

What Are The 2 Things That The 14th Amendment Says States Cannot Deny To Citizens?.

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The 14th Amendment to the United States Constitution is one of the most significant legal provisions in American history. Ratified on July 9, 1868, in the aftermath of the Civil War, it was designed to secure the rights of newly freed slaves and establish a broader framework for civil rights and equal protection under the law. This amendment has profoundly shaped the landscape of American civil rights, ensuring that states do not infringe upon certain fundamental rights of their citizens.

A central aspect of the 14th Amendment is its guarantee of specific rights that states are prohibited from denying to citizens. These protections serve as a cornerstone of the constitutional rights framework, safeguarding individual freedoms against state interference. Understanding what these two critical protections are—and how they function—is essential to appreciating the amendment's enduring importance in American legal and social history.

In this article, we will explore what the 14th Amendment states that states cannot deny to citizens, providing a comprehensive overview of its key provisions, their historical context, and their ongoing relevance today.

Historical Context of the 14th Amendment

Before diving into the specific rights protected by the 14th Amendment, it is important to understand the historical circumstances surrounding its enactment. Following the Civil War, the United States faced the challenge of integrating formerly enslaved people into the social and political fabric of the nation. Southern states enacted Black Codes and other discriminatory laws to restrict the rights of African Americans, effectively undermining the promises of freedom and equality.

In response, Congress proposed the 14th Amendment, aiming to:

- Ensure equal protection under the law.
- Protect the civil rights of all citizens, regardless of race.
- Limit the power of states to infringe upon these rights.

The amendment was a pivotal step toward Reconstruction and set the stage for subsequent civil rights legislation and Supreme Court rulings.

Core Provisions of the 14th Amendment

The 14th Amendment contains several key clauses that establish and protect individual rights:

- The Citizenship Clause: Grants citizenship to all persons born or naturalized in the United States.
- The Due Process Clause: Prohibits states from depriving "any person of life, liberty, or property without due process of law."
- The Equal Protection Clause: Requires states to provide equal protection under the law to all persons within their jurisdiction.
- The Privileges or Immunities Clause: Prevents states from abridging the privileges and immunities of citizens.

While all these clauses are crucial, the focus of this discussion is on the specific rights that states are explicitly forbidden from denying to their citizens, primarily as articulated through the Due Process and Equal Protection Clauses.

The Two Key Things That The 14th Amendment Says States Cannot Deny To Citizens

The 14th Amendment explicitly or implicitly guarantees two fundamental rights that states cannot deny to their citizens:

1. The Right to Due Process of Law
2. The Right to Equal Protection Under the Law

Let's examine each in detail.

The Right to Due Process of Law

What does due process mean?

Due process is a constitutional guarantee that states cannot deprive any person of "life, liberty, or property" without fair and established legal procedures. It ensures that all legal processes are fair, just, and in line with established principles of justice.

Historical significance:

The Due Process Clause originated from the Magna Carta and was incorporated into the U.S. Constitution to limit the power of government, preventing arbitrary actions against individuals.

What does the 14th Amendment say?

The Due Process Clause states:

"No state shall deprive any person of life, liberty, or property, without due process of law."
(Section 1)

What rights are protected under Due Process?

The rights encompassed by due process are broad and include:

- The right to a fair trial
- The right to legal counsel
- Protection against self-incrimination
- The right to privacy
- The right to marry and family life
- The right to travel

Implications:

States cannot pass laws or enforce policies that deprive individuals of these rights without following fair procedures, such as notice and an opportunity to be heard. This provision has been the basis for numerous Supreme Court rulings that have expanded individual rights, including decisions on privacy, reproductive rights, and marriage.

The Right to Equal Protection Under the Law

What does equal protection mean?

The Equal Protection Clause mandates that no state shall deny any person within its jurisdiction the equal protection of the laws. This ensures that individuals or groups are not discriminated against based on race, gender, religion, or other statuses.

Historical background:

This clause was essential in dismantling segregation laws and combating discrimination, providing a constitutional foundation for civil rights movements.

What does the 14th Amendment say?

The clause states:

"No state shall deny to any person within its jurisdiction the equal protection of the laws."
(Section 1)

Scope of Protection:

This provision has been central to landmark cases involving:

- School desegregation (e.g., *Brown v. Board of Education*)
- Voting rights (e.g., Voting Rights Act enforcement)
- Anti-discrimination laws in employment, housing, and public accommodations
- Marriage equality

Implications:

States are required to apply laws fairly and equally. Discriminatory practices, whether overt or subtle, are subject to judicial review and can be struck down if found unconstitutional.

Additional Protections and Limitations

While the two rights discussed above are the primary protections explicitly mandated by

the 14th Amendment, the amendment's influence extends further:

- Privileges or Immunities: Protects certain fundamental rights of U.S. citizens, although its scope has been limited by Supreme Court decisions.
- Incorporation Doctrine: Many rights in the Bill of Rights have been incorporated against the states via the 14th Amendment, meaning states cannot infringe upon these rights.

Examples of rights protected through incorporation include:

- Freedom of speech and press
- Right to religious liberty
- Right against unreasonable searches and seizures
- Right to a speedy and public trial

Limitations:

The rights protected are not absolute; courts often balance individual rights against public interests and safety.

Why Are These Protections Crucial?

The guarantees of due process and equal protection are fundamental because they:

- Protect individuals from arbitrary and discriminatory actions by state authorities
- Promote fairness and justice in legal processes
- Foster social equality and prevent systemic discrimination
- Serve as the basis for numerous civil rights advances

Without these protections, states could potentially deny or limit rights based on race, gender, or political beliefs, leading to inequality and injustice.

Conclusion

The 14th Amendment is a cornerstone of American civil rights law, establishing essential protections that limit the power of states to infringe upon fundamental rights of their citizens. Specifically, it guarantees two critical rights:

1. The Right to Due Process of Law — ensuring fair procedures before depriving anyone of life, liberty, or property.
2. The Right to Equal Protection Under the Law — prohibiting discrimination and requiring states to treat all individuals equally.

These protections have been instrumental in shaping a more just and equitable society, providing a legal foundation for countless landmark rulings and civil rights advancements. As ongoing debates about rights and equality continue, the principles embedded in the 14th Amendment remain vital to safeguarding individual freedoms and promoting justice across the nation.

Frequently Asked Questions

What are the two main rights that the 14th Amendment prohibits states from denying to citizens?

The 14th Amendment prohibits states from denying citizens the rights to due process of law and equal protection under the law.

How does the 14th Amendment ensure equal protection for all citizens?

It mandates that no state shall deny any person within its jurisdiction the equal protection of the laws, ensuring fair treatment for all citizens.

What does the due process clause of the 14th Amendment protect citizens from?

It protects citizens from arbitrary denial of life, liberty, or property without fair legal procedures.

Are the rights protected by the 14th Amendment applicable to all citizens regardless of state laws?

Yes, the 14th Amendment ensures that states cannot deny fundamental rights like due process and equal protection to any citizen within their jurisdiction.

Can states deny voting rights to citizens based on race or gender under the 14th Amendment?

No, the 14th Amendment's equal protection clause prohibits states from denying voting rights based on race, gender, or other protected classes.

How has the 14th Amendment been used to challenge discriminatory laws?

It has been used extensively in court cases to strike down laws that deny citizens equal protection or due process, promoting civil rights and equality.

Does the 14th Amendment prevent states from denying other rights besides due process and equal protection?

Primarily, it focuses on due process and equal protection, but these provisions have been interpreted to safeguard many other rights related to citizenship and liberty.

What role does the 14th Amendment play in civil rights movements?

It serves as a constitutional foundation for fighting racial segregation, discrimination, and ensuring equal treatment under the law.

Are there any exceptions where states can deny rights despite the 14th Amendment?

Certain rights can be limited if the government demonstrates a compelling interest and the law is narrowly tailored, but generally, the amendment restricts states from denying fundamental rights.

How has the interpretation of the 14th Amendment evolved over time?

Courts have expanded its application to include a broad range of civil rights, including gender equality, voting rights, and protections against discrimination.

Additional Resources

14th Amendment: Protecting Citizens' Rights and Ensuring Equality

The United States Constitution is a foundational document that establishes the framework of the federal government and delineates the rights of its citizens. Among its most significant amendments, the 14th Amendment stands out for its profound influence on civil rights and liberties. Enacted in 1868, following the Civil War, the 14th Amendment aimed to secure the legal and civil rights of newly freed slaves and to establish a broader guarantee of equality for all citizens.

At its core, the 14th Amendment is often regarded as a cornerstone of American civil rights law. Its provisions have been invoked in landmark Supreme Court cases that have shaped the landscape of American society. But what are the specific rights that the 14th Amendment explicitly guarantees, and what are the rights that states cannot deny to their citizens as a result? This review delves into the core protections offered by the 14th Amendment, focusing on the two fundamental rights that it explicitly states states cannot deny.

The 14th Amendment: An Overview

Before exploring the specific rights, it is essential to understand the broader scope of the 14th Amendment. It comprises five sections, but the most frequently litigated and influential parts are Section 1 and Section 5.

Section 1 of the 14th Amendment is often called the "Citizenship Clause," "Due Process Clause," and "Equal Protection Clause." It states:

> "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal prote

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