

## **U.S. Government Federalism or Civil Rights?**

*Some of the most controversial Constitutional issues emerge when there is a conflict between Civil Rights (rights guaranteed to individuals) and States Rights (the rights of states to make laws on issues where powers are not delegated to the Federal government.) Today you will read two AMICUS briefs; one that supports the petitioners in the case and one that supports the respondents. As you read, think about the following questions. Then answer them with your group.*

1. What is the main argument of the Amicus Curiae filed by the Southern Equality and Equality Federation? Upon what constitutional provision is it based?

2. What is the main argument of the Amicus Curiae filed by the State of South Carolina? Upon what constitutional provision is it based?

3. The decision in Obergefell v. Hodges is based on the 14<sup>th</sup> Amendment to the Constitution. What Constitutional clause played a role in applying the 14<sup>th</sup> amendment to this case? (see lecture notes from Federalism lecture)