

ANSWER KEY

blacks are inferior in understanding, they still have equal rights.

Document F: 1. They are recognized as persons, not property. 2. Slaves are people and have inalienable rights.

Document G: It would lift slaves from the chains of slavery.

Document H: 1. National citizenship, along with the privileges and immunities thereunto, due process, and equal protection of the laws. 2. Yes, as the federal government now had a check on state power.

Document I: State governments.

Document J: 1. Judge of Section “A” Criminal District Court for the Parish of Orleans. 2. Affirmed.

Document K: 1. Laws permitting or requiring separation of races. 2. Separate does not mean inferior. 3. They will not work. 4. Because it asserted that separate accommodations were not necessarily unequal.

Document L: 1. It does not reference race or class; it applies to all. 2. To keep blacks inferior in both feeling and fact.

Document M: Segregation was institutionalized for decades to come.

Brown v. Board of Education

Document A: It was against the law in some states to educate African Americans.

Document B: 1. It was passed after the Civil War to protect the rights of newly-freed slaves. 2. The states cannot deny citizens the privileges and immunities of citizenship, due process of law, and equal protection of the laws.

Document C: Separate was not inherently unequal. Segregation, therefore, did not violate the Constitution.

Document D: Both the opinions agreed that the Fourteenth Amendment was designed to guarantee legal equality

of the races. However, the majority asserted that segregation did not necessarily lead to inequality while the dissenter argued that it does.

Document E: Neat, orderly, full.

Document F: It looks very similar.

Document G: Crowded, cramped, full.

Document H: Many former slave states allowed or required segregation, which was declared to be constitutional in *Plessy v. Ferguson*.

Document I: 1. Segregation was declared unconstitutional. 2. Separation of the races was inherently unequal and violated the Fourteenth Amendment. Segregation creates a feeling of inferiority in black children that would impede their future success.

Document J: 1. To integrate schools with all deliberate speed. 2. The Court cannot write or enforce laws. It must rely on state and local executive and legislative bodies for enforcement of its decisions.

Document K: The white hands represent the Supreme Court. The black hands represent African Americans shackled by segregation. The Supreme Court, which in 1954 was comprised entirely of white justices, was the force demanding the shackles binding black Americans be broken. The Court was acting as the final force ending the social and legal bindings and effects of slavery on black Americans.

Regents of the University of California v. Bakke

Document A: To protect the rights of former slaves.

Document B: 1. Positive steps. 2. Paying no attention to.

Document C: Congress is being forced by the demands of African Americans to pass civil rights legislation.

ANSWER KEY

Document D: Yes. Executive Order 10925 applied only to federal government contractors. Title VI of the Civil Rights Act of 1964 applied to “any program or activity receiving Federal financial assistance.”

Document E: 1. Historic disadvantages are not rectified by mere equality of opportunity. True equality is equality of results. 2. The first document implies that equality of opportunity is sufficient for true equality. Johnson asserts that equality is measured by results.

Document F: Under the “special program” a significantly higher number of minorities (particularly blacks and Mexican-Americans) were accepted to medical school than were accepted under the “general program.” Nationally, most minority medical students went to “traditionally African American colleges.”

Document G: While the percentages of education achieved for both races increased, blacks lagged significantly behind whites in all categories.

Document H: His scores for both years were comparable to those accepted into the general program, but far exceeded the scores of students admitted to the special program.

Document I: Answers will vary.

Document J: Equality is in opportunity, not in results, as asserted by President Johnson.

Document K: As admitting certain students on the basis of race, or excluding certain students on the basis of race.

Document L: 1. The case is about excluding certain applicants on the basis of race. 2 “Equal” means treating everyone the same; “protection” means security from discrimination.

Document M: Marshall agreed that the race of an applicant can be taken into consideration when determining

admission. Marshall disagreed that the Equal Protection Clause prevents a university from providing additional opportunities to particular races in its admissions policy.

Grutter v. Bollinger and Gratz v. Bollinger

Document A: By trying to help African Americans, the white Americans are not giving blacks a chance to stand on their own two feet.

Document B: 1. To protect the rights of former slaves. 2. Answers will vary.

Document C: As a way of remedying the long history of discrimination against African Americans.

Document D: 1. Answers will vary. 2. Marshall said racial preferences were needed to remedy past wrongs. The Law School based its affirmative action program on the claimed educational benefits for all students that result from a diverse student body.

Document E: It did not have a quantified goal of minority enrollment, but rather used race as a “plus factor” in a flexible way that allowed individual consideration.

Document F: It was masking a quota-system of proportional admissions. 2. Yes.

Document G: Dissent.

Document H: 1. Because it provides eloquent, historical support for his position. 2. If it will be unconstitutional in 25 years, it must be unconstitutional now.

Document I: 1. The automatic 20 points awarded on the basis of race did not allow for individual consideration of applicants and therefore violated the Equal Protection Clause. 2. The LSA policy awarded specific points for race, the Law School policy did not.