

Chapter 5 Civil Rights

Civil Rights: The rights of all Americans to equal treatment under the law, as provided by the Fourteenth Amendment to the constitution

5-1: The Equal Protection Clause

Equal Protection Clause: Section 1 of the Fourteenth Amendment, which states that no state shall “deny to any person within its jurisdiction the equal protection of the laws.”

5-1a: Strict Scrutiny

Fundamental Right: A basic right of all Americans such as the First Amendment rights.
-Any law or action that prevents some group of persons from exercising a fundamental right is subject to strict scrutiny standard

Strict Scrutiny Standard: A standard under which a law or action must be necessary to promote a compelling state interest and must be narrowly tailored to meet that interest.

A law based on a suspect classification is also subject to strict scrutiny by the courts

Suspect Classification: A classification, such as race, that provides the basis for discriminatory law.

5-1b: Intermediate Scrutiny

Intermediate Scrutiny Standard: Under this standard, aka exacting scrutiny, laws based on gender classifications are permissible if they are substantially related to the achievement of an important governmental objective

5-1c: The Rational Basis Test (Ordinary Scrutiny)

Rational Basis Test: A test (aka the ordinary scrutiny standard) used by the supreme court to decide whether a discriminatory law violates the equal protection clause of the constitution.

-It is used only when there is no classification—such as race or gender—that would require a higher level of scrutiny

5-2: African Americans

The equal protection clause was originally intended to protect the newly freed slaves

Thirteenth Amendment: granted freedom to the slaves

Fourteenth Amendment: guaranteed equal protection under the law

Fifteenth Amendment: Stated voting rights could not be abridged on account of race

Southern States started to pass "Jim Crow" Laws which separated the white and black community

Most popular Jim Crow law:

-racial segregation in the use of public facilities

5-2a: Separate but Equal

Plessy v. Ferguson (1896)

- Plessy was seven-eighths European and one-eighth African
- He boarded a train and sat in a rail car reserved for whites
- When conductor asked him to move, Plessy refused and was arrested
- Court provided a constitutional basis for segregation laws
- Court held that the law did not violate the equal protection clause if separate facilities for blacks were equal to those for whites

Separate-but-Equal-Doctrine: A Supreme Court doctrine holding that the equal protection clause of the Fourteenth Amendment did not forbid racial segregation as long as the facilities for blacks were equal to those for whites.

5-2b: Violence and Vote Suppression

1880s-1890s Southern leaders used a number of techniques to disenfranchise black voters

Ex: Literacy Tests, The Poll Tax, The Grandfather Clause, and the White Primary

5-2c: The Brown Decisions and School Integration

Brown v. Board of Education

- Parents wanted their African American Daughter to go to the all white school less than a block away instead of the all black school twenty one blocks away
- Court ruled that segregation by race was unconstitutional

de jure segregation: Racial segregation that occurs because of laws or decisions by government agencies

Busing: The Transportation of public school students by bus to schools physically outside their neighborhoods to eliminate school segregation based on residential patterns.

5-2d The Civil Rights Movement

The Civil Rights Movement- The movement in the 1950s and 1960s, by minorities and concerned whites, to end segregation

Civil Disobedience: The deliberate and public act of refusing to obey laws thought to be unjust

Sit-in: A tactic of nonviolent civil disobedience. Demonstrators enter a business, college building, or other public place and remain seated until they are forcibly removed or until their demands are met.

The Civil Rights Act of 1964

- Forbade discrimination on the basis of race, color, religion, gender, and national origin

The Voting Rights Act of 1965

- made it illegal to interfere with anyone's right to vote in any election held in this country

The Civil Rights Act of 1968

- Prohibited discrimination in housing

5-2e: African Americans in Politics Today

Voting Rights of 1965

- Ended discriminatory voter-registration tests and gave federal voter registrars the power to prevent racial discrimination in voting

5-3 Women

5-3a: The Struggle for Voting Rights

Suffrage: The right to vote

Nineteenth Amendment: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex

5-3b: The Feminist Movement

Feminism: A doctrine advocating full political, economic, and social equality for women

5-3d: Women in the Workplace

Equal Pay Act (1963)

- requires employers to pay an equal wage for substantially equal work

Civil Rights Act of 1964

- prohibits employment discrimination on the basis of race, color, national origin, gender, and religion