civil Rights Act of 1866, the 14th Amendment made the law permanent since many feared that the law could be overturned and take away the citizenship of African Americans. Later on, the Supreme Court protected this right for the children of immigrants who were born in the U.S. The right of Native Americans to become citizens also was protected by the clause.

Once someone has American citizenship, Congress or other authorities cannot take it away, unless they lie to government during the naturalization process, which is the process to become a U.S. citizen. Otherwise, everyone that becomes an American citizen stays an American citizen, unless they give it up themselves.

Due Process Clause – the due process clause protects the rights of citizens and prevents those rights from being taken away by any state government without “due process.” Due process means that the government may not take our lives, liberty, or property without following legal procedures.

Although you may think the Constitution already protects these rights, the 14th amendment especially enforces the Constitution and the Bill of Rights on the states, to make sure that they can never limit the rights of Americans without fairness. There are also a number of protections guaranteed for those that are accused of a crime but have not been proven to do anything wrong that are protected at the state level with this clause.

Equal Protection Clause – This part of the fourteenth amendment says that the states may not deny equal protection of the laws to any citizens.

As a result of this clause, the national government may enforce this protection on the states, ensuring that they do not deny equal protection of the laws. Remember that the Bill of Rights protects some rights for Americans from being violated by the national government. This equal protection clause extended this protection to apply to the state governments as well. The Supreme Court has interpreted this clause of the 14th amendment in different ways over the course of American history and its interpretation of this clause has dramatically impacted the structure of our society over the past 150 years.

The 14th Amendment Facts Chart

*Copy the chart below.

*Use the 14th Amendment article to take notes using complete sentences.

What does the 14th Amendment Define?		
Define <u>“Constitutional Clause”</u>:		
Citizenship Clause	Due Process Clause	Equal Protection Clause
Write 4 facts about this clause. 1. 2. 3. 4.	Define <u>Due Process</u> : Write 3 facts about this clause. 1. 2. 3.	Write 4 facts about this clause. 1. 2. 3. 4.

The 14th Amendment and the Supreme Court

*Copy the chart below.

*Use the articles on the cases of **Plessy v. Ferguson** and **Brown v. Board of Education** to answer the questions below using complete sentences.

	Plessy v. Ferguson	Brown v. Board of Education
What was the year that the case was decided?		
Which of the clauses from the 14 th Amendment was used in the argument presented to the Supreme Court during the case?		
What was the argument that was presented? (summary)		
What was the Supreme Court's decision ? (summary)		
What were the implications for society? (In other words, the " So What ") - summarize		