

American government: synopsis

Law



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These rights, including the rights of free speech and free press, were hailed as democratic constitutional principles in the first founding of the nation, (American Government 4: 111), and the Fourteenth Amendment states that no state can deprive any American citizen of the " equal protection of the laws" (American Government 9: 358). It is this nation that Thomas Jefferson envisaged to change into an " Empire of Liberty", of the people, by the people, for the people (American Government 4: 116). And the Supreme Court, in all the history of America, has largely strived to uphold these principles.

As public trust in government and its affairs wanes with time, especially in recent decades, the Court becomes ever more venerable and an ever-important beacon of hope in the eye of the people. However, some view the increasing influence of the Supreme Court as a blow to democracy. Whatever the case may be, the Court has shaped the practical implementations of the Amendment through its rulings in various cases.

No racial and religious discrimination, as proposed by the Amendment has sometimes been twisted out of shape. The doctrine of " separate but equal" treatment as offered by the Court was tested in 1896, when a Louisiana resident, Homer Plessy (American Government 9: 359), was convicted of the segregation statute violation of the state of Louisiana. The Supreme Court seconded the conviction, stating that racial segregation was not discriminatory, as par the Louisiana state statute. An 8-1 majority of the Court confirmed that for " public good", (American Government 9: 359) racial segregation was not a violation of non-discrimination in the pertinent state. This was one incident where the Amendment was misrepresented and the case was later to become a lesson for future Court rulings to be in

accordance, the Louisiana state statute being dropped later.

Despite a few glitches every now and then, the Court has always stood for the basic principles in the Amendment. When in 1996, the Congress passed the not well documented Communication Decency Act, prohibiting the communication of pornographic or indecent material over the Internet without specifying clearly the definitions of indecent material or the classifications of people brought under this Act, the Supreme Court, in 1997, overturned the Act (American Government 9: 378) in accordance with its ruling that the Act suppressed the rights of the adults as well to receive or carry out communications that were, by the First Amendment, their constitutional right. Congress had to perform the Act, and only then the Court seconded it by stating that obscene speech was not condoned by the free speech clause of the Amendment (American Government 9: 378). Overall, in the nation's history, the Supreme Court has always stood as a benefactor of the people, according to the rights and liberties that are established as their constitutional rights, and protecting those rights. It has earned respect and credibility by championing the rights and liberties of the African American population, for which it would always be honored. Today, too, the Court stands as a beacon of hope and integrity for the American public.