



The Supreme Court and Civil Rights: A Timeline of Recent Gains

We've come a long way since the days of the blatantly racist "Jim Crow" laws, but the hard-fought gains that benefit all Americans are now at risk. On many crucial civil rights issues, the Supreme Court is poised to turn back the clock.

In earlier times, the Supreme Court was one of the major obstacles standing in the way of civil rights progress. But over time, the light dawned. The Supreme Court paved the way for school desegregation, housing fairness, equal opportunity in employment, and other civil rights gains. Today, the Supreme Court safeguards our rights, but these gains are at risk. Radical right leaders want the Supreme Court to reverse the progress of the last century. We need Supreme Court justices who will stand strong to ensure fairness and not turn back the clock on many of these gains.

2003: The Supreme Court upholds affirmative action programs at state colleges.

What it means: Affirmative action helped open the doors of our nation's best colleges and universities to African Americans, Hispanics, and other minorities, giving us a chance to lift ourselves up with hard work and a good education. Affirmative action helped remedy the harmful effects of discrimination and slavery. If the Supreme Court ruled the other way, the doors of higher education would slam shut on many of our brothers and sisters, and campus diversity would be dealt a devastating blow.

1992: The Supreme Court rules "separate but equal" is not okay for Mississippi schools.

What it means: Before this ruling, Mississippi was supporting its historically Black colleges and universities (HBCUs) but had policies that discouraged Blacks from attending its other state universities. As we all know, "separate but equal" is unequal and wrong. Thanks to the Supreme Court, minority students in Mississippi can choose to go to HBCUs or to other state schools that now have campuses that are more diverse.

1991: The Supreme Court rules that people of any race have a right to challenge racism in jury selection.

What it means: It used to be the case that if prosecutors discriminated against people of a certain race when selecting juries, people of other races weren't allowed to challenge that discrimination, even if it was obvious that the discrimination occurred, and even though the Constitution says such discrimination isn't allowed. In its 1991 ruling, the Supreme Court said

people of any race can challenge racism in jury selection. The Court upheld the principle that in America, all of us are entitled to participate in our system of justice.

1982: The Supreme Court finds a Texas statute designed to keep the children of undocumented immigrants from attending public schools in the state a violation of the Equal Protection Clause.

What it means: In *Plyler v. Doe*, the Supreme Court ruled that the equal protection clause of the 14th Amendment protected immigrant children - who the Court acknowledged had done nothing wrong - from discrimination by the state. The decision was a major victory for the constitutional principle of equal protection under the law, and made a huge difference in the lives of thousands - if not millions - of immigrant children and their families.

1974: The Supreme Court holds that under federal law non-English-speaking children in public schools have the right to a meaningful education

What it means: Children who do not speak English have the right to the same opportunity to receive a public education as do English-speaking students. If instruction is provided in English, then schools must take steps to ensure that non-English-speaking-students receive a meaningful education; these measures can include teaching English to such students, or providing instruction in their own language.

1973: The Court finds intentional school segregation unconstitutional, even when it's not written into law.

What it means: In *Brown v. Board of Education*, the Supreme Court said school segregation is unconstitutional, but some officials argued that segregation might be allowed if it wasn't explicitly written into law—so in some places, the segregation continued. This 1973 Supreme Court ruling put a stop to that, so now public schools are no longer allowed to keep our children from being educated in the same schools as white children.

1971: The Supreme Court rules that the 1964 Civil Rights Act prohibits employment practices with a discriminatory effect.

What it means: It used to be okay for private employers to put policies in place that had the effect of preventing women and people of color from being hired or from getting promotions that were available to white men. But thanks to the Supreme Court, those policies are now illegal. While workplace discrimination is still a problem, at least the law is now on our side when it comes to seeking justice.

1968: The Supreme Court holds that the Civil Rights Act of 1866 bans racial discrimination in housing.

What it means: There was a time when minorities could work hard and earn a decent living, but then not be able to use that living to buy the house of their choice, just because they were not

white. Thanks to the Supreme Court, such discrimination is now against the law, and all families can choose where we want to live.

1954: The Supreme Court orders school integration with *Brown v. Board of Education*.

What it means: We all remember this decision, which established a fundamental principle in American government: separate is not equal. The images of the Arkansas National Guard trying to keep our young brothers and sisters from walking into Central High School—and of the federal officers escorting them in—are impossible to forget. It’s hard to overstate this case’s importance. Not only did *Brown v. Board* lead to school integration, it also paved the way for the many other civil rights gains that followed.

1948: The Supreme Court rules that private groups cannot exclude minorities from buying homes in white neighborhoods.

What it means: During the days of Jim Crow, residents of all white neighborhoods could legally tell minorities, “Coloreds aren’t wanted here.” Whites could ban Blacks, Latinos, Asians and others from living anywhere near them through the use of “restrictive covenants” used to limit real estate sales. Thanks to the Supreme Court, this immoral and unjust policy came to an end. Neighborhoods can no longer use race as a criteria to decide who moves in.

For more information about the Supreme Court, civil rights, and the current nominee, John Roberts, visit www.savethecourt.org.

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