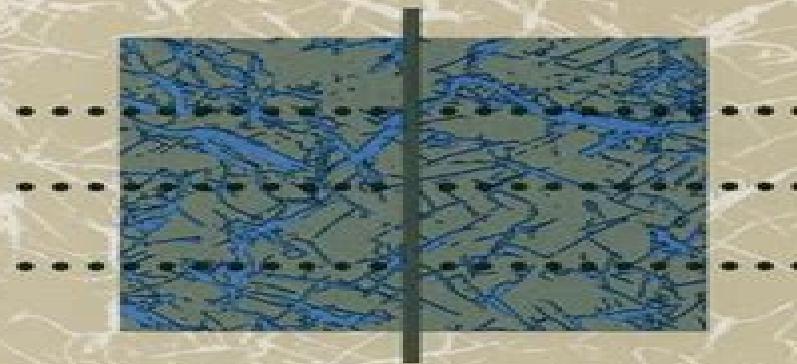


The Color-Blind Constitution



Andrew Kull

The Color Blind Constitution

Francis Wharton

The Color Blind Constitution:

The Color-Blind Constitution Andrew Kull,2009-07 From 1840 to 1960 the profoundest claim of Americans who fought the institution of segregation was that the government had no business sorting citizens by the color of their skin During these years the moral and political attractiveness of the antidiscrimination principle made it the ultimate legal objective of the American civil rights movement Yet in the contemporary debate over the politics and constitutional law of race the vital theme of antidiscrimination has been largely suppressed Thus a strong line of argument laying down one theoretical basis for the constitutional protection of civil rights has been lost Andrew Kull provides us with the previously unwritten history of the color blind idea From the arguments of Wendell Phillips and the Garrisonian abolitionists through the framing of the Fourteenth Amendment and Justice Harlan's famous dissent in *Plessy* civil rights advocates have consistently attempted to locate the antidiscrimination principle in the Constitution The real alternative embraced by the Supreme Court in 1896 was a constitutional guarantee of reasonable classification The government it said had the power to classify persons by race so long as it acted reasonably the judiciary would decide what was reasonable In our own time in *Brown v Board of Education* and the decisions that followed the Court nearly avowed the rule of color blindness that civil rights lawyers continued to assert instead it veered off for political and tactical reasons deciding racial cases without stating constitutional principle The impoverishment of the antidiscrimination theme in the Court's decision prefigured the affirmative action shift in the civil rights agenda The social upheaval of the 1960s put the color blind Constitution out of reach for a quartercentury or more but for the hard choices still to be made in racial policy the colorblind tradition of civil rights retains both historical and practical significance

Brown V. Board of Education at Fifty Clarke Rountree,2004-01-01 The story of *Brown v Board of Education* is a half century old now and has been retold many times by historians legal scholars sociologists and others This collection of persuasive scholarly essays examines for the first time the role rhetorical theory played in the development of educational segregation Contributors consider the NAACP's development of a series of graduate school cases to challenge *Plessy* analyze the Brown decision itself assess the state response to Brown and critique the two Supreme Court decisions implementing the Brown decision By illustrating how rhetorical strategies created sustained challenged and ultimately reversed educational segregation in the United States this work demonstrates the real value of the rhetorical perspective and provides encouragement to those who wish to help further develop this emerging field of judicial rhetoric

The Color-blind Constitution Andrew Kull,1989 *A Manual of Medical Jurisprudence for the Use of Students at Law and of Medicine*

Marshall Davis Ewell,1887 **A Treatise on the Law of Evidence in Criminal Issues** Francis Wharton,1884

Constitution and By-laws of the American Railway Master Mechanics' Association, and Proceedings of the Meeting ... American Railway Master Mechanics' Association,1883 **Annual Report of Dept. of Public Health**
Alabama. Department of Public Health,1888

Multiculturalism and American Democracy Symposium on Science,

Reason, and Modern Democracy,1998 The fourteen essays in this volume address the pros and cons of multiculturalism and explore its relationship with liberal democracy **Rethinking Constitutional Law** Earl M. Maltz,1994 Maltz reformulates the justification for originalist review and refines originalist theory itself he argues that a pure originalist approach mandates excessive judicial intervention under the Constitution and he shows that most nonoriginalist theorists have failed to provide a sufficient functional justification for nonoriginalist intervention *American Law Register* ,1883 *Transactions of the Medical Association of the State of Alabama* Medical Association of the State of Alabama,1889 **University of Pennsylvania Law Review** ,1883 *American Law Register and Review* ,1883 *The Annual message of the president, Benjamin James Baldwin* Benjamin James Baldwin,1892 **The Black Law Journal** ,1980 Annual Report - Alabama Department of Public Health Alabama. Department of Public Health,1888 *The Railway and Corporation Law Journal* ,1887 Harvard Law Review ,1889 Annual Report Medical Association of the State of Alabama,1893 *The American Law Review* ,1883

The book delves into The Color Blind Constitution. The Color Blind Constitution is a crucial topic that must be grasped by everyone, from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into The Color Blind Constitution, encompassing both the fundamentals and more intricate discussions.

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- Chapter 2: Essential Elements of The Color Blind Constitution
- Chapter 3: The Color Blind Constitution in Everyday Life
- Chapter 4: The Color Blind Constitution in Specific Contexts
- Chapter 5: Conclusion

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6. In chapter 5, the author will draw a conclusion about The Color Blind Constitution. The final chapter will summarize the key points that have been discussed throughout the book.

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