MR. LIPMAN'S AP GOVERNMENT POWERPOINT

CHAPTER 6-CIVIL RIGHTS

14th Amendment

 Empowers the government to protect the rights of its citizens

 Intended to protect freed slaves, it has now been interpreted to protect many more

 Out growth of Civil Rights Act of 1866 which was first time a veto was overridden

 Needed because Bill of Rights did not apply to states according to <u>Barron v. Baltimore</u>

Protections of the 14th

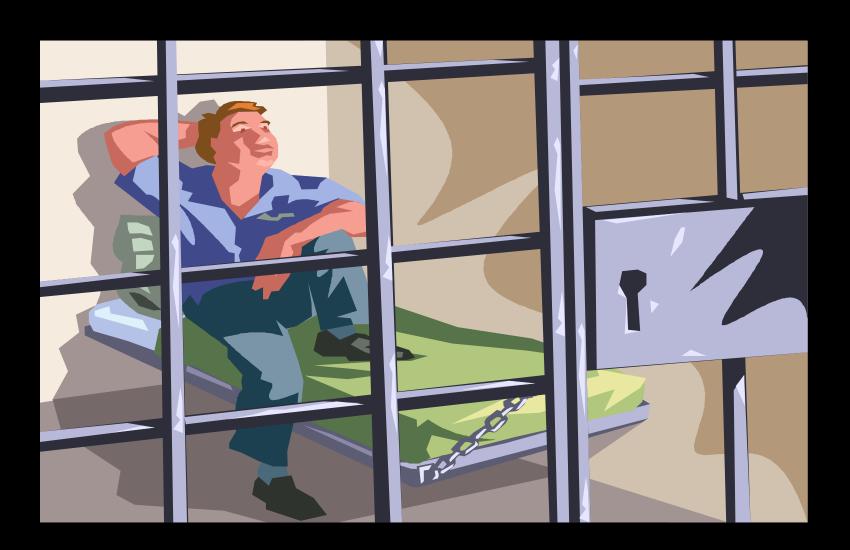
- Due Process –opportunity to be heard fairly
- Equal Protection everyone treated the same
- Privileges and Immunities-All citizens of all states have same rights

{**D**on't **E**at **P**eas}

Substantive Due Process vs. Procedural Due Process

 Substantive= Rights you have when you wake up in the morning

 Procedural= Rights you have when you enter the legal system or a legal situation



Early History

- 1883 Civil Rights Cases:
 - Congress can only prohibit government discrimination based on race, not private individuals even if it concerned public accommodations (ex: Jim Crow)

- Plessy v. Ferguson (1896)
 - Separate but Equal is Constitutional

- Brown v. Board of Ed (1954) how effective has it been? see debate question on p. 210
- Brown v. Board of Ed II (1955)- "all deliberate speed"
- Little Rock and 1957
- Civil Rights Act of 1964 (Johnson's legacy to JFK)...changes gov't approach to issue of equality
- Voting Rights Act of 1965 (giving a true voice)

Women's Rights Movement

- The 1960s see 3 major events:
 - JFK commission on status of women
 - Civil Rights Act included ban on sexual discrimination
 - Betty Friedan's "The Feminine Mystique"

Roe v. Wade expanding rights of women further

Court Rules on 14th-A Refresher

- Lowest Level of Scrutiny: Rational Relationship and burden on plaintiff
- Medium Level of Scrutiny: Law must serve important gov't objective and be substantially related to that objective {sexual discrimination...ex: Reed v. Reed and parental rights}
- Strict Scrutiny: If law involves a "suspect class" or a "fundamental right" then law will be upheld ONLY if state can show there is a <u>compelling</u> reason and law is necessary to accomplish the goal and is the least restrictive means available

AFFIRMATIVE ACTION

- Dejure v. Defacto segregation
- Bakke v. California (1978)- no strict quotas
- Grutter v. Bollinger (2003)- 2 cases
 - Race can be a consideration by a college but no use of automatic points because of your race

Louisville and Seattle School District Cases (2007)

NATIVE AMERICAN ISSUES

- Distinct government under our constitution
- Tribal lands are essentially foreign nations.
- To settle land disputes states have resorted to allowing Indians to build casinos in exchange for a portion of the profits.
- Indians do not get the vote until 1924