Final Essay

[Author Name(s), First M. Last, Omit Titles and Degrees]

[Institutional Affiliation(s)]

Author Note

Final Essay

In the United States, some people know that Mexican America has played a major role in the desegregation of the school. One of the most legal struggles was the Mendez case which became the first constitutional challenge for segregation. It was ruled by the judge of District Court that the rights of the American students are been violated under the 4th amendment protection clause. However, the Mendez case was never appealed in the United States Supreme Court, several legal scholars of that time regarding this case which can be accomplished what brown did almost after 8 years. In 2004, several scholarly activities marked the 50th anniversary of the brown decisions landmark which consist of special issues. It also contributes to the lack of awareness that made Mexican Americans excluded from various scholarships in the history of civil rights. In the history of school desegregation, the major constitutional law cases related to the struggles of Mexican Americans were completely excluded. This essay is based on the racial discrimination of California, its treatment with the people of color specifically based on the events which limit the ability of minorities in acquiring education(“(PDF) The Poverty Exception to the Fourth Amendment,” n.d.).

The tale of international skullduggery and greed behind the heroism scenes lead to the event that initiated America's war with Mexico. It also represents the propaganda fed by the public and fought at the disputed region within two rivers. This first foreign campaign war with Mexico strengthened slavery in the southern region and led towards the civil war latterly. This war can be examined through the five political figures which include young, seniors and some are with children and families(“California’s Racial History and Constitutional Rationales for Race-Conscious Decision Making in Higher Education by Richard Delgado, Jean Stefancic: SSRN,” n.d.). The Greenberg developed his narrative politically which accompanied war as well as expansionist fever, highlight the ideology role as well as the five individuals and their families in opposing the war.

I observed through analysis that race matters a lot during immigration and it also affects one's status as an undocumented alien. It is also argued in the essay that whiteness is considered as the property in the United States which provide the legal rights to its citizens it is observed that criteria of employment were tempting features and fair skin. It is proved from history that whiteness defined the legal status of the person either he is slave or free. Furthermore, whiteness gives advantages economically. Though the white transparency is manifested in both gender and race. In anti-discrimination law and dominant society, women are mostly presumed to be white while the people of color are regarded as men(“Delgado, Richard,” n.d.). It is also suggested that the intersectionality concept can be utilized for a better understanding of the unique subordinates of the color women. It is written in the fourth amendment, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

Though it is written in the fourth amendment that the Supreme Court has no right to apply seizure and search on any property owned foreign country alien through US agent. Though still, US marshal did trial against the suspected Mexican official. A similar event occurred when the Mexico citizen was arrested while working at the shop in California. When it was found that he is from Mexico and has no close family ties in the United States. During the hearings, he claimed that he was arrested illegally. Then the judge claimed that his arrest legality is not based on the deportation proceeding. Several factors contribute to the deportation process. So, it is required that the government must establish an identity identification system so that the immigrant can prove the mode of entry (“(PDF) The Poverty Exception to the Fourth Amendment,” n.d.).

In such circumstances, critical issues are addressed in court that either it's legal to deport any reasonable person. As the agents used to approach defendants at the airport and check their driving licenses and airplane tickets. Some courts agreed that the examination of the document was permissible. Although, according to court the physical detention of people respondents without any violation is against the fourth amendment (“Delgado, Richard,” n.d.). Court also declared the checkpoints that were operated away from the international borders as constitutional but it still against the fourth amendment (“(PDF) The Poverty Exception to the Fourth Amendment,” n.d.). So, it can be concluded from this paper that the government's interest regarding the fourth amendment is greater as compared to citizens. Thus it was declared that “it is constitutional to refer motorists selectively to the secondary inspection area at the San Clemente checkpoint based on criteria that would not sustain a roving-patrol stop. Thus, even if it be assumed that such referrals are made largely based on apparent Mexican ancestry, we perceive no constitutional violation.”

This developed problems for Latino Americans as well and there was a danger that either these stops were racial stereotyping one.

So the main purpose of this document is to understand racial discrimination and develop the legal documentation process. But this dissertation focused more on victimization as compared to struggles. But the first document claim is comprehensive and still required to be explored. It emphasis the policymakers and judges to work as sympathetic members of the community. Various untold stories need to be addressed. The first document is based on racial discrimination in the decision making process by higher institutions such as the Supreme Court. Generally, the race scope in decision making becomes narrowed with every successive decision (“Delgado, Richard,” n.d.). It also criticized n the race-based admissions at the university level (“(PDF) The Poverty Exception to the Fourth Amendment,” n.d.). After the raising concerns of people judge remarked that "to achieve the diversity of background and experience in its student population essential to prepare students for the real-world functioning of the law in our diverse nation." However, race seems like a major factor based on the early conflicts of California. But the authorities slightly disagree on this point (“(PDF) The Poverty Exception to the Fourth Amendment,” n.d.). According to them, the disappointment is another reason behind the foreigners and minorities mistreatment.

Through analyzing history it can be understood that the act of inequality and serious mistreatment is still present in our society. Throughout history, it can be observed that it is the duty to work for the rights of minorities population as the remained denied for acquiring higher education opportunities because of racial discrimination (“(PDF) The Poverty Exception to the Fourth Amendment,” n.d.). Furthermore, the evidence of documentation bolstered this issue based on the race-conscious process of decision making. These documents present the stories of racial discrimination and provide remedies for these issues. The racial discrimination history of California must be commended as it is against just and fair society.

**References**

California’s Racial History and Constitutional Rationales for Race-Conscious Decision Making in Higher Education by Richard Delgado, Jean Stefancic: SSRN. (n.d.). Retrieved December 9, 2019, from https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=1310299

Delgado, Richard. (n.d.). Retrieved December 9, 2019, from https://heinonline.org/HOL/AuthorProfile?search\_name=Delgado%2C+Richard&collection=journals&base=js

(PDF) The Poverty Exception to the Fourth Amendment. (n.d.). Retrieved December 9, 2019, from https://www.researchgate.net/publication/228199533\_The\_Poverty\_Exception\_to\_the\_Fourth\_Amendment