

# Civil Rights

**As you read, think about the answers to these questions:**

- What role did the Supreme Court play in the struggle by African Americans to win their civil rights?
- How have other minority groups and women used the courts to defend their civil rights?

The original purpose of the Bill of Rights was to prevent the national government from abusing the liberty of individuals. The Constitution said nothing, however, about the states having to obey these amendments. In 1868 Congress passed the 14th Amendment, prohibiting the states from denying people their rights and due process. It calls for all people to have “equal protection of the laws.”

The 14th Amendment was originally intended to establish and protect the rights of African American citizens after the Civil War. Over time, many other groups have turned to this amendment to protect their **civil rights**.

## *The Rights of African Americans*

The passage of the 14th Amendment did not automatically end **discrimination** against black Americans. The Supreme Court had a narrow definition of discrimination, and it continued to let stand many racially biased laws. Not until 1954 did the Court finally overturn state laws that denied African Americans their basic liberties.

***Dred Scott v. Sandford.*** The Court began hearing civil rights cases before the Civil War. One of the most famous cases involved Dred Scott, a black slave who lived with his master in the slave state of Missouri. For several years, however, they lived in the free state of Illinois

Martin Luther King, Jr.’s manner of nonviolent protest inspired the nation. Although decades have passed since he was assassinated, he remains one of the most respected civil rights leaders in history.



**civil rights** *basic freedoms guaranteed to citizens by the Constitution*

**discrimination** *policy or attitude that denies equal rights and treatment to certain groups of people*

**segregate** *to separate people on the basis of race, class, or ethnicity, or other differences*

**Jim Crow laws** *legislation passed by southern states in the 1800s and 1900s to force the segregation of the races; named for a character in minstrel shows of the 1800s that featured white actors in black-face makeup*

#### PRIMARY SOURCES

*Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful."*

—Justice Harlan,  
dissenting opinion in  
*Plessy v. Ferguson*

and in the free territory of Minnesota. When he returned to Missouri, Scott sued for his freedom.

In 1857 the Supreme Court ruled that Scott was not an American citizen and, thus, had no right to sue in federal court. The Court said that Congress did not have the right to prevent citizens from carrying their slaves, or property, into free territories. This decision upheld the position of Southern slaveholders, and it pushed the already divided nation a step closer to civil war.

***Plessy v. Ferguson.*** In the 1880s and 1890s, many states moved to deprive black Americans of their civil rights and to **segregate** them from whites. Northern states segregated blacks through custom and private discrimination. Southern state legislatures, on the other hand, passed a series of **Jim Crow laws**. One of these laws, passed in Louisiana in 1890, required railroads to provide “separate but equal” accommodations for blacks and whites. When a black man named Homer Plessy refused to move from a seat in the white compartment of a railroad car, he was arrested and his case was eventually appealed to the Supreme Court.

In its 1896 decision the Supreme Court upheld the Louisiana law. The justices asserted that a law that recognizes differences in color “has no tendency to destroy the legal equality of the two races.” The Court believed that the idea of “separate but equal” facilities was not a denial of equal protection under the law.

***Brown v. Board of Education of Topeka.*** Linda Carol Brown was an eight-year-old black girl who lived in Topeka, Kansas. State law required her to travel to a distant school for black students even though she lived just a few blocks from a school for white children. Linda’s family sued the Topeka Board of Education.

In a historic 1954 decision, the Supreme Court completely reversed its ruling in *Plessy v. Ferguson*. Declaring that “separate educational facilities are inherently unequal,” the Court added that the idea of separate but equal “has no place in public education.” The Court ordered states to integrate their schools “with all deliberate speed.”

This landmark decision heralded the beginning of the modern civil rights movement. Citing the 14th Amendment, civil rights leaders challenged discrimination in case after case during the next decade. Many people, both black and white, purposely broke segregation laws in order to challenge them in court. The Supreme Court supported them in dozens of these cases. The Court’s decisions led to the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, in which Congress required that the federal government would uphold the rights of black Americans.

## ***Civil Rights of Other Minorities***

Blacks are not the only Americans who have suffered as a result of discrimination. Chinese Americans, Japanese Americans, Jews, Native Americans, Latinos, and women have all experienced prejudice and unequal treatment at various times in American history.

***Korematsu v. United States.*** After the Japanese attack on Pearl Harbor in 1941, Japanese Americans became the target of hostility and discrimination. In 1942 defense officials labeled Japanese Americans a security risk, and the government forced tens of thousands of them into camps guarded by armed soldiers. Most had to sell their houses, businesses, and personal possessions at great losses. Fully two thirds of those evacuated were American-born citizens.

One of these people, Fred Korematsu, refused to obey the relocation order. After he was arrested, tried, and convicted, he appealed his case to the Supreme Court. He declared that he was an American citizen and loyal to his country. But the Court called the relocation program a “justifiable wartime measure” and decided that there was not enough time to identify which Japanese Americans were loyal and which were not.

***Cleveland Board of Education v. LaFleur.*** The struggle of women for equal rights has also produced several important Supreme Court cases. In the early 1970s, Jo Carol LaFleur sued the Cleveland Board of Education. School board regulations required female teachers to take leave without pay at a certain point during pregnancy. The regulations also stated that these teachers could only return to work at the beginning of a new semester. LaFleur believed that these rules discriminated against women. In 1974 the Supreme Court agreed with LaFleur and declared that the regulations were unconstitutional under the 14th Amendment. The majority of the justices believed that the school board had no right to dictate a woman’s personal choice in a family matter.

Many groups have turned to the Supreme Court to protect their equal rights. In recent decades it has tended to rule in their favor, expanding the definition of discrimination. This does not mean that discrimination has ceased to exist. Each year people continue to file suits claiming that their civil rights have been violated. Invariably these people look to the Bill of Rights and the 14th Amendment to defend their basic freedoms.