

# Civil liberties rights essay examples

[Politics](#), [Civil Rights](#)



## **Law**

The Equal Protection Clause of the Fourteenth Amendment prohibited the states from treating persons differently based on characteristics such as race, color, age, nationality, ethnicity gender and social standing. This was enunciated in the case decided by the Supreme Court which imposed the same obligation on the federal government under the Fifth Amendment and after the Fourteenth Amendment was ratified. The Fourteenth Amendment allowed racial segregation the case of Plessy v. Ferguson. The Supreme Court decided a law separating races was constitutional provided that the facilities of equal quality were made available to all, whites and blacks. However, this was reverse following the baptism of the Civil Rights Movement in 1954 that was initiated in the case of Brown v. Board. This case arose when black children were not allowed to be admitted in the public schools where white children were studying pursuant to the law which allowed race segregation among students. The Supreme Court held that isolating white students from black students in a public school setting is equivalent to violation of the equal protection clause of the 14th Amendment. Aside from the detrimental effect that may be caused on the minority black children, it symbolizes inferiority of the black race. Thereafter, all forms of racial segregation were prohibited after this case was decided. Under ideal circumstances, it is presumed that the law is supposed to be applied impartially without consideration of a person's social class, race, gender, age and religion.

Based on the principle of equal protection, all persons should be treated in equal footing as to granting of rights and privileges and the accountabilities

that are to be imposed regardless color, race, age, gender. This is in accordance to the due process concept under the constitution where it declares that no person shall be deprived of life, liberty and property without reasonable and unlawful procedures (Barkan, 2009).

Civil liberties represent the legal protections and individual freedoms that are due to every citizen to protecting them from any force and undue influence of the government. Some of these freedoms and protections include the right to privacy, the right to free press and the right to due process of law. Whereas the Civil rights symbolize the public policies that promote equal treatment in society that prohibits any form of discrimination on the basis of race, age, gender, ethnicity, nationality, religion, disability or sexual orientation (Samaha, 2011).

Under ideal circumstances, it is presumed that the law is supposed to be applied impartially to all persons without any qualifications. The equal protection principle under the criminal justice system continuously strives to be a work in progress after the passage of time. In the decided cases, the Supreme Court has interpreted the equal protection clause based on the Fourteenth Amendment of the constitution to mean that all persons under like circumstances must essentially receive the same treatment in the criminal justice system. This was the primary objective of the Civil Rights Movement during this period. Hence, the Civil Rights movement has guaranteed that every citizen in the U. S. regardless of race will be given the same amount of opportunities and will be imposed equal punishment in accordance with the Constitution (Samaha, 2011).

At present time, the status of civil rights and liberties afforded to Americans

today have failed to achieve the goals expressed by the Constitution since after the September 11, 2001 terrorist attacks, many Americans have witnessed the trade-off between the protection of national security and the protection of civil liberties (Ondak and Hurwitz, 2012). Some of the civil liberties and personal freedoms have been sacrificed after the 9/11 incident since it became part of the war on terror. Some of the acts that have compromised civil liberties include the “ warrantless searches of suspected terrorists, indefinite detention of non-citizen suspected terrorists, government monitoring of telephone and e-mail communications, and mandatory national ID cards” (Ondak and Hurwitz, 2012).

## **References**

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