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**1. 13th Amendment's Involuntarily Servitude Clause**

The 13th Amendment prohibits involuntary servitude and it was enacted to prohibit slavery in the United States. Everyone has the right to this protection, except those who are incarcerated because the incarcerated have limited freedoms and limited fundamental rights. The 10th Amendment states that any powers not delegated to the United States or to Congress are reserved to the States and to the people. State X can properly enact the statute, the State Forestry Corps., so long as it complies with the other requirements of the constitution.

In this case, Pete is 15 and his parents have properly sought declaratory relief on his behalf. Pete's parent's standing will not be questioned. While Pete has not yet joined the State Forestry Corps. ("Corps."), his drafting is imminent and the potential harm can be foreseen. There is a ripeness issue here, but since Pete has dropped out of school he will inevitably be sent to the Corps.

Pete's Parents will argue that by requiring the boys at the Corps to work in order to repay the costs associated with providing education violates the 13th Amendment. Indeed, Pete nor his parents have volunteered Pete to enter the Corps and work 3 hours a day. State X will most likely argue that although involuntary, Pete's attendance in the Corps. and his service is being repaid by the education that he is receiving. The parents will say State X has improperly drafted a minor in order to work and his work was not approved by them, his legal guardians. Since Pete committed no crime and State X cannot require him to attend the Corps to work, State X has violated the 13th Amendment. As such, the parents should be granted declaratory relief.

**2. Due Process Clause**

The Due Process Clause (DPC) prohibits the government from taking life, liberty,

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or property from anyone without due process of the law. The DPC of the 14th Am. also recognizes fundamental rights in which the government cannot interfere, such as a parent's right to their raise children in the way they see fit.

In this case, the statute was based on a study the relates to a boy's proclivity in becoming a criminal. There is facts suggesting that the boys drafted in to the Corps. have committed any crimes. The incarceration of minors is Constitutional, but this requires that each minor be granted to the due process of the courts. Pete is 15 and has dropped out of school. Merely dropping out of school does not justify any sort of incarceration, even if Pete was given due process by the courts. State X has notified Pete's parents that they will be drafting Pete into the Corps., but State X has not given Pete's parents a hearing or a chance to explain the reason for his dropping out of school.

Furthermore, State X has violated Pete's parents' fundamental right to raise Pete in the way they see fit. While education is not a fundamental right, the way in which a parent raises her child is a fundamental right. Therefore, a parents is allowed to refuse to send their kids to school, whether it is public, private, or home school. Also, In State X's perception, there was a breakdown in "personal responsibility and social order." Personal responsibility itself can be viewed as a parental-guidance duty, not a duty attributable to the government. The Parents have not consented to State X providing Pete with their chosen "comprehensive education" nor have they consented to his working in the reforestation projects. Thus, State X has infringed on the parents' fundamental right to raise Pete as they see fit.

State X will argue, much like how it will argue the statute's validity within the 13th Amendment, that the drafting of boys was an important governmental interest because dropping out tends to lead to criminality (according to the study). Even if this is true, State X still owes Pete and his parents their due process rights and State X must not violate Pete's parents fundamental rights. State X's arguments

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are not strong enough to justifying depriving Pete of his freedom or depriving his parents of the fundamental right to raise him, merely because Pete dropped of school.

Since State X will most likely violate Pete's parents' fundamental rights and the due process clause of the 14th Amendment in drafting Pete, Pete's parents should be granted declaratory relief.

### **3. Equal Protection Clause**

The Equal Protection Clause (EPC) prohibits the goverment from adversely affecting or favoring a person or group of persons. In analzing whether a statute violates the EPC, a court will apply a scrutiny test based on the view of the statute. Statutes which, on its face, place gender restrictions or requirements are subject to intermediate scrutiny. In order for a statute to be valid, the statute must be substantially related to an important government purpose. The burden will be placed on the government to show that the statute is valid.

The statute in this case is directly related to boys only. The Stated was based on a group of teenagers, but the statute itself only referred to boys between 15 and 18. The State X Legislatures interest will be based on the study, which "revealed a connection between an increased dropout rate and an increase level in criminal activity." State X will argue that their interest is important, in that they wanted to cut the rate of crime by controlling the the connecting factor. It must also show that the by requiring drop out boys ages 15-18 is substantially related to lowering the crime rate.

The state will probably have difficulty in proving that the "substantially related" aspect of the scrutiny test. The statute was based on a study, but the study does not indicate that it was only given to boys, nor does it indicate the ages of the boys. The age range and gender could be arbirtrary. It is uncertain if the crime rate was only in relation to boys or a certain age range. If the state fails to show

this substantial relatedness factor, then the statute will most likely be held unconstitutional.

As discussed, the burden will be on the state to show that the statute is valid, and not on Pete's parents to show that the statute is invalid. Since the State will have difficulty showing that this statute passed intermediate scrutiny, a court will find that the statute was unconstitutional. Thus, Pete's parents should be granted declaratory relief based on the EPC alone.