



AP[®] Government and Politics: United States 2001 Sample Student Responses

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A. The Equal protection clause

Brown v. Board of Education declared

the precedent established in ~~Plessy v. Ferguson~~ Plessy to be void, invalidating the concept of "separate but equal" as reconcilable with the 14th Amendment. This case ended segregation, and opened the door for broad integration, and the ensuing tumult-political and physical - that occurred in states such as Alabama with the notorious, but later reformed, Governor George Wallace.

B. The Due process clause

Gideon v. Wainwright ^{was} applied through

the due process clause of the 14th Amendment and provided indigent defendants with the right to counsel, regardless of ability to pay. This was a crucial step in protecting defendants' rights, by ensuring that no one would be forced to represent themselves being unfamiliar with court procedure or law. This decision also protects those defendants who may not possess the mental capacity to impugn erroneous charges against them.

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Write in the box the number of the question you are answering on this page as it is designated in the examination.

Unfortunately, many public defenders are horrendously overworked, and the ratio of money invested in criminal defense by an individual to the number of acquittals still shows a strong correlation.

(a) In the 14th amendment, blacks were given the right to American citizenship. In *Brown v. Board of Education of Topeka, Kansas*, it was argued that since blacks were citizens, they should be treated the same as all of the other American citizens, regardless of ~~the~~ race. Segregation of schools was made illegal in an earlier *Brown v. Board of Education* case and in the second case, mandatory busing was implemented in order to start desegregation forcibly. The fourteenth amendment made this possible by the courts on the basis that each citizen had the right to equal opportunity and that involved desegregation and the ~~the~~ overruling of the *Plessy v. Ferguson* separate-but-equal clause.

(b) In *Miranda v. Arizona* of 1966, the due process provision of the fourteenth amendment was applied. It was found that ~~miranda~~ a list of miranda rights were to be read upon arrest. This ensured that everyone would be guaranteed due process under the law, and that everyone knew their rights and entitlements under the law. Without a list of miranda rights, equality

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among citizens would not be ensured because not everyone would know exactly what they are entitled to. This decision gave people ~~was~~ facing arrest rights that guaranteed them to fair treatment.

#3

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The Fourteenth Amendment gave powers to African Americans. It made them citizens of the U.S. Segregation was a problem in schools though. In the case *Brown v. Board of Education of Topeka, Kansas* in 1954 ~~people's~~ people's eyes were opened to the problem of segregation. There was also the *Mapp v. Ohio* case which dealt with the Fourteenth amendment.

Brown v. Board of Education is a very historical case. *Brown* was a young girl that was very educated and she wanted to go to a white school. The only problem was that she was an African American. Well she sued the school board for not allowing her to attend and the case went all the way to the Supreme Court. She felt segregation was unconstitutional. The court ruled in her favor and segregation was pretty much abolished after that.

Mapp v. Ohio went all the way to the Supreme Court and was ruled in favor of *Mapp*. I feel the *Dred Scott* case would be another example. *Dred Scott* was a slave but

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had been living in a free state for years. He had lived with his owner but his owner moved away and Dred Scott felt he should be free. The court ruled against him and this brought about the 13th amendment which led to the fourteenth amendment. Mapp felt his rights were violated when he did not receive proper recognition under law. He felt this way because he was an African American.

All of these cases brought about the Supreme Court recognizing the fourteenth amendment. To see how far we've come is amazing. 1960's was not very long ago. Hopefully in the future we can continue to grow and not discriminate against people of different racial backgrounds.