

Equal Protection of the Law

- Much of the progress against discrimination has been made in the courts.
- Over time, judges have used the equal protection clause of the 14th Amendment to ban discrimination by the government and to extend equal protection of the law.



Equal Protection Of The Law

Polyvios G. Polyviou



Equal Protection Of The Law:

Enforcing the Equal Protection Clause William D. Araiza, 2016 For over a century Congress's power to enforce the Fourteenth Amendment's guarantee of the equal protection of the laws has presented judges and scholars with a puzzle What does it mean for Congress to enforce such a wide ranging open ended provision when the Supreme Court has insisted on its own superiority in interpreting the Fourteenth Amendment In *Enforcing the Equal Protection Clause* William D Araiza offers a unique understanding of Congress's enforcement power and its relationship to the Court's claim to supremacy when interpreting the Constitution Drawing on the history of American thinking about equality in the decades before and after the Civil War Araiza argues that congressional enforcement and judicial supremacy can co exist but only if the Court limits its role to ensuring that enforcement legislation reasonably promotes the core meaning of the Equal Protection Clause Much of the Court's equal protection jurisprudence stops short of stating such core meaning thus leaving Congress free subject to appropriate judicial checks to enforce the full scope of the constitutional guarantee Araiza's thesis reconciles the Supreme Court's ultimate role in interpreting the Constitution with Congress's superior capacity to transform the Fourteenth Amendment's majestic principles into living reality The Fourteenth Amendment's Enforcement Clause raises difficult issues of separation of powers federalism and constitutional rights Araiza illuminates each of these in this scholarly timely work that is both intellectually rigorous but also accessible to non specialist readers

Due Process of Law and the Equal Protection of the Laws Hannis Taylor, 1917

Constitutional Law Louis Michael Seidman, 2003 This volume provides a brief but comprehensive analysis of the doctrine and theory that glosses the Constitution's guarantee of equal protection Topics covered include an analysis of rational basis review an explanation of the difference between heightened scrutiny for fundamental rights and substantive protection of those rights an analysis of the role of purpose and effect in equal protection doctrine and discussions of gender discrimination and affirmative action

The Equal Protection of the Laws Polyvios G. Polyviou, 1980

Scientific Evidence and Equal Protection of the Law Angelo N Ancheta, 2006-02-02 Scientific and social scientific evidence has informed judicial decisions and the making of constitutional law for decades but for much of U S history it has also served as a rhetorical device to justify inequality It is only in recent years that scientific and statistical research has helped redress discrimination but not without controversy *Scientific Evidence and Equal Protection of the Law* provides unique insights into the judicial process and scientific inquiry by examining major decisions of the U S Supreme Court civil rights advocacy and the nature of science itself Angelo Ancheta discusses leading equal protection cases such as *Brown v Board of Education* and recent litigation involving race related affirmative action gender inequality and discrimination based on sexual orientation He also examines less prominent but equally compelling cases including *McCleskey v Kemp* which involved statistical evidence that a state's death penalty was disproportionately used when victims were white and defendants were black and *Castaneda v Partida* which established key standards of evidence in addressing

the exclusion of Latinos from grand jury service For each case Ancheta explores the tensions between scientific findings and constitutional values

Government Discrimination James A. Kushner,2007

Equal Protection David L. Hudson Jr.,2018-06-08 This book uses primary sources to closely examine the Equal Protection Clause of the Fourteenth Amendment and to show how legal interpretations of it have had a profound impact on American life as we know it The Fourteenth Amendment addresses many aspects of American citizenship including the rights of citizens The most commonly used and frequently litigated phrase in the amendment is equal protection of the laws This phrase has figured prominently in a plethora of landmark cases in U S history dealing with a variety of issues including Brown v Board of Education racial discrimination Roe v Wade reproductive rights Bush v Gore election recounts Reed v Reed gender discrimination University of California v Bakke racial quotas in college admissions and Obergefell v Hodges gay marriage This book closely examines the history and development of the Equal Protection Clause and details the many ways in which it has shaped U S history Selections show how the equal protection clause came into being in the post Civil War era feature seminal Supreme Court decisions on the nature and extent of applications of the equal protection clause in American life and law through the years and include documents that consider the impact that the equal protection clause has had and may have on American society in the 21st century

Equality Under the Constitution Judith A. Baer,1983 No detailed description available for Equality under the Constitution

Due Process of Law and the Equal Protection of the Laws as Developed by the United States Supreme Court Under the Fourteenth Amendment to the Constitution of the United States John A. Hartpence,1912

3rd International Symposium on Fish Endocrinology ,1996

Equal Protection and the African American Constitutional Experience Robert P. Green,2000-05-30 Trace the roots of the concept of equal protection from the American Revolution and the formation of the Constitution through its application today using this collection of 177 primary documents from a variety of sources Students can use this unique reference resource to examine the tension between the concept of equal protection and recognition of slavery in the constitutional order to explore the devitalization and revitalization of the 14th and 15th Constitutional amendments from the era of Jim Crow through the Civil Rights movement and to study current court rulings on equal protection of the law Petitions laws court decisions personal accounts and a variety of other documents bring to life the experiences of African Americans in the American constitutional order Five historical periods are explored with particular emphasis on the concept of equal protection of the law and its particular embodiment in the 14th Amendment These include the roots of the concept of equal protection in the Anglo American experience the lives of African Americans under a Constitution that incorporated equal protection yet recognized slavery the 14th and 15th Amendments and the development of Jim Crow 20th century developments in the application of equal protection to race and the accomplishments of the Civil Rights movement and developments since that time The introductory and explanatory text helps readers understand the nature of the conflicts the issues being litigated and the social and cultural pressures that shaped each debate This welcome

resource will provide students with the opportunity to understand the various arguments put forth in different debates encouraging readers to consider all sides when drawing their own conclusions

Equal Protection Francis Graham Lee, 2003-11-17 An introductory survey of the government's role in America's continuing drive for equality Today's lingering inequalities particularly the American dilemma of racism runs throughout U S history Equal Protection provides readers with a historical overview of the controversies over the issue of equality an understanding of how government and particularly the courts and Congress has reacted to these controversies and the role these issues have played in shaping U S society This volume follows the push for equal treatment regardless of age gender disabilities economic status or sexual orientation It focuses on legislation such as the Americans with Disabilities Act and political initiatives and movements such as The Great Society the ERA and the War on Poverty Here are American's interpretations of equal rights then and now

Administrative Law Steven J. Cann, 2005-08-11 In this new edition author Steven J Cann once again enlivens the topic of United States administrative law through the use of recent and classic legal cases to make it accessible and interesting to students Administrative Law Fourth Edition is an engaging casebook that presents a unique problem solving framework that contrasts democracy with the administrative state This novel approach places the often complex subject matter of U S administrative law into a more comprehensible context The Fourth Edition has been completely updated and revised and includes many new cases to reflect changes in the law since the year 2000

Amendment XIV: Equal Protection Sylvia Engdahl, 2009-01-16 Editor Sylvia Engdahl explores a highly controversial topic the right to equal protection under the law This right grants everyone protection but we haven't always granted it equally Timely essays in this volume debate school segregation a woman's right in relation to non consent pregnancy an unborn child's rights the rights of children of illegal immigrants and gay marriage

A Lawyer Looks at the Equal Rights Amendment Rex E. Lee, 1980

Individual Rights and Liberties Under the U.S. Constitution Ioannis G. Dimitrakopoulos, 2007 Individual Rights and Liberties Under the U S Constitution offers an insightful and detailed summarization of the U S Supreme Court's case law to both American and European scholars and students alike

Handbook of American Constitutional Law Henry Campbell Black, 1927

The Fourteenth Amendment David L. Hudson, 2002 Explains why the Fourteenth Amendment was deemed necessary describes its conception and ratification and outlines each of the amendment's five sections

The Equality of States in International Law Edwin DeWitt Dickinson, 1920 No detailed description available for The Equality of the States in International Law

Equal Protection Robert C. Farrell, Alison E. Conroy, 2013 Equal Protection Cases and Materials is a study of the substantive law of equal protection both under the Fourteenth Amendment as applied against state governments and under the implied equal protection component of the Fifth Amendment as applied against the federal government The book focuses on decisions of the United States Supreme Court It contains carefully edited opinions followed by notes that include explanatory material commentary and citations to leading law review articles The book covers the following topics

rational basis review racial classifications the different tiers of review gender classifications classifications affecting nonmarital children classifications of aliens classifications on the basis of sexual orientation implied fundamental rights under the Equal Protection Clause and Congressional power to enforce the Equal Protection Clause Robert C Farrell is a graduate of Harvard Law School and has been a member of the faculty at Quinnipiac University School of Law since 1984 He has taught a course on Equal Protection for more than twenty years and has published articles on Equal Protection that have been cited by state Supreme Courts United States Courts of Appeal United States District Courts and in briefs filed in the United States Supreme Court Alison E Conroy is a graduate of Quinnipiac University School of Law where she was the Notes Comments Editor for the Quinnipiac Health Law Journal She is a member of the Bar of the State of Connecticut and practices law in Fairfield County

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