


**CALIFORNIA CONTENT
STANDARD 11.10.2**

Civil Rights in the Courts

Specific Objective: Examine and analyze the key events, policies, and court cases in the evolution of civil rights, including *Dred Scott v. Sandford*, *Plessy v. Ferguson*, *Brown v. Board of Education*, *Regents of the University of California v. Bakke*, and California Proposition 209.

Read the summary to answer the questions on the next page.

Rights as Citizens

- Dred Scott was a slave taken by his owner to a free state (Illinois) then back to a slave state (Missouri). He sued for freedom in 1846 (*Dred Scott v. Sandford*), claiming he should remain free.
- The U.S. Supreme Court ruled in 1857 that free African Americans could not become citizens of the United States and had no rights to sue in the courts.
- The power of the federal government to prohibit slavery in new territories was limited.
- In 1868, the Fourteenth Amendment gave African Americans the rights of citizens.

Separate but Equal

- After Reconstruction, Southern states passed Jim Crow laws to prevent African Americans from using the same public facilities as whites.
- Homer Plessy tested the law by sitting in a “whites only” railroad car. *Plessy v. Ferguson* claimed separate facilities violated the equal protection clause in the Fourteenth Amendment.
- The Supreme Court ruled in 1896 that separate facilities were legal as long as they were equal. The doctrine of “separate but equal” allowed segregation across the South.
- Oliver Brown sued the school board in Topeka, Kansas, because his daughter had to attend a school far away instead of one nearby for whites only.
- Lawsuits from other states challenging “separate but equal” schools were combined into *Brown v. Board of Education*.
- The result was a unanimous decision by the Supreme Court in 1954 which ruled that segregated schools were unequal by their very nature of being separate.
- Schools resisted desegregation and further court orders were required.

Affirmative Action

- “Affirmative action” was first used by President Kennedy to describe programs that would favor African Americans in jobs and admission to colleges.
- Opponents claimed the policy discriminated against more qualified whites.
- In *Regents of the University of California v. Bakke* (1978), the Supreme Court ruled that a rigid quota system for university medical school admission was unfair. It had allowed race to be one factor considered for entry into the program.
- In 1996, California voters passed California Proposition 209, ending state-controlled affirmative action programs. Minority enrollments in California universities dropped.