Rights Into Action

Compare how constitutional rights shape public policy.

MWH.P.2.1 "Demonstrate an understanding of the principles of government, the benefits of democratic systems, and their responsibilities as citizens..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline one constitutional principle in each country, circle the government bodies that act on those principles, and number two policy changes. Use your marks to compare how rights become actions.

When Citizens Put Rights to Work

1. In 1954, a child in a segregated U.S. school could ask why the law treated students differently by race. The U.S. Constitution divides federal power among Congress, the president, and the courts. Its Fourteenth Amendment, ratified in 1868, requires states to provide equal protection of the laws. In Brown v. Board of Education, the Supreme Court ruled that racial segregation in public schools violated that guarantee. The ruling overturned the legal basis for segregated public schools, but court decisions alone could not immediately change every classroom. Families and civic groups pressed school districts to follow the ruling.

2. In South Africa, the first national election open to citizens of all races took place in 1994, ending apartheid rule. The country's 1996 Constitution, which took effect in 1997, protects equal rights and includes a right of access to health care. It requires the government to take reasonable steps, within available resources, toward making that right real. In a 2002 case brought by the Treatment Action Campaign, South Africa's Constitutional Court ordered the government to remove restrictions on a medicine that could reduce HIV transmission from mothers to babies. That ruling changed public health policy through judicial review.

3. Both constitutions let courts test government actions against protected rights, yet their wording gives citizens different grounds for claims. The U.S. example centers on equal protection, while South Africa's health care provision also assigns the state a duty to act within its resources. Neither ruling meant that judges ran schools or clinics: government agencies still had to carry out policy. Citizens also had work to do. U.S. families challenged segregation, and South African activists brought a health case. Their actions show a democratic benefit: people can use law and public organizing to hold officials accountable, even when change takes time.

2 ANSWER WITH EVIDENCE

Use the passage

1. How do the constitutional principles used in the two court cases differ?

2. How did the Supreme Court's power affect school policy in the United States, and why was its ruling not enough by itself?

3. How did South Africa's Constitutional Court affect health policy, and what responsibility remained with the government?

4. Compare how citizens helped bring about change in the two countries. What benefit of a democratic system do their actions show?

3 YOUR TURN

Your own words

Imagine a U.S. city bars residents of one race from its public libraries, even after a court orders equal access. In four or five sentences, explain the constitutional principle involved, the different roles of the court and city officials, and one lawful action residents could take to help change library policy.

ANSWER KEY

Rights Into Action

HIGH SCHOOL · MWH.P.2.1

PART 1 · READ AND MARK

Underline one constitutional principle in each country, circle the government bodies that act on those principles, and number two policy changes. Use your marks to compare how rights become actions. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How do the constitutional principles used in the two court cases differ?	**The U.S. case used the Fourteenth Amendment's equal protection guarantee to challenge school segregation. The South African case used a right of access to health care and the government's duty to take reasonable steps within available resources.**
2	How did the Supreme Court's power affect school policy in the United States, and why was its ruling not enough by itself?	**The Court ruled that racial segregation in public schools violated equal protection, overturning its legal basis. School districts still had to follow the ruling.**
3	How did South Africa's Constitutional Court affect health policy, and what responsibility remained with the government?	**The Court ordered the government to remove restrictions on a medicine that could reduce HIV transmission from mothers to babies. Government agencies still had to carry out the policy change.**
4	Compare how citizens helped bring about change in the two countries. What benefit of a democratic system do their actions show?	**U.S. families challenged segregation, while South African activists brought a health case. Both used the law to hold officials accountable.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The city's library rule violates the Fourteenth Amendment's guarantee of equal protection. The court has ruled against the restriction, but city officials must change the library's admission policy. Residents could speak at a city council meeting and ask officials to enforce the ruling. If the city admits everyone, equal protection will become part of its library policy.

Accept answers that accurately distinguish a court's ruling from the officials' responsibility to put it into practice. For Part 3, lawful actions might include speaking at a public meeting, petitioning officials, or documenting continued unequal access.