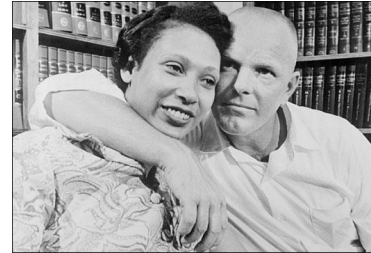


PHIL 102
 Ethics, Politics, & Law
 Spring Quarter 2008
**Loving v.
 Virginia**

Facts of the Case



- Marriage
- Return to Virginia
- Arrest
- Trial
- Law suit

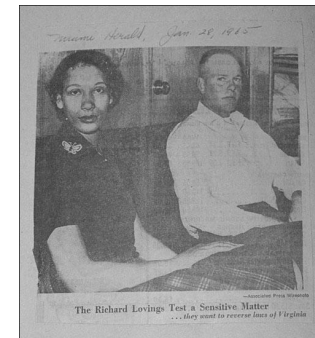


Amendment XIV
 Section 1.

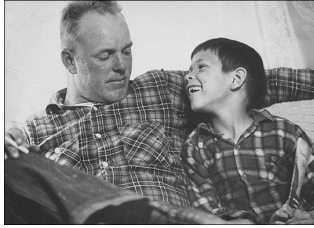
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. **No state shall** make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall 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 protection of the laws.**

Equal Protection Clause

- History
- **Brown v. Board of Education**
- Civil Rights
- Protected classes
- "Strict scrutiny"
- **No-brainer in Loving**



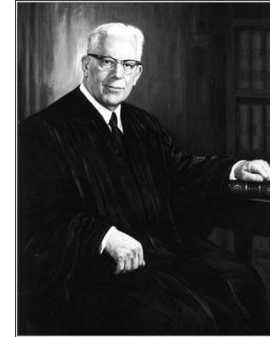
Marriage



- **Fundamental rights**
- **“Basic civil rights of man”**
- **Rational basis test**
- **Second basis for strict scrutiny**

Marriage & Privacy

- **Chief Justice Earl Warren**
- **Due Process Clause**
- **Constitutional privacy**
- **Marriage as a fundamental right**



Mildred Loving



- **40 year anniversary of *Loving v. Virginia***
- **Mildred Loving’s statement**