

Civil rights cases in the supreme court: wall-mart versus dukes

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Civil Rights Cases in the Supreme Court: A Case Study of Wall-Mart versus Dukes Supreme Court decisions concerning civil rights have had a long history. The Declaration of Independence stated " All men are created equal", but this was not true for African-Americans. The difference in the ideals of the Constitution and the existence of slavery continued to be an issue during the period before the Civil War. At the end of the Civil War, the Thirteenth Amendment was ratified, which abolished slavery. Not far behind was the Fourteen Amendment which gave all citizens equal rights and established the right to " due process." After the Civil War, African-Americans were not treated as equal citizens in any part of the United States, particularly in the former states of the Confederacy. There were two sets of rights-one for African-Americans and another for Caucasians. The Supreme Court Case of Plessey versus Ferguson (1896) ruled in support of two different sets of laws. Generally, they stated that discrimination and segregation was legal if the facilities such as schools particularly were " separate, but equal." This established the status quo until the Brown versus Topeka Board of Education (1955) that schools were not equal for African-Americans and mandated school integration. This did not change the overall situation of African-Americans in education or in other areas, such as voting rights, housing, access to public places such as restaurants and economic opportunity. These inequalities were a source of conflict between African-Americans and Caucasians and erupted into the Civil Rights Movement of the 1960s. The outcome of this period was the Civil Rights Act of 1964. Numerous cases were heard in the Supreme Court concerning Civil Rights after the passing of this law by the U. S. Congress such as Heart of Atlanta

Motel v. United States, that prohibited discrimination for temporary accommodations (hotels, motels etc.) motels, in that this was a violation of interstate commerce... There were other Supreme Court cases that included racial discrimination for employment and housing in the following decade. Civil Rights court hearings of the Supreme Court have expanded to cover other ethnic group discrimination, illegal immigration, gender discrimination and same-sex marriage. The cases involving civil rights in the most recent docket of the Supreme Court were few. I am choosing the Supreme Court case of Wal-Mart versus Dukes. This is probably one of the most important civil rights cases on the 2011 Supreme Court docket. This case involved a class action suit by a group of five women from a Wal-Mart store in Pittsburg, California spearheaded by Betty Dukes, a Wal-Mart " greeter." They claimed that the company's nationwide policies resulted in women receiving lower pay than men, and a longer wait period for management promotions than men . The number of women in this class was estimated to be about one and a half million after 1988, making it the largest class action lawsuits in U. S. history. Wal-Mart stated that the employees would have to file on an individual basis because it was unmanageable. The U. S. Court of Appeals for the Ninth Circuit upheld the class certification three times. The question was: Can a small amount of women represent the class (all the women in Wal-Mart.)? The Supreme Court unanimously voted for Wal-Mart based on the law related to class action suits? Thus, issue of whether Wal-Mart had policies that were discriminating against women was not addressed. Conclusion The civil rights movement has had a long history being almost one hundred and fifty years ago and until recently was about the civil rights of African-

Americans --up to the 1970s. However, after this point, the civil rights movement broadened to include women, those over 50 years of age, Hispanics, immigration, and other groups. There have not been significant rulings by the Supreme Court on the civil rights of African-Americans in the last twenty years. References: John J. Patrick, R. M. Pious, and Donal A. Ritchie, eds(2001). The Oxford Guide to United States Government. equality under the Constituion. Oxford, U. K.: Oxford Press. BIBLIOGRAPHY I 1033 John J. Patrick, R. M. Pious, and Donal A. Ritchie, eds.(2001). The Oxford Guide to United States Government. civil rights. Oxford, U. K.: Oxford Press. The Oyez Project, Wal-Mart v. Dukes , 564 U. S. ___ (2011) available at: (http://oyez.org/cases/2010-2019/2010/2010_10_277) (last visited Friday, June 24, 2011).