

## Enfranchisement

13<sup>th</sup> Civil War Amendment - Abolish slavery, but allowance of indentured servitude (prison)

14<sup>th</sup> - Grants citizenship to black citizens. Equal protection clause = equal protection under the law.

- Same same marriage and opposite, other minorities

15<sup>th</sup> - Right to vote

19<sup>th</sup> - woman can vote

24<sup>th</sup> - Ban on poll fees

26<sup>th</sup> - Allows 18yr olds to vote

## Role of Courts

Courts **can** protect against tyranny of majority.

- Brown vs. Board of Education
- Majority vs. minority Prisoner dilemma
- Judges don't worry about public opinion, however unpopular decisions are rare but very hard to enforce.
  - Ex. Public school desegregation = explicit resistance
  - Ex. Prayer in public school = explicit resistance
- Courts have failed to uphold rights
  - Ex. Slaves and descendants of slaves can never be citizens.
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## Rights and Liberties Failures

Slavery

Jim Crow era - voter suppression

Japanese - Internment during WW2

## Civil Rights Movement

Focused on unjust southern laws.

- Civil rights act - Applied to inter state commerce

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□ Voting rights acts of 1965- Outlawed discriminatory practices, required federal oversight in states that had a history of discrimination.

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□ Affirmative Action

□ Notion to fix prior wrongs on the basis of their group identity and do it by making it easier to get a better outcome.

- ex. College scholarships based on race.

□ Increased diversity = better outcome for minorities.

□ Court rulings have been mixed on affirmative action.

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□ Gun Control

□ 2<sup>nd</sup> Amendment is vague.

- Unlimited for individuals? Or only for state-run militias?

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□ U.S. Rights in Comparison

□ US most similar to France based upon social rights.

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