American Government Chapter 5

Civil Rights

- Civil rights- guarantees by the government that it will treat people equally, particularly people belonging to groups that have been historically discriminated against
- The due process clause of the 5th amendment reinforces that "all men are created equal"
- Equal protection clause (14th amendment)- no state shall deny any person within its jurisdiction the equal protection of the laws
 - All people similarly circumstanced shall be treated equal
- Liberties are protected freedoms, rights are equal treatment
- There are cases of legal discrimination, like alcohol and nicotine age
 - Legal discrimination must have purpose
- Rational basis test- as long as there's a reason for treating some people differently that is rationally legitimate, the discriminatory act or law is acceptable
 - Courts apply more strict rules on race, ethnicity, gender, religion and origin based discriminatory laws because of U.S's history
- Intermediate scrutiny- requires the government to demonstrate that treating men and women differently is substantially related to a governmental objective
 - Craig v Boren (1976) and Clark v Jeter (1988)
- Strict scrutiny- burden of proof is on the government to demonstrate that there is a compelling governmental interest in treating one group differently
 - For racial, ethnic or religious discrimination
- Affirmative action- government programs and policies designed to benefit members of groups historically subject to discrimination
- Black codes- laws designed to reduce formerly enslaved people to the status of serfs or indentured servants post civil war
- How to identify discrimination
 - Which group is being discriminated against?
 - Which rights are threatened?
 - What do we do?

African American Rights

- Dred Scott v. Sanford (1857)
 - Determined that if african americans free or enslaved could not become U.S citizens

American Government Chapter 5 Outline

Vino Mody

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American Government Cal Jillson, 2025-02-12 American Government Constitutional Democracy Under Pressure highlights the dangerous tension between our constitutional principles and institutions and the populist heat that sometimes roils our national politics including at the current political moment Our constitutional democracy has been under pressure for some time but few would deny that fears for its fate have deepened in just the past few years We assume that our political institutions will limit and contain contemporary populism just as the Founders intended and as they have in the past but will they An increasingly polarized electorate urging their representatives to fight and never to compromise may be stressing Constitutional limits This new edition offers to help American government teachers lead their students to a nuanced

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