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## Slide 1



## Civil Rights: 1970s to Now

Race, religion, gender, and gender identity are issues that face Americans. Is there any group that has not spoken for their idea of civil rights?

## Slide 2



Following the successes of the civil rights movement, women began demanding greater equality for themselves. Some women's rights groups sought a constitutional amendment (the Equal Rights Amendment) to end sex discrimination. Among other things, this would make it harder for employers and other organizations to prove that exclusion of women was not discriminatory. That amendment has not yet been ratified due to resistance from religious conservatives who do not support equal rights under the law for women.

Women's groups had been fighting for an Equal Rights Amendment for decades. From 1923 to 1972, a proposal for an equal rights amendment was made in every session of every Congress. Finally, in 1972, in response to pressure from the National Organization for Women, the National Women's Political Caucus and other groups, Congress passed the Equal Rights Amendment. Within a year, 22 states had ratified the amendment.

But support faded fast after the Supreme Court ruled in *Roe v. Wade* that the constitutional right to privacy included the right to terminate a pregnancy. Opponents of abortion linked the court case to the amendment, and fears that the Equal Rights Amendment could make women eligible for the draft did the rest. The amendment failed.



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## Slide 3

**Remedies for Sex Discrimination**  
Title IX of the Education Amendments of 1972

- Bars educational institutions that receive federal funds from discriminating against female students



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Title IX of the Education Amendments of 1972 prohibits educational institutions that receive federal funds from discriminating against female students.

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

## Slide 4

**Toward Reform: Civil Rights and Affirmative Action**  
5.6

- Affirmative action
  - Equality of opportunity
- *Regents of the University of California v. Bakke* (1978)
  - Racial quotas unconstitutional but race can be considered when accepting applicants



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Many civil rights debates center on the question of equality of opportunity versus equality of results. Many advocacy groups argue that taking race and gender into account when creating remedies for discrimination is necessary. This is affirmative action, which can be defined as policies designed to give special attention or compensatory treatment to members of a previously disadvantaged group.

In 1978, the Supreme Court ruled in *Regents of the University of California v. Bakke* that racial quotas were unconstitutional but that universities could take race into account when offering admission. This started a fierce debate over the idea of affirmative action.

The Court has allowed universities to give preference to minority applicants. But it has also ruled that affirmative action programs must meet the strict scrutiny test.



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## Slide 5

### Americans with Disabilities

- Disabled veterans
  - Returning from Korea and Vietnam
- Americans with Disabilities Act
  - Legal protections against discrimination
- American Association of People with Disabilities
  - Advocacy group

Jason R. Davis/AP Images

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In the aftermath of World War II, many veterans returned home unequipped to handle their disabilities. The Korean and Vietnam wars made this problem even more clear. These veterans saw the success of African Americans and other groups, and they began lobbying for greater protection against discrimination.

In response to calls from veterans and others with disabilities, Congress passed the Americans with Disabilities Act in 1990. The act extends the protections of the Civil Rights Act to people with a physical or mental impairment that limits one or more life activities. Thus, people with disabilities can't be discriminated against in employment, housing, and other areas. The largest advocacy group for people with disabilities is the American Association of People with Disabilities.

George Lane was the appellant in *Tennessee v. Lane* (2004), concerning the scope of the Americans with Disabilities Act, which guarantees the disabled access to public buildings, among other protections. Lane was forced to crawl up two flights of stairs to attend a state court hearing on a misdemeanor charge. Had he not, he could have been jailed.



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## Slide 6

### Gays and Lesbians

- Gay City Ordinance Hearing, Springfield, City Council ([video](#))
- Don't Ask, Don't Tell
  - Revised prohibition of gays in military
  - Ended in 2010
- Lawrence v. Texas* (2003)
- Same-sex marriage
  - Legal only in some states until *Obergefell v. Hodges* 2015 ([video](#))



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Until very recently, gays and lesbians experienced many challenges in achieving anything close to equal rights. However, gays and lesbians have, on average, higher household incomes and educational levels than other minority groups and they have begun converting those advantages into political clout.

In 1993, President Bill Clinton tried to ban discrimination against gays and lesbians in the military by creating the Don't Ask, Don't Tell policy. It was a compromise, but the military still discharged thousands on the basis of sexual orientation. This policy was officially ended in 2010, so gays and lesbians can now serve openly.

A big victory for equal rights came when the Supreme Court ruled in *Lawrence v. Texas* that anti-sodomy laws, used to discriminate against gays, were unconstitutional. This garnered additional support for the cause of equality. But when it comes to same-sex marriage, the results have been mixed. Some states have passed legislation allowing for same sex marriage, while others have passed legislation banning same-sex marriage.



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## Slide 7



The legalization of same-sex marriage in California in 2008 allowed gay couples committed to one another for decades to tie the knot. Here, lesbian activists Del Martin (age 87) and Phyllis Lyon (age 83)—partners for more than 50 years—are married by San Francisco Mayor Gavin Newsom. Unions such as this face opposition by many religious conservatives, who believe homosexuality is a sin and support only the rights of heterosexual couples to marry. Martin died in August, 2008, only a few months after her wedding.

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