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## Week 5 Making Amends Part 2

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The lecture seems to imply that the 14th Amendment immediately incorporated the first ten amendments (made them apply to the states). I thought the battle over incorporation was a long and difficult process using individual Supreme Court decisions over many years to reach the point where it was agreed that incorporation was the law. Is there any evidence that the writers and ratifiers of the 14th amendment agreed that it would incorporate the bill of rights against the states even if the Supreme Court was slow to accept that position?

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[Joe Caro](#) · 15 hours ago 🔒

Well, look at what we have before us, a Supreme Court that had leaned toward slavery, a defeated south and the issue that the contents of the Bill of Rights did NOT, at that time, apply to the states. ratification of the 14th was required of the southern states before their being readmitted to the union, so one could argue coercion, that they had to ratify it even though it clearly was directed against them. The issue so prominent today, that everyone born IN the United States is a citizen had to do with slaves born on U.S. soil no matter their status at the time of their birth clearly pertained to the rights of slave children, insuring that the south HAD to accept their citizenship and grant them the rights of citizenship. Now this would only work IF the bill of rights pertained to the states as well as the federal government, so no problem, that is what they did.

There are still some who insist that the 14th was never legally ratified for the reasons outlined in this 1957 article in the U.S. News and World Report. <http://www.constitution.org/14ll/no14th.htm> Interesting argumentation, but the 14th was rammed through and made part of the constitution and that is that.:

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[+ Comment](#)[Anonymous](#) · 13 hours ago 🔒

Hope I am not jumping into the wrong thread, but I started this class late and have just finished the

Week Four lectures. I have a question on Article II. The Whitehouse.gov website describes the responsibilities of the President as "...Under Article II of the Constitution, the President is responsible for the execution and enforcement of the laws created by Congress." Yet, Article II requires only that the President take an oath to "...preserve, protect and defend the Constitution of the United States." Where in the Constitution does it state that the President and the Executive branch must enforce laws created by Congress? Or, am I looking for something too literal in the text? Of course, Article VI says all executive officers, along with judges, etc., must support the Constitution. But, again, nothing about ensuring laws are executed. Am I missing something?

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