

Civil Rights

Essential Question How did the civil rights movement lead to new laws protecting the rights of women, African Americans, and other groups?



About the Photo In 1963 civil rights leaders and more than 200,000 people marched on Washington, D.C. with the goal of passing meaningful civil rights laws. During the event Martin Luther King, Jr., delivered his famous “I Have a Dream” speech, which was a defining moment in the civil rights movement. After the march King and others met with President John F. Kennedy, who promised to give full backing to civil rights legislation.



Civil Rights Act
of 1964

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CHAPTER AT A GLANCE

SECTION 1 Civil Rights and Discrimination

- Civil rights are the freedoms and protections that individuals have by law, especially those that concern equal status and treatment.
- The meaning of civil rights in the United States has changed over time as society, laws, and legal interpretations of civil rights have changed.
- For much of U.S. history, certain ethnic and racial groups, women, and others have suffered from discrimination and a denial of civil rights.

SECTION 2 Equal Justice under Law

- The Fourteenth Amendment guarantees equal protection of the law.
- Despite attempts to protect their civil rights after the Civil War, African Americans suffered discrimination, unequal treatment, and legalized segregation.
- Women's struggle for equal justice initially centered on the right to vote.

SECTION 3 Civil Rights Laws

- The civil rights movement in the 1950s and 1960s led to a series of federal laws designed to protect people's civil rights.
- In addition to civil rights laws, affirmative action policies attempted to address the effects of past discrimination.

SECTION 4 Citizenship and Immigration

- Citizenship comes with both rights and responsibilities.
- Throughout U.S. history, immigrants have come to the United States hoping to attain U.S. citizenship.
- The federal government regulates immigration to the United States.

CONNECTING TO THE CONSTITUTION



Our nation's system of government is based on constitutional law established by the United States Constitution. See the "We the People: The Citizen and the Constitution" pages in this chapter for an in-depth exploration of the importance of civic participation in American constitutional democracy.

SECTION
1

Civil Rights and Discrimination

BEFORE YOU READ

Main Idea

The Constitution is designed to guarantee basic civil rights to everyone. The meaning of civil rights has changed over time, and many groups have been denied their civil rights at different times in U.S. history.

Reading Focus

1. What are civil rights, and how have civil rights in the United States changed over time?
2. How has a pattern of discrimination affected the civil rights of some groups in U.S. history?

Key Terms

prejudice
racism
reservation
Japanese American
internment

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TAKING NOTES

Use the graphic organizer online to take notes on the meaning and importance of civil rights and on how discrimination has affected different groups.



Signs of Discrimination

Legalized discrimination against certain groups was common for much of U.S. history. Like many businesses in the 1950s, this store posted “white only” signs.

WHY IT MATTERS

The Importance of Civil Rights Picture this: you walk into a restaurant with your friends and the manager says that you have to sit in a different section simply because you are a member of a certain racial group. That would be unfair, illegal discrimination, right? What if you were prevented from voting, fired from your job, or harassed by the government? You would probably go to court to protect your rights and to hold those who violated them accountable. But what if the courts ruled that it was legal for the government and private businesses to treat you and other people so unfairly?

The type of unfair treatment described above used to be common in this country. Certain racial and ethnic groups, women, and others were denied basic civil rights for much of U.S. history. They were prevented from voting, they were discrimi-

nated against by the government and by businesses, and they were kept in an inferior position in society.

So what has changed? Over time, some groups that have been treated so unequally organized, protested, and challenged these discriminatory practices. New laws and court decisions attempted to limit and end such unfair treatment. These changes in government and laws extended many civil rights protections to more and more people.

The redefinition and expansion of civil rights led to dramatic changes in American society. There are now important legal limits that guard against actions by government officials or private citizens that would discriminate against you or deny your basic civil rights. You have the right to be treated equally and fairly and the right to use the law and government to ensure that your civil rights are protected. ■

Civil Rights in the United States

Civil rights are some of the most basic and important rights we have in the United States today. However, the meaning and application of civil rights have changed greatly over time as society's ideas about fairness and equal treatment have changed.

What Are Civil Rights? Civil rights are rights that involve equal status and treatment and the right to participate in government. One of the most basic civil rights is the right to be treated equally regardless of race, ethnicity, sex, or other personal characteristics. In other words, every citizen has the right to be free from discrimination—the act or practice of treating people unfairly based on their race, national origin, sex, religion, age, or other factors. This includes discrimination sponsored by the government. For example, a person cannot be denied admission to a school or a movie theater simply because he or she is African American.

Another basic civil right is the right to equal opportunities in voting and running for political office. Voting and holding office allow people to have a say in their government's decisions. Without this basic right to vote or participate in government, people can be unfairly subjected to a government and legal system that they have little or no power to influence or change.

Civil rights like the right to vote are guaranteed and protected by law. The government establishes these laws and has the duty and responsibility of enforcing them. In the United States, laws that guarantee civil rights include the Constitution and its amendments, federal and state laws, and Supreme Court decisions.

The idea that individuals have basic civil rights that government cannot violate is a more fundamental principle of American society than it has been in the past. We now recognize that *all* people in the United States are entitled to certain fundamental rights and freedoms, including many civil rights. In the past, however, that was not always the case, as you will read in this chapter.

How Have Civil Rights Changed?

The meaning of civil rights in the United States has changed greatly over time. This is because civil rights are about fairness and equal treatment, and people's ideas in the past about what is fair and who deserves equal treatment were very different from what they are today.

The Declaration of Independence, for example, states that “all men are created equal.”

Note that women were not included in this statement. At the time

the Declaration was written, society viewed women's participation in government and politics as unnecessary. In addition, not all men were considered to be truly equal—in general, only white men of European ancestry were given equal treatment. Racial minorities, such as African American and Native American men, were viewed as unequals who were not entitled to the right to participate in government or enjoy its freedoms.

Much has changed since the Declaration of Independence was written, however. Groups that were denied equal treatment by the government, including women and ethnic and racial groups, fought for their rights nonetheless, inspired by the ideal of equality. In the course of their struggles, these groups succeeded in pushing for the passage of constitutional amendments, federal and state laws, and legal decisions that redefined the meaning of civil rights, fairness, and equal treatment. As a result, women and racial and ethnic groups won the right to vote, participate in government, and be free from discrimination. In this chapter, you will learn about the story of these struggles and how they changed our laws and government to protect, redefine, and extend civil rights.

READING CHECK Contrasting How is the meaning of civil rights today different from in the past?

Civil Rights

QUICK FACTS

Key Civil Rights

- The right to fair and equal treatment
- The right to be free from discrimination
- The right to vote, run for office, and participate in public life

Legal Sources of Civil Rights

- Constitutional amendments, including the 1st, 5th, 13th, 14th, 15th, 19th, 24th, and 26th amendments
- Federal laws, including the Civil Rights Act of 1964 and Voting Rights Act of 1965
- Supreme Court rulings, such as *Brown v. Board of Education of Topeka, Kansas* (1954)
- State civil rights laws

A Pattern of Discrimination

The United States has a long history of inequality and unfair treatment of certain groups. In the past, the government even legalized and supported discrimination. Those in power viewed members of certain groups with **prejudice**, a negative opinion formed without just grounds. Widespread prejudice in society was often caused by **racism**—discrimination and unfair treatment based on race.

Because of racism and prejudice, women and racial minorities suffered unequal treatment in areas such as voting rights, housing, education, employment, and access to public facilities. Religious minorities such as Catholics, Jews, and Mormons as well as immigrants have also experienced widespread discrimination.

African Americans Perhaps no group has suffered more unfair treatment in American history than African Americans. African Americans were first brought here against their will to be sold as slaves. Over a period of some 250 years, generations of African Americans suffered inhumane treatment, including violence, forced labor, and separation from their families and culture.

Because enslaved African Americans were viewed as property, the government denied them any civil rights protections. In the Supreme Court case *Dred Scott v. Sandford*, Chief Justice Roger Taney wrote in 1857 that African Americans, whether slaves or free, could never be citizens of the United States. According to Taney, they historically had “no rights which the white man was

bound to respect.” Taney argued that the authors of the Declaration of Independence did not have African Americans in mind when they wrote that all men were created equal.

PRIMARY SOURCE

“But it is too clear for dispute, that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration.”

—Roger Taney, *Dred Scott v. Sandford*, 1857

After the Civil War, the United States abolished slavery with the Thirteenth Amendment. The Fourteenth and Fifteenth Amendments were then passed in an attempt to protect the civil rights of former slaves by granting them citizenship and the right to vote. But these amendments did not result in fair and equal treatment for African Americans. In many places, former slaves were kept from taking part in civic life by threats and physical attacks. In addition, new laws and judicial decisions legalized discrimination against African Americans.

Native Americans Native Americans have also suffered from long and intense discrimination. Like African Americans, Native Americans were viewed in the past as separate peoples that were not a part of American society and therefore not deserving of any rights at all.

As soon as Europeans began colonizing North America, Native Americans began losing territory. Introduced diseases from Europe and conflicts with colonists weakened many Native American groups, allowing settlers to seize their land. The United States

ACADEMIC VOCABULARY

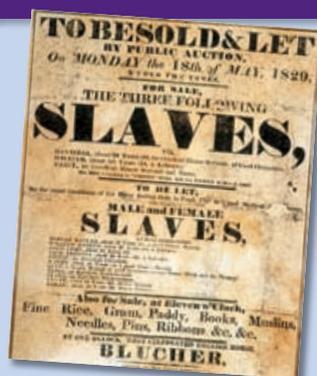
legalize to give legal sanction or validity to

Discrimination in America

For much of American history, certain racial and ethnic groups and women have suffered widespread discrimination.

African Americans ▶

First brought to the United States as slaves, African Americans had essentially no rights for generations.



Native Americans ▶

Discrimination against Native Americans included sending their children to “Americanization” schools, where they were stripped of their native culture and taught “American” culture and values.



government also signed hundreds of treaties with Native Americans to acquire their land and then consistently violated these treaties, taking even more land.

As the American population grew and more settlers began moving west, the government faced increasing pressure to take yet more Native American land. In the mid-1800s the government began a policy of removing Native Americans from their traditional lands and forcing them onto reservations. A **reservation** is an area of public land set aside by the government for Native Americans. Throughout the 1800s many Native American groups were forced further and further west or onto reservations.

In addition to losing their land, many Native Americans were prevented from speaking their native languages or from maintaining their traditional ways of life. For example, some children were removed from their families and forced to go to “Americanization” schools, where they were isolated from their native language, dress, religion, and customs.

Asian Americans Asian Americans have come to this country from places such as China, Japan, Korea, South Asia, and Southeast Asia. Like many other racial minorities with their own languages, culture, and customs, Asian Americans faced significant discrimination almost from the moment they arrived.

Chinese workers first began to arrive in the United States in large numbers in the mid-1800s. They worked in mines and on railroads in the West. Many white Americans

resented these new immigrants, who competed against them for jobs. As a result, white Americans discriminated against Chinese workers in jobs, housing, and access to public services. In fact, the United States government even passed a law to effectively end Chinese immigration—the Chinese Exclusion Act of 1882.

The Chinese were not the only Asian group to face discrimination. In the early 1900s widespread anti-Japanese feelings led to an agreement with Japan to end Japanese immigration to the United States. In return, the United States promised not to allow racial segregation of Japanese already living in America.

Japanese Americans suffered one of the most blatant civil rights violations during World War II. Fearing that Japanese Americans could aid a Japanese attack against the United States, President Franklin D. Roosevelt signed Executive Order 9066 in 1942. The order required all people of Japanese descent on the West Coast to report to War Relocation Centers. This event is known as the **Japanese American internment**. About 120,000 people, more than 60 percent of whom were American citizens, were forced to leave their homes and businesses, and about 80,000 people were confined to internment camps for the rest of the war. Many lost their homes, jobs, and businesses, in addition to their personal freedom. When some Japanese Americans challenged this internment in court, the Supreme Court upheld the program as a military necessity, ruling that it was acceptable to curtail the civil rights of a racial group when there was a “pressing public necessity.”



Asian Americans ▲
Discrimination toward Asian Americans resulted in the internment of Japanese Americans during World War II.

Hispanics

Hispanics have faced widespread discrimination in housing, education, voting, and other areas.

Women

Discrimination toward women included the lack of voting rights and limited job opportunities.

Hispanics Hispanics, or Latinos, are people who have a Spanish-speaking background. They come from places such as Mexico, Puerto Rico, Cuba, and Central and South America. Like other groups with culture and language differences, Hispanics have faced discrimination in jobs, voting, education, and other areas.

In the 1840s the United States took control of what are now the states of Texas, New Mexico, Arizona, and California, and parts of Colorado, Nevada, and Utah. Mexican Americans in these areas were viewed as conquered peoples and suffered discrimination and violence. For example, their land was often taken under questionable circumstances. In addition, Mexican Americans were often forced to live in segregated communities.

From the mid-1800s to today, there have been several waves of Hispanic immigration to the United States. Mexican immigrants originally came to work on farms, ranches, and mines. Today they work in many areas of the economy. Puerto Ricans emigrated to places like New York after Puerto Rico became part of the United States in 1898. Cubans fled political turmoil in their country to settle in Florida in the 1960s. All of these groups have faced discrimination as a result of being culturally different.

Women Although women are not a numerical minority in the United States, they were historically denied equal treatment. Before 1920 most women could not vote or shape the laws that they were required to follow. They also could not serve on juries and had unequal property and custody rights compared to men. Socially, women were assigned an inferior position in society and were expected to marry, raise children, and work in the home. Also, women did not have access to most education and job opportunities.

This view was given legal justification by the Supreme Court in *Bradwell v. Illinois* (1873), when it upheld a law barring women from becoming attorneys. The Court said the law was legal because the “domestic sphere” was the proper area for women. In the words of one justice, “The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother.”

Like many other groups in American history, women suffered a pattern of discrimination that denied them their civil rights. Eventually, however, women and other groups fought for and won the right to equal justice under the law.

READING CHECK Summarizing What groups have experienced civil rights violations in the past?

SECTION 1 ASSESSMENT

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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** What are civil rights? Give two examples.

b. Explain How has the meaning of civil rights in the United States changed over time?

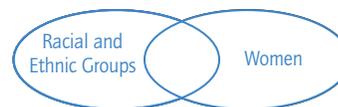
c. Predict What legal changes do you think happened to help minorities and women eventually win their civil rights?
- a. Define** Define the following terms: **prejudice, racism.**

b. Make Inferences How do you think people used the legal system to discriminate against members of ethnic and racial groups and women?

c. Predict What do you think are some possible contemporary effects of persistent discrimination against ethnic and racial minorities?

Critical Thinking

- Compare and Contrast** Copy the graphic organizer below and use it to describe how discrimination and the denial of civil rights were both similar and different for ethnic and racial groups and women.



FOCUS ON WRITING

- Persuasive** Write a newspaper editorial reacting to the announcement in 1942 that Japanese Americans will be evacuated from the West Coast and moved to internment camps. Be sure to address the issue of civil rights

21ST
CENTURY

SECTION
2

Equal Justice under Law

BEFORE YOU READ

Main Idea

The Fourteenth Amendment was designed to bolster civil rights by requiring states to guarantee to freed slaves “the equal protection of the laws.” However, African Americans and women still struggled to win equal treatment in American society.

Reading Focus

1. What is meant by equal protection of the law?
2. What civil rights laws were passed after the Civil War, and why did they fail to end segregation?
3. How did women fight for and win voting rights?
4. What events began to roll back racial and ethnic segregation in the United States?

Key Terms

equal protection clause
suspect classification
segregation
Jim Crow laws
separate-but-equal doctrine
suffrage
Seneca Falls Convention
de jure segregation
desegregation
de facto segregation

hmhsocialstudies.com TAKING NOTES

Use the graphic organizer online to take notes on the meaning of equal protection and its effects on the struggle of African Americans and women for equal rights.

WHY IT MATTERS

Equal Protection On July 28, 1868, three years after the Civil War ended, the Fourteenth Amendment became part of the Constitution. At that time, the U.S. military occupied the defeated South. The federal government, as part of the South’s Reconstruction, was responsible for ensuring law and order—and for protecting the rights of newly freed slaves. The Fourteenth Amendment promised to protect those rights by guaranteeing that no state could deny “the equal protection of the laws” to anyone. This promise of equal protection established for the first time in the Constitution a new idea of equality—that *all* Americans were entitled to equal rights.

A New Idea of Equality

It took a long time, however, for many Americans to begin to truly attain equal rights and fair treatment. Despite the passage of the Fourteenth Amendment, as well as other amendments and civil rights laws, African Americans and other groups continued to suffer from widespread racism and discrimination. Even though the Fourteenth Amendment promised equal protection, state governments passed racially discriminatory laws, and federal courts declared them to be constitutional. In fact, it took nearly 100 years for the government to ban many forms of racial discrimination.

Today, the idea of equal protection contained in the Fourteenth Amendment is much more accepted as one of the main legal foundations for civil rights. The Fourteenth Amendment holds the promise of equal treatment and equal justice—for everyone. ■

The ideal of legal equality is enshrined on the Supreme Court building in Washington, D.C.

Equal Protection of the Law

Much of the progress against discrimination has been made in the courts. Over time, judges have used the equal protection clause of the Fourteenth Amendment to ban discrimination by the government and to extend equal protection of the law.

The Equal Protection Clause The Fourteenth Amendment says that “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.” This statement is known as the **equal protection clause**. The equal protection clause requires states to apply the law the same way for one person that they would for another person in the same circumstances.

You might have noticed that the equal protection clause is targeted specifically at the states. The Fourteenth Amendment was passed after the Civil War to protect the rights of newly freed slaves, especially in the South where they were the victims of severe and widespread discrimination by state governments.

By targeting the states directly, the equal protection clause and the rest of the Fourteenth Amendment marked a major change in the Constitution. Before the Fourteenth Amendment, the Bill of Rights protected people only from abuses by the federal government. The Fourteenth Amendment required state governments for the first time to protect the basic civil rights of all people and to provide them with equal treatment.

Although it was originally intended mainly to protect the rights of newly freed slaves, over time the Supreme Court has interpreted the equal protection clause in a way that prevents states from classifying any group of people unfairly or from making unreasonable distinctions between groups. As a result, the clause has been a vital tool in the fight for civil rights.

As the meaning of the equal protection clause has expanded over time, it has become increasingly important to society as a foundation for civil rights. In fact, the Fourteenth Amendment’s equal protection clause is one of the main sources of civil rights protection today.

The equal protection clause, however, does not mean that all people must be treated the same in every respect. There are many times when it is legal to distinguish between different groups of people. This is known as reasonable distinction, and the courts have developed several tests to determine if reasonable distinction exists.

Reasonable Distinction In many situations, the government can distinguish between different groups of people. For example, state governments may charge visitor fees at state parks. In this case, the government has reasonably distinguished between two groups of people—park visitors and nonvisitors.

Governments cannot, however, distinguish between different groups unreasonably. For example, while state governments can charge fees to park visitors, they could not charge only people with green eyes or red hair.

So when is distinguishing between different groups reasonable, and when is it unreasonable? This is an issue that the courts, among others, decide; and standards can change depending on the views of judges, social attitudes, and the facts of each case. Generally, classifications that seem random or without a valid purpose are not allowed.

Federal courts use three main guidelines to decide if the government has made fair distinctions between groups. These are the rational basis test, intermediate scrutiny test, and strict scrutiny test.

Rational Basis Test Governments often have a rational basis, or good reason, to treat different groups of people differently. Treating groups differently is valid under the rational basis test if the law in question establishes reasonable methods of accomplishing a legitimate goal of government.

For example, states have laws that establish a minimum age, such as 16, for driving a car. Are these laws reasonable? Legislators believe that people below the minimum age may not have enough experience and maturity to drive a car safely. The courts have agreed. In this case, the legitimate goal of government is to ensure public safety, and the government may treat people below a certain age differently.

ACADEMIC VOCABULARY

rational based on reason

Applying Equal Protection

United States v. Virginia (1996)

Test Applied: Intermediate scrutiny

Background: The Virginia Military Institute (VMI), a public military college, denied admission to women. In 1990 the U.S. Department of Justice sued the state of Virginia to force an end to this policy, arguing that it violated the equal protection clause of the Constitution.

Decision: In a 7–1 decision, the Supreme Court ruled that VMI failed to show a persuasive justification for excluding women and was in violation of the equal protection clause. It ordered VMI to admit women.

Male and female cadets at VMI listen to a lecture in 2007.



Intermediate Scrutiny Test Sometimes courts impose a higher standard to determine if laws violate the equal protection clause. For example, the intermediate scrutiny test has been used in cases involving classifications based on sex. In such cases, the government must show an important reason for treating people differently. Using this test, the Court has upheld treating men and women differently in some military matters, such as the requirement that only men register with the Selective Service in preparation for any future drafts for military service.

Strict Scrutiny Test The highest standard is known as strict scrutiny. It is applied when (1) a fundamental right is being restricted, such as the right to free speech or the right to vote, or (2) a classification is made based on race or national origin. A classification based on race or national origin is called a **suspect classification**. The courts are inherently suspicious that such classifications might violate the equal protection clause.

The standard of strict scrutiny is often very hard for the government to meet. Under strict scrutiny, the government must show that a law that classifies a group of people is more than just a reasonable method to accomplish a legitimate role of government.

The government must show that there is “a compelling reason” that is in the public interest for the group classification.

The case of *Korematsu v. United States* (1944) is an example of the Supreme Court applying the strict scrutiny test to a law—and ruling that the law met the test. Fred Korematsu was a Japanese American who refused to evacuate California as ordered during World War II. His argument, based on the equal protection clause, was that the internment of people of Japanese descent simply because the United States was at war with Japan was unfair racial discrimination. But in a 6–3 decision, the Court ruled against Korematsu, saying that the government’s compelling interest to protect the public against sabotage outweighed Korematsu’s civil rights, as well as the rights of other Japanese Americans.

An example of a law that failed to meet strict scrutiny came in *Loving v. Virginia* (1967). In that case, the Supreme Court struck down a Virginia law outlawing marriage between whites and African Americans. The Court ruled that Virginia had no legitimate or compelling interest in preventing such marriages.

READING CHECK Identifying the Main Idea How does the Court interpret the equal protection clause?

Laws and Segregation after the Civil War

The Fourteenth Amendment was one of the laws passed in the aftermath of the Civil War to protect the rights of African Americans. However, the new laws and amendments failed to extend equal treatment to African Americans for many years. While the laws had changed, the discriminatory views of society had not. In fact, when Reconstruction effectively ended in 1877, state governments in the South began to pass new laws against African Americans in direct violation of the new constitutional amendments and laws.

Post-Civil War Laws The first major civil rights laws in the United States were passed after the Civil War. These laws included three new constitutional amendments and the first federal civil rights laws.

The Thirteenth, Fourteenth, and Fifteenth amendments were passed between 1865 and 1870. They are sometimes referred to as the Reconstruction Amendments. The Thirteenth Amendment banned slavery in the United States. The Fourteenth Amendment made all people born in the United States citizens and required states to guarantee “due process” and “equal protection of the laws” to all people. The Fifteenth Amendment guaranteed the right to vote to African American men.

In addition to these three amendments, Congress passed a series of federal civil rights laws. These federal laws attempted to provide African Americans some of the most basic rights that they had long been denied by white society. These new laws protected such rights as the right to own private property, the right to be a witness in court, and the right to fair treatment in public accommodations such as restaurants and theaters.

Despite these attempts to legally protect African Americans, civil rights discrimination continued. Racism and prejudice were so deeply rooted that new constitutional amendments and federal laws were not enough to end discrimination. Adding new words to the Constitution, it turned out, was not enough to transform society and create true equality.

Racial Segregation In the years after the passage of the Reconstruction Amendments and the federal civil rights laws, state governments began to set up a new system of racial inequality. Two key factors allowed state governments to create these unequal systems: the end of Reconstruction in the South and Supreme Court decisions that upheld racial discrimination.

During the era of Reconstruction, which lasted from 1865 to 1877, African Americans in the South made much political progress.

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Early Civil Rights: Reconstruction Amendments and Laws

The first civil rights laws attempted to guarantee basic civil rights to African Americans.

Thirteenth Amendment (1865)	Civil Rights Act of 1866	Fourteenth Amendment (1868)	Fifteenth Amendment (1870)	Civil Rights Act of 1871	Civil Rights Act of 1875
Outlawed slavery in the United States	Sought to guarantee African Americans the right to sue, own property, and be a witness in court	Granted citizenship to African Americans and required states to provide all people “due process” and “equal protection”	Granted African American men the right to vote	Sought to protect African Americans from Ku Klux Klan violence Allowed individuals to sue state officials for civil rights violations	Sought to grant African Americans equal access to public places Overturned by the Supreme Court in the Civil Rights Cases of 1883

Many African Americans voted, and some ran and were elected to office. But then a disputed presidential election led to the Compromise of 1877, which gave Republican candidate Rutherford B. Hayes the presidency on the condition that he remove the remaining federal troops from the South.

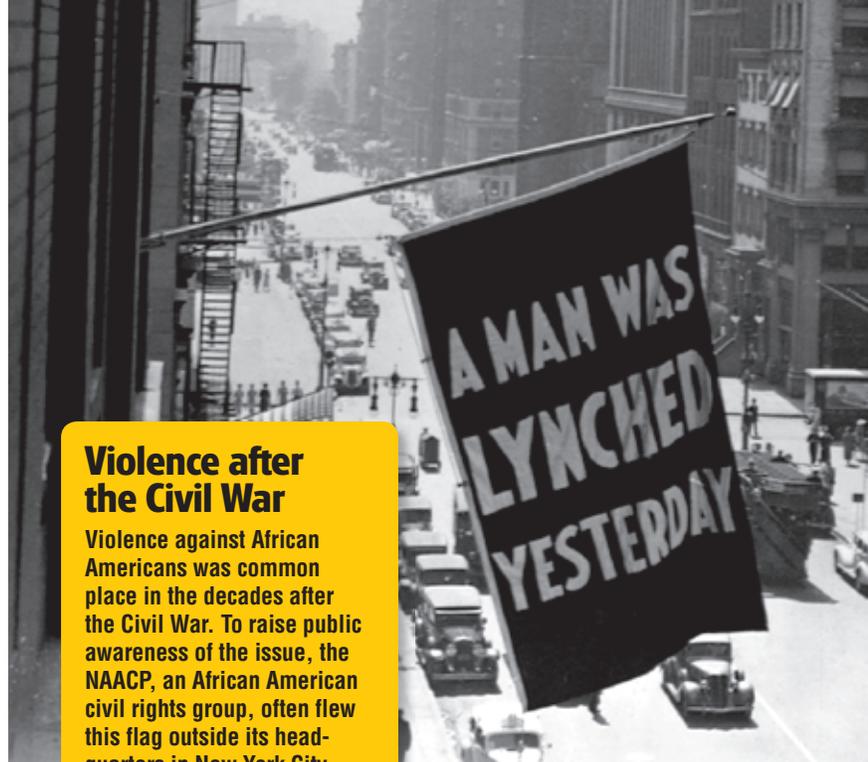
The end of military occupation in the South led to a breakdown in the rule of law. Free from federal interference, extremist groups such as the Ku Klux Klan used violence to keep African Americans from pursuing their civil rights. African Americans were prevented from voting and running for office. Eventually, white-dominated governments began to pass segregation laws and laws reducing or barring participation in government by African Americans. **Segregation** is the separation of racial groups.

Most of these segregation laws, known as **Jim Crow laws** after a popular racist song, were passed in the late 1800s and early 1900s and were aimed mainly at African Americans. Other racial segregation laws were aimed at other groups, such as Hispanics, Asian Americans, and Native Americans. No matter their target, Jim Crow laws were designed to accomplish the same goal: maintain power and privilege for whites and relegate nonwhites to an inferior position.

Jim Crow laws segregated nearly all areas of life, including schools, public transportation, public restrooms and water fountains, hotels, restaurants, and theaters. To comply with the letter of the law, separate facilities were established for whites and nonwhites.

In addition to legalized segregation, white society in general discriminated against African Americans to the point that they were virtually unprotected by the law. Whites controlled all of the powerful institutions of society, such as police forces, courts, judgeships, and other institutions of local government. They used these institutions to harass African Americans who challenged authority by asserting their civil rights.

The discriminatory laws put in place by state governments were given clear legal justification by the Supreme Court. In 1883 the Court ruled that the Civil Rights Act of 1875 was unconstitutional because the Fourteenth



Violence after the Civil War

Violence against African Americans was common place in the decades after the Civil War. To raise public awareness of the issue, the NAACP, an African American civil rights group, often flew this flag outside its headquarters in New York City.

Amendment only prohibited discrimination by governments, not by private individuals. Chief Justice Joseph Bradley even suggested that African Americans had received enough federal help. “When a man has emerged from slavery . . .” he wrote, “there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be the special favorite of the laws.”

The Supreme Court also ruled that Jim Crow laws were constitutional in *Plessy v. Ferguson* (1896). In this landmark case, the Court upheld by an 8–1 decision a Louisiana law requiring African Americans to ride in separate railway cars from whites. The Court’s ruling in the *Plessy* case established the **separate-but-equal doctrine**, the policy that laws requiring separate facilities for racial groups could be legal so long as the facilities were “equal,” thereby effectively sanctioning racial discrimination.

Despite the *Plessy* ruling, in reality, separate facilities were almost never equal—facilities for African Americans and other racial groups were almost always inferior to facilities for whites. Fighting the separate-but-equal doctrine became one of the main goals in the struggle for African Americans’ civil rights.

READING CHECK Sequencing What events after the Civil War led to legalized segregation in the South?

Voting Rights for Women

The struggle for African Americans' civil rights in the 1800s influenced another civil rights struggle: the fight for women's rights. Many women in the North had taken part in the battle to end slavery. As they fought for equal rights for African Americans, they also began to demand equal rights for women. One of the main goals of this struggle was women's **suffrage**, or the right to vote.

The Women's Movement Begins In 1848 a group of people led by Lucretia Mott and Elizabeth Cady Stanton held the **Seneca Falls Convention**, the first national women's rights convention in the United States. Delegates to the convention called for voting rights for women, along with equal rights in other areas like education and property. They also adopted a Declaration of Sentiments, modeled on the Declaration of Independence, that called for equal rights for women.

Despite these early calls for women's rights, when the Fifteenth Amendment gave African American men the right to vote in 1870, women were still denied that right. In fact, women's rights advocates lobbied to have women included in the language of the amendment. However, their efforts failed, and women were purposely excluded from the language of the amendment. In response, women formed several organizations to lobby for women's suffrage. These organizations had their roots in the abolition movement to end slavery.

Some activists, such as Susan B. Anthony, refused to support the Fifteenth Amendment because it failed to extend voting rights to women. Others supported the Fifteenth Amendment and worked to win women's suffrage on a state-by-state basis. Their first success came in the Wyoming Territory in 1869, where American women were first granted the right to vote. Over the next 50 years, more western states and territories passed laws giving women the right to vote. The populations of the West were more open to the great social change that suffrage represented. Still, despite progress at the state level, the lack of any federal laws meant that many women were still denied the right to vote by the late 1800s.

Winning the Vote In the early 1900s, some 50 years after the Seneca Falls Convention, a renewed effort was made to win women's suffrage. Women's rights activists used marches, picketing, and hunger strikes to fight for suffrage. Some activists even chained themselves to the White House fence to protest for the right to vote.

Finally, in 1920 the United States ratified the Nineteenth Amendment, giving all women in the United States the right to vote. The language of the amendment was short and to the point:

PRIMARY SOURCE

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex . . . Congress shall have power to enforce this article by appropriate legislation.”

After a 70-year struggle, all American women finally had the vote. However, there were still many more battles ahead in the fight for civil rights.

READING CHECK Sequencing What were some key events in the fight for women's suffrage?

Rolling Back Segregation

While women had won an important civil rights victory, African Americans and other groups still suffered from segregation and a denial of civil rights. The *Plessy* ruling had laid the foundation for **de jure segregation**, segregation by law, and segregation remained legal for the first half of the 1900s. Eventually, however, African American activists began to pursue a legal strategy of challenging segregation in court. As a result, the courts began to chip away at legalized segregation and, eventually, overturned it.

Early Legal Challenges In the 1930s the National Association for the Advancement of Colored People (NAACP) launched a campaign to end legal segregation. It focused first on segregation in education and was led by two brilliant attorneys, Charles Hamilton Houston and Thurgood Marshall. The NAACP's approach was not to challenge the idea of “separate but equal” but to insist on true equality.

The first case to successfully challenge segregation was *Gaines v. Canada* (1938) in Missouri. Lloyd Gaines, an African American, was refused admission to the University of Missouri law school. The state offered him no alternative—no separate law program existed for African Americans. The Supreme Court ruled that the equal protection clause required states to either provide equal educational facilities for African Americans or admit them to white schools.

Another case, *Sweatt v. Painter* (1950), further rolled back segregation. Heman Sweatt applied to the University of Texas law school and, like Gaines, was denied admission. Texas offered Sweatt admission to a separate, all-black law school, but the facilities were far inferior. In a 9–0 ruling, the Court found that the segregated nature of the Texas law school for African Americans affected the quality of the education it provided. As a result, Sweatt was being denied equal protection of the law.

These two rulings were important steps in the battle to overturn segregation. The *Gaines* decision required states to provide separate facilities for African Americans, and the *Sweatt* decision required those facilities to be truly equal. While neither case reversed the separate-but-equal doctrine, the Court was approaching the recognition that, in fact, separate facilities could never be equal.

Brown v. Board of Education of Topeka, Kansas A huge victory in the fight to end segregation, and to guarantee civil rights to everyone, came in the case of *Brown v. Board of Education of Topeka, Kansas* (1954). The case was a class action lawsuit—a lawsuit filed by one or more plaintiffs on behalf of themselves and everyone else who has suffered from an alleged wrong. The *Brown* case was filed for all African American students who were denied entry to public schools and directly challenged the legality of the separate-but-equal doctrine.

In a dramatic 9–0 decision, the Court overturned *Plessy* and declared segregation in public schools illegal under the equal protection clause. It ruled that a racially segregated school “generates a feeling of inferiority” among African American students “that may affect their hearts and minds in a way unlikely ever to be undone.” Chief Justice Earl Warren stated:

PRIMARY SOURCE

“Does segregation of children in public schools solely on the basis of race . . . deprive the children of the minority group of equal educational opportunities? We believe that it does . . . We conclude that, in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”

—Earl Warren, *Brown v. Board of Education of Topeka, Kansas*, 1954



VIDEO

Biography:
Thurgood Marshall

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PROFILES IN GOVERNMENT

Thurgood MARSHALL
1908–1993



Thurgood Marshall spent most of his life fighting against inequality and racial discrimination. From the 1930s to the 1950s, Marshall led

the NAACP’s campaign against segregation. He argued more than 30 cases before the Supreme Court and won almost all of them, distinguishing himself as one of the nation’s top lawyers. Marshall’s victory in *Brown v. Board of Education of Topeka, Kansas* (1954) solidified his reputation as a lawyer and civil rights leader. In 1967 President Lyndon B. Johnson nominated Marshall for the Supreme Court, where he became the first African American justice.

Make Inferences What do you think were some reasons that President Johnson selected Marshall to serve on the Supreme Court?

Mrs. Nettie Hunt explains the significance of the *Brown* decision to her daughter, Nickie.



For the first time in U.S. history, one of the branches of government, the federal judiciary, endorsed a new concept of equality. According to this concept, it was now illegal for state or local governments to provide separate facilities based solely on race.

School Desegregation After the *Brown* ruling, the Supreme Court ordered schools to end segregation “with all deliberate speed.” As a result, school districts began the process of **desegregation**, or ending the formal separation of groups based on race.

In many places, however, whites actively resisted desegregation and defied federal law. For example, some schools in Virginia closed for several years to avoid desegregation. In 1957 in Little Rock, Arkansas, the governor ordered Arkansas National Guard troops to stop African American children from attending white schools. After a three-week standoff, President Dwight Eisenhower sent more than 1,000 federal troops to Little Rock to escort the students to school.

Despite resistance, many schools were desegregated through a host of local court cases against individual school districts. As a result, by the 1970s de jure segregation in public schools had ended.

Another type of segregation, known as de facto segregation, still exists, however.

De facto segregation is segregation in fact, even without laws that require segregation. It is usually caused by school attendance rules and housing patterns that reflect social and economic differences among groups. For example, when whites live mainly in certain neighborhoods and racial minorities live mainly in others, schools will be segregated if students are required to attend schools in their neighborhood, even though laws requiring segregation are illegal.

How then, are schools supposed to end segregation? One attempted remedy was to bus students from one area to another within a school district. While the Supreme Court has upheld busing within districts, it has also placed sharp limits on using race and ethnicity to determine school attendance assignments. In 2007 the Court argued that there is no justification—including the goal of ensuring diversity and integration—to base school assignments primarily on race.

Despite the continuing challenges of desegregating both schools and society, the *Brown* decision caused important changes in this country. After *Brown*, calls for further civil rights protections, such as new civil rights laws, grew.

READING CHECK Summarizing How did legalized segregation in the United States finally end?

SECTION 2 ASSESSMENT

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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Identify** State the purpose of the Fourteenth Amendment.

b. Explain Explain how the Supreme Court applies the **equal protection clause** to laws through the use of tests.
- a. Define** Define the following terms: **segregation**, **Jim Crow laws**, **separate-but-equal doctrine**.

b. Draw Conclusions Why do you think the new amendments and laws passed after the Civil War failed to end segregation?
- a. Identify** Which amendment gave women the right to vote in the United States, and when was it passed?

b. Make Inferences Why do you think **suffrage** was the main goal for women’s rights activists?
- a. Describe** What legal strategy did the NAACP use to roll back segregation in the United States?

b. Evaluate How successful was the *Brown* decision in ending segregation? Explain your answer.

Critical Thinking

- Rank** Copy the time line below and use it to list three key events in the struggle for equal protection of the law by African Americans and women. Then rank the events in order of importance and explain your ranking for each one.



FOCUS ON WRITING

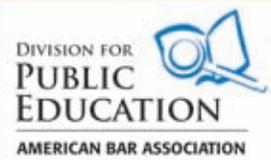


- Narrative** Suppose that you are a student in 1955, just after the *Brown* decision. Write a short paragraph describing how the decision will affect your school.



LANDMARK SUPREME COURT CASES

Constitutional Issue: Equal Protection



Brown v. Board of Education of Topeka, Kansas (1954)

WHY IT MATTERS

In this case the Supreme Court ruled that de jure segregation violated the equal protection clause of the Constitution. This decision led to desegregation and helped spark the civil rights movement.

Background

In the 1950s many states had laws that required or allowed segregation in public places. While separate facilities for whites and other groups were supposed to be equal, they almost never were, and segregation was entrenched in many communities around the country. When the parents of third-grader Linda Brown requested a transfer for her to an elementary school closer to home, their request was denied solely on the basis of race. The NAACP filed a class action lawsuit against the local school board on behalf of the Browns and other African American residents of Topeka, Kansas. In its 1951 ruling on the case, the U.S. District Court in Kansas found that segregation did have a negative effect on African American students. However, the court still held that segregated schools did not violate the Fourteenth Amendment because other factors like teachers, facilities, and transportation were equal. The Supreme Court ruled on *Brown* in 1954 in combination with four similar cases from around the country.

Arguments for Brown

NAACP counsel Thurgood Marshall argued that school segregation was a violation of civil rights protected by the Fourteenth Amendment. Marshall presented evidence from social scientists that segregation instilled a sense of inferiority in African American children, which in turn affected their motivation and academic performance. He argued that racially segregated schools stigmatized minority children by setting them apart and caused them permanent psychological damage.

Arguments for Board of Education of Topeka, Kansas

The board of education argued that the Kansas law requiring whites and nonwhites to attend different schools was legally based on the separate-but-equal doctrine established in *Plessy v. Ferguson*. The board contended that, to the best of its knowledge and ability, the quality of education provided in both white and nonwhite schools was equal. The board of education denied that school segregation harmed minority children or implied that they were inferior.

THE IMPACT TODAY

The Court's unanimous ruling in the *Brown* case was a huge victory for civil rights activists. The NAACP's broad goal with *Brown* was to secure equal protection under the law in all areas of public life, and the *Brown* decision was a major step in that direction. It struck down *Plessy* and was an early step toward dismantling the legal framework of segregation. After *Brown*, segregation in other areas was outlawed as well, based on the principles established in *Brown*, including segregated golf courses, state parks, and public transportation. Although the battle to end segregation would still require many more years of struggle, the *Brown* case marked the beginning of the end for segregation in this country.

CRITICAL THINKING

What Do You Think? The *Brown* case involved the segregation of children in public education. How do you think this fact influenced the Court's decision?

SECTION 3

Civil Rights Laws

BEFORE YOU READ

Main Idea

In the 1950s and 1960s, an organized movement demanding civil rights changed American society and led to a series of new federal laws that protected the civil rights of African Americans and other groups.

Reading Focus

1. What was the civil rights movement, and what effects did it have on American society?
2. What new federal laws were passed in response to the civil rights movement?
3. How were civil rights extended to women, minorities, and people with disabilities?
4. How are affirmative action policies a part of the civil rights movement?

Key Terms

civil rights movement
civil disobedience
poll tax
affirmative action
reverse discrimination
quota



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TAKING NOTES

Use the graphic organizer online to take notes on the civil rights movement and how it led to new civil rights laws.

WHY IT MATTERS

Standing Up for Your Rights What would you do if someone prevented you from going to school, and the government

failed to do anything about it? Would you stand up and fight for your right to equal treatment? Would you demonstrate, march, or go on a hunger strike to demand equal rights? Would you risk your personal safety—and your life—by confronting those who were determined to keep you powerless and even use violence against you?

A Courageous Walk



Elizabeth Eckford walks to Little Rock's Central High School in 1957.

In 1957 a 15-year-old high school student named Elizabeth Eckford did just that. Eckford was one of nine African American students who attempted to enter the all-white Central High School in Little Rock, Arkansas. On their first attempt, the students were prevented from entering by hostile white parents, students, and even Arkansas National Guard troops.

A famous photograph of Eckford being harassed by white students helped bring attention to the struggle for civil rights and the hostility that African Americans faced. In the photograph, a white student named Hazel Massery yells at Eckford, who keeps her composure and dignity. In 1963 Massery apologized to Eckford, and the two women became friends. But on that day in 1957, Eckford refused to be intimidated by intolerance and abuse. Would you have had the courage to join her? ■

The Civil Rights Movement

Elizabeth Eckford's attempt to enter Central High School was part of the **civil rights movement**—a mass movement in the 1950s and 1960s to guarantee the civil rights of African Americans. Civil rights activists used nonviolent protests to fight against injustice and segregation and to work toward the passage of new federal civil rights laws.

A key event in the civil rights movement came in 1955 when Rosa Parks, an African American, was arrested for refusing to give up her seat to a white person on a public bus in Montgomery, Alabama.

Her refusal violated the city's segregation laws, which had not been overturned by *Brown*, since the case applied only to segregation in public education.

Civil rights leaders in Montgomery responded by organizing a boycott against the city's buses. The boycott was led by Martin Luther King Jr., a minister and Southern Christian Leadership Conference (SCLC) civil rights leader. Despite the boycott, the city refused to integrate its buses. The NAACP filed suit, arguing that in accordance with the new legal principles of *Brown*, laws that segregated public facilities were also unconstitutional, based on the equal protection clause. The NAACP won in federal district court, and the Supreme Court upheld the decision, resulting in one of the first major successes of the civil rights movement.

Nonviolent protests became a major strategy of civil rights activists. Boycotts, sit-ins, demonstrations, marches, and other acts of **civil disobedience**, or nonviolent refusals to obey the law as a way to advocate change, spread across the country.

But despite the use of nonviolence, protesters were often attacked and brutalized by those resistant to change, including state and local officials. As images of violent attacks on peaceful protesters spread around

the country, support for the civil rights movement grew.

In 1963 more than 200,000 people gathered in Washington, D.C., to show their support for the civil rights movement. This large, peaceful event, known as the March on Washington, focused national attention on the civil rights movement. On the steps of the Lincoln Memorial, Martin Luther King Jr. gave his "I Have a Dream" speech, now considered one of the greatest speeches in American history.

One of the most important victories of the civil rights movement came in 1965 with the Selma to Montgomery marches. African Americans in Alabama who had been intimidated from voting organized a march from Selma to the capitol building in Montgomery. Local sheriffs and Alabama state troopers responded by brutally attacking the peaceful protesters in an event now known as Bloody Sunday. Images of the attacks were shown on national television news programs and shocked the country. Bloody Sunday helped lead to the passage of new federal laws designed to protect the civil rights of African Americans and other minorities.

READING CHECK Sequencing What were the key events of the early civil rights movement?

RESPONSIBILITIES OF LEADERSHIP

Civil rights activists like Elizabeth Eckford and Rosa Parks teach us that leadership in American government sometimes comes more from ordinary citizens than from government officials.



Under what circumstances, if any, do you think a citizen in a representative democracy has the right to engage in civil disobedience? Explain your position.

PRIMARY SOURCES

"I Have a Dream"

Martin Luther King Jr. spoke at the March on Washington on August 28, 1963. His speech became one of the defining moments of the civil rights movement.



"I say to you today my friends so even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal.'

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. . . ."



INTERPRETING PRIMARY SOURCES

Making Inferences What effect do you think King's speech had on people's ideas about their rights and about political involvement?

See **Skills Handbook**, p. H9.

New Federal Laws

In response to the civil rights movement, Congress passed a series of federal laws in a renewed attempt to guarantee all Americans' civil rights. By the mid-1960s these new federal laws began to transform the legal protections of everyone in the country.

Civil Rights Laws under Eisenhower In 1957 Congress passed, and President Dwight D. Eisenhower signed into law, the first civil rights legislation since Reconstruction. The Civil Rights Act of 1957 included several features to help the federal government fight discrimination. A key part of the law created the Civil Rights Commission, which had the power to investigate cases of discrimination and suggest remedies.

The next piece of federal civil rights legislation was the Civil Rights Act of 1960. This law empowered the federal government to actively engage in voter registration in places where voting discrimination had been found. It also made it illegal for anyone to obstruct a person's right to vote.

Both of these laws marked important advances in civil rights. However, they also faced powerful opposition, especially from southerners in Congress. As a result, both laws were weak and ineffective. One reason for this ineffectiveness was that the laws enabled the federal government to fight discrimination only on a case-by-case basis.

Civil Rights Act of 1964 A breakthrough in the civil rights movement came with the Civil Rights Act of 1964. This law, passed over the strong opposition of many southern lawmakers, was one of the most far-reaching civil rights laws in American history.

The Civil Rights Act of 1964 banned discrimination based on race, color, religion, sex, or national origin in voting, employment, and public accommodations. Age was added in 1967. The act also allowed the federal government to cut off federal funds from any program that allowed discrimination.

One of the reasons the Civil Rights Act of 1964 was so powerful was that it was passed under the authority of the Constitution's commerce clause. You may remember that the Fourteenth Amendment and its equal protection clause applied only to actions by states—they did not prevent discrimination by individuals or businesses. By passing this new law under the commerce clause, however, Congress was able to ban discrimination by any person or business that engaged in interstate commerce. As a result, businesses such as hotels, gas stations, restaurants, and many others were now barred from practicing discrimination.

Voting Rights Laws One of the main goals of the civil rights movement was to guarantee African Americans' voting rights. For decades, southern states had used a variety of means

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Modern Civil Rights: Federal Laws

In response to the civil rights movement, Congress passed a series of federal laws in a renewed attempt to guarantee all Americans' civil rights.

Civil Rights Act of 1957	Civil Rights Act of 1960	Twenty-fourth Amendment (1964)	Civil Rights Act of 1964	Voting Rights Act of 1965	Civil Rights Act of 1968
Established the Civil Rights Commission to investigate civil rights violations; created a civil rights division in the Department of Justice to enforce civil rights laws	Gave the federal government the power to inspect local voter registration rolls and penalize anyone who obstructs a person's right to vote	Banned the use of poll taxes in federal elections	Banned discrimination based on race, color, national origin, or sex in voting, employment, and public accommodations; created the Equal Employment Opportunity Commission	Banned unfair tests in voting, such as literacy tests; allowed federal agents to help register African American voters	Banned discrimination in the sale, rental, or financing of housing

to keep African Americans from voting. These ranged from restrictive legislation that denied them the right to register to vote to violence and intimidation.

By the 1960s some of the unfair laws used to prevent African Americans from voting had been struck down by the courts. For example, the Supreme Court outlawed the use of grandfather clauses. Some of these laws limited voting to people whose descendants had the right to vote prior to the Fifteenth Amendment. The Court had also struck down white primaries—primary elections in which only whites could vote.

In 1964 the country took another step toward guaranteeing voting rights with the ratification of the Twenty-fourth Amendment. It banned the use of poll taxes to prevent people from voting. A **poll tax** is a tax levied on someone who wants to vote. Poll taxes were used to keep poor people, especially African Americans, from voting.

Still, despite these new laws and court decisions, few African Americans in the South could exercise their right to vote. The 1964 murder of civil rights workers in Mississippi who were trying to register African Americans to vote and the events of Bloody Sunday in 1965 showed how determined some people were to prevent African Americans from voting. These events showed that still more had to be done.

As a result, President Lyndon B. Johnson spearheaded the effort to have Congress enact the Voting Rights Act of 1965. This far-reaching law banned literacy tests, another device widely used against African American voters. The law also specifically targeted places where Congress believed discrimination was widespread. It gave the federal government power to review all changes to voting laws in these places, take part in voter registration, and monitor elections.

Effects of New Federal Laws The effects of the civil rights laws of the 1950s and 1960s were dramatic. For the first time, the new laws gave the federal government real power to stop discrimination by states and individuals. African Americans now had a powerful ally in the battle for desegregation, fair treatment in jobs and housing, and the right to vote. Finally, after many years, it was

no longer legal to discriminate against people in voting, hiring, housing, or access to public accommodations based on race, national origin, religion, or sex.

READING CHECK Summarizing What major federal civil rights laws were passed in the 1950s and 1960s?

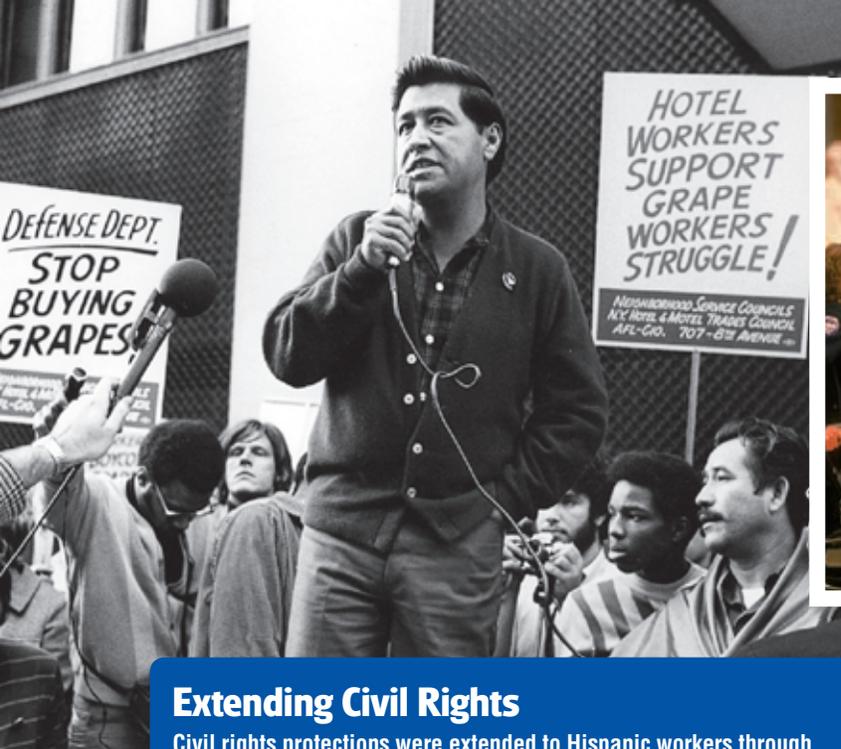
Extending Civil Rights

The progress that African Americans made in their fight for civil rights inspired other groups who were victims of discrimination as well. While many of the civil rights laws passed in the 1950s and 1960s were enacted largely to protect African Americans, they prohibited discrimination against *anyone* based on race, national origin, religion, or sex. In addition, other new laws and court decisions extended civil rights protections specifically to women, Hispanics, Native Americans, and people with disabilities.

Women The Equal Pay Act of 1963 required employers to offer equal pay to men and women doing the same work. The Civil Rights Acts of 1964 and 1968 banned discrimination against women as well as members of racial and ethnic groups. In 1972 Title IX of the Education Amendments banned discrimination against women in areas such as admissions, athletics, and educational programs by schools and colleges that received federal funds. The Equal Credit Opportunity Act of 1975 prohibited banks, stores, and other businesses from discriminating against women in making loans or granting credit.

The courts have also helped women expand their rights. In 1973, for example, the Supreme Court ruled in *Roe v. Wade* that women had the constitutionally protected right to an abortion. According to the Court, this right was unlimited in the first three months of pregnancy, though it could be limited thereafter. A 1986 Supreme Court ruling declared that sexual harassment is a form of discrimination outlawed by the Civil Rights Act of 1964. The Court also struck down laws giving preference to fathers over mothers in administering their children's estates and excluding women from serving on juries.

ACADEMIC VOCABULARY
prohibit to forbid by authority



Extending Civil Rights

Civil rights protections were extended to Hispanic workers through the efforts of activists like César Chávez (left). Disabled Americans lobbied successfully for the passage of the Americans with Disabilities Act in 1990 (right). How are activists in these photographs trying to effect change?

Hispanics Hispanics used legal challenges, walkouts, and marches in their fight for civil rights. Three court cases were particularly important in extending Hispanic civil rights. In 1946 a federal court in California ruled in *Mendez v. Westminster* that the state's segregation of Hispanic students was illegal. This case led to the end of racial segregation in California's public schools and facilities. In *Hernandez v. Texas* (1954) the Supreme Court ruled that the equal protection clause applied not only to African Americans but to Hispanics and other racial groups as well. In 1973, in the case of *Keyes v. Denver Unified School District*, the Court ruled that de facto segregation of Hispanics in public education was also unconstitutional.

Hispanics also made gains at the ballot box. In 1975 the Voting Rights Act was expanded to require that ballots be printed in Spanish and other languages in communities that had large numbers of non-English speakers.

The Hispanic labor and civil rights leader César Chávez also helped extend civil rights to Hispanics. He led marches and hunger strikes to fight for the rights of migrant farm workers, many of whom were Hispanic.

Native Americans Native Americans also used protests to demand new laws and better protection of their civil rights. The American Indian Movement (AIM) used aggressive and symbolic protests and takeovers to call attention to the inferior status of Native Americans in society. For example, in 1972 AIM and other Indian-rights groups took over the Bureau of Indian Affairs building in Washington, D.C., to demand a review of treaty violations as well as more education and economic help for Native Americans.

In response to these demands, Congress passed several laws, including the Indian Self-Determination and Education Assistance Act of 1975. The goal of this act was to allow Native American groups to control federally funded programs in their communities. In 1978 Congress passed the American Indian Religious Freedom Act, which declared that Native Americans have the same freedom of religion rights as other Americans.

People with Disabilities In 1990 Congress passed the Americans with Disabilities Act, which prohibited discrimination against people with disabilities. It also required that public buildings and transportation facilities be accessible to people with disabilities. As a result, wheelchair ramps, elevators, and other features are now common in public buildings. A court case in Alabama, *Wyatt v. Stickney* (2003), led to improved conditions for patients in state-run psychiatric facilities around the country.

READING CHECK Summarizing How were civil rights extended to groups besides African Americans?

ACADEMIC VOCABULARY

accessible

capable of being reached

Affirmative Action

Thanks to the civil rights movement and the laws it generated, discrimination is illegal today, and victims of discrimination have tools to fight injustice in court. But is that enough? Because of past discrimination, women and members of racial and ethnic groups are still underrepresented in many areas and have many obstacles to overcome. These groups suffer from entrenched disadvantages caused by generations of discrimination and unequal access to education, employment, and social opportunities. For example, if a person's parents suffered from discrimination, he or she might not live in a good school district or be able to afford to go to a highly ranked university.

One policy that has attempted to address the effects of past discrimination is **affirmative action**—a policy that requires employers and institutions to provide opportunities for members of certain historically underrepresented groups. Supporters of affirmative action believe that government should not just ban discrimination; it should actively promote equality for members of racial and ethnic groups and women. Opponents argue that such efforts lead to special privileges for members of targeted groups and are unfair to whites.

Early Affirmative Action Efforts The federal government first began using affirmative action policies in the 1960s. These policies required businesses that contracted with the federal government and educational institutions that received federal funds to work to achieve more diverse workforces and student bodies.

In 1965 President Lyndon Johnson expanded that effort with Executive Order 11246, which declared that the government's policy was to “promote the full realization of equal employment opportunity through a positive, continuing program.” Under this order, contractors were required to “take affirmative action” in their employment practices. An office in the Labor Department oversaw compliance with the order among large construction contractors. These employers were required to set goals and timetables for minority hiring.

By the late 1970s, however, affirmative action policies had become controversial. Some people charged that they were a form of **reverse discrimination**, or discrimination against the majority group. These people argued that giving preference to someone based on his or her race or sex was wrong, even if the intentions are good.

The Bakke Case The first major challenge to affirmative action was *Regents of the University of California v. Bakke* (1978). Allan Bakke, a white student, was denied entry to the University of California–Davis Medical School. The school had a **quota**—a fixed number or percentage—of minorities needed to meet the requirements of an affirmative action program.

Under this quota, each year 16 of the 100 places in the medical school were held for nonwhite students who were admitted under a separate process. Bakke, who believed that he was highly qualified, was not able to compete for admission for those 16 places. He sued, arguing that he was being discriminated against solely because of his race.



Affirmative Action

Major Supreme Court Rulings on Affirmative Action

Ruling: Race can be used as one factor in college admissions, but quota systems are unconstitutional.

Case: *Regents of the University of California v. Bakke* (1978)

Ruling: Consideration of sex as a factor in promotions is acceptable.

Case: *Johnson v. Transportation Agency, Santa Clara County, California* (1987)

Ruling: Affirmative action must be targeted at specific problems of past discrimination, not general discrimination by society as a whole.

Case: *Adarand Constructors, Inc. v. Peña* (1995)

Ruling: Reaffirmed that race can be used as one factor in admissions, but overturned a system that awarded points to minorities.

Case: *Gratz v. Bollinger* and *Grutter v. Bollinger* (2003)

In its decision, the Supreme Court ruled in favor of Bakke and ordered the university to admit him. Although nonminorities held almost all of the other 84 admissions slots in the entering class, the Court decided that the strict quota system was invalid because it did not allow nonminorities to compete for any of the 16 places. However, a majority of the justices also held that race could be used as a factor in determining university admissions.

The Michigan Cases Some 25 years after the Bakke ruling, the Supreme Court again addressed the question of affirmative action in higher education. In 2003 the Court ruled on two Michigan cases—*Gratz v. Bollinger* and *Grutter v. Bollinger*.

Both Gratz and Grutter were white women who had applied to and been rejected by two different programs at the University of Michigan. Some minority applicants with lower test scores and grade point averages had been admitted, however. Both women sued, arguing that using race as a factor in admissions was discriminatory.

In its ruling, the Court overturned Gratz’s rejection but upheld Grutter’s. The difference was how race had been used in each case. In

Gratz’s case, the admissions policy awarded points to minorities based solely on the fact that they were minorities. This policy was mechanical and formulaic, so the Court rejected it because it was not carefully targeted to achieve the goal of diversity. In Grutter’s case, however, there was no automatic award of points. Rather, race was just one factor taken into account in the admissions process.

Ballot Measures In addition to court rulings, several states have passed ballot measures restricting affirmative action policies. In 1996 California voters approved Proposition 209, the California Civil Rights Initiative. The measure amended the state constitution to forbid state and local agencies, including universities, from giving preferential treatment to any person or group based on race, color, ethnicity, or sex. The only exceptions are when the federal government requires affirmative action. Following California’s lead, Washington and Michigan passed similar measures in 1998 and 2006, respectively.

READING CHECK Summarizing How have affirmative action policies changed over time?

SECTION



ASSESSMENT



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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Identify** Which two key events in the civil rights movement took place in Alabama?

b. Predict How do you think the civil rights movement and federal laws led to changes in American society and politics?
- a. Describe** What were three major civil rights laws or actions passed or taken in the 1960s, and what did each do?

b. Evaluate Why were the civil rights laws of the 1960s more effective in protecting people’s rights than earlier legislation?
- a. Identify** Which groups besides African Americans benefited from the civil rights movement?

b. Make Inferences How did some groups use democratic principles to resolve issues relating to their civil rights?
- a. Define** Define each of the following terms: **affirmative action, reverse discrimination, quota.**

b. Evaluate In your opinion, when are affirmative action policies justified? When are they not justified?

Critical Thinking

- Compare and Contrast** Copy the graphic organizer below and use it to compare three major federal civil rights laws and their effects. How were the laws similar and different?

1.	→	
2.	→	
3.	→	

FOCUS ON WRITING



- Descriptive** Write two short paragraphs: one describing what society and discrimination laws were like before the civil rights movement, and one describing what they are like after the civil rights movement. Use the images in this section to add descriptive details to your paragraphs.

Affirmative Action

Should the government promote affirmative action to help address the effects of past discrimination?

THE ISSUE

Since 1965 federal law has required many public institutions and private companies to institute affirmative action policies to provide more opportunities for members of historically underrepresented groups, such as racial minorities and women. Affirmative action policies vary widely, employing methods such as recruitment, quotas, and proportional representation. However, these policies have been controversial, drawing both praise and criticism. Although the Supreme Court has ruled on a number of affirmative action cases, it has overturned about as many policies as it has upheld.



Students at the University of Michigan debate affirmative action in the university's admissions policies.

VIEWPOINTS

Government should promote affirmative action policies.

Affirmative action was created to provide people with greater opportunity. Minority applicants are not selected solely on the basis of race. Affirmative action is not about choosing less-qualified applicants, but about giving all applicants a fair chance to succeed. President Lyndon B. Johnson once said, "You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, 'you are free to compete with all the others,' and still justly believe that you have been completely fair." Overall, white males remain at the top of the power structure and represent the majority in positions of power and in economic status. Accusations of reverse discrimination are unfounded.

Affirmative action is unfair, and government should not promote it.

Is a diverse workforce more important than a qualified workforce? By requiring private companies and state and local governments to follow affirmative action policies, the federal government is saying that a diverse workforce is more important. Employment or admissions decisions should be based solely on merit, not on race or gender. Giving minority or female applicants any kind of preferential treatment is a form of reverse discrimination. All applicants should be given equal consideration based on their individual merits and qualifications. Failure to do so results in exclusionary practices and goes against the very principles on which affirmative action supporters claim to stand.

What Is Your Opinion?



1. Is racial preference in employment or admissions practices equitable? Why or why not?
2. What are some ideas about how certain affirmative action programs could be revised?



SECTION
4

Citizenship and Immigration

BEFORE YOU READ

Main Idea

Being a U.S. citizen includes certain rights and responsibilities. The federal government regulates citizenship through its immigration and naturalization policies.

Reading Focus

1. In what ways do people receive U.S. citizenship, and what civic responsibilities do citizens have?
2. What immigration policies has the federal government adopted in its history?
3. How has the federal government responded to the challenge of illegal immigration?

Key Terms

jus soli
jus sanguinis
naturalization
denaturalization
expatriation
undocumented alien
deportation



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TAKING NOTES

Use the graphic organizer online to take notes on American citizenship and immigration issues.

WHY IT MATTERS

U.S. Citizenship Many Americans think only now and then about their citizenship—what it means, what rights and responsibilities it involves, and why it is so important. But for hundreds of thousands of immigrants who come to this country each year hoping to become Americans, citizenship is a vital matter.

Citizenship is the key to full membership in the American constitutional system. Only citizens, for example, have the right to vote and run for office. In addition, American citizens have duties and responsibilities. For example, they must obey the law, pay taxes, and be loyal to the government and its principles.

The Most Important Office

Immigrants are sworn in as U.S. citizens during a ceremony in California.



Our government draws its power from its citizens and works to protect their rights. That is why Supreme Court Justice Louis Brandeis called citizenship “the most important office” and added that “the only title in our democracy superior to that of President is the title of citizen.”

Some people who were born in the United States or have been citizens for a long time might take these rights and responsibilities for granted. But many newcomers are keenly aware of the meaning and importance of citizenship. As one new U.S. citizen said, “To be an American to me means to be free in my thinking, in my religious beliefs, and to be who I am.” It is a freedom and a responsibility that all Americans share. ■

U.S. Citizenship

To fully participate in American democracy requires citizenship. Citizenship allows a person to participate in the political process at the national level, and at the state and local levels, too. That is because each U.S. citizen is also a citizen of the state and locality in which he or she lives. There are several ways to become a citizen.

Citizenship by Birth The vast majority of Americans become citizens by birth. People can become citizens by birth in two ways: by being born in the United States or a U.S. territory, or by being born on foreign soil to parents who are U.S. citizens.

Most people born in the United States or a U.S. territory automatically become U.S. citizens.

This principle of citizenship by birthplace is known as **jus soli** (YOOS SOH-lee), a Latin phrase that means “law of the soil.” The Fourteenth Amendment affirms the principle of jus soli by stating that “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.” The main exception to jus soli is people who are born in the United States but are not subject to U.S. control, such as the children of foreign diplomats.

The second way to become a citizen by birth is to be born on foreign soil to parents who are U.S. citizens. This principle of citizenship by parentage is known as **jus sanguinis** (YOOS SANG-gwuh-nuhs), a Latin phrase meaning “law of the blood.” However, there are many restrictions and rules on gaining citizenship in this way. Congress, applying its constitutional authority over the matter of citizenship, has spelled out these rules in the Immigration and Nationality Act.

Citizenship by Naturalization Another way to gain citizenship is by **naturalization**, the legal process by which an immigrant becomes a citizen. In general, naturalized citizens enjoy the same rights and privileges as native-born citizens. One major exception to this rule is that naturalized citizens cannot become president or vice president of the United States. Under the Constitution, those offices are reserved for “natural born” citizens only.

Naturalization typically begins after someone enters the country legally and meets certain requirements, including

- a period of continuous lawful residence and physical presence in the United States
- the ability to read, write, and speak English
- good moral character
- a belief in the principles of the U.S. Constitution
- a favorable disposition toward the United States

After meeting these and some other basic requirements, an applicant for citizenship must pass a citizenship exam administered by the government and take an oath of allegiance to the United States.

The U.S. government may also grant citizenship to an entire group of people through collective naturalization. For example, the Fourteenth Amendment granted immediate citizenship to all African Americans. Collective naturalization has also been used when the United States gained new territories, such as the Louisiana Purchase, Texas, Hawaii, and Puerto Rico.

Losing Citizenship The loss of citizenship is rare, but some Americans do choose to give up their citizenship voluntarily. Only the federal government can take someone’s citizenship away involuntarily, however. The Supreme Court has ruled that in most situations, the government cannot take someone’s citizenship away because it would be cruel and unusual punishment. For example, people who illegally avoid military service or desert the military in wartime cannot lose their citizenship as a result.

There are several main ways that a person can lose his or her citizenship. First, a court can take citizenship away from someone who became a citizen through fraud. For example, if someone lies or provides false information during the naturalization process, he or she can lose citizenship through a process called **denaturalization**. Second, someone can lose citizenship by committing serious crimes against the U.S. government, such as treason. Third, citizenship can be lost if someone swears an oath of loyalty to, or serves in a high-level position in, another country’s government or military. Fourth, one can voluntarily give up citizenship. The legal process of giving up one’s citizenship is called **expatriation**. It usually happens if someone chooses to live in and vote in another country and to be a part of another country’s government.

Responsible Citizenship As you know, with citizenship comes rights. Ensuring rights for everyone, however, requires that all citizens live responsibly. Responsible citizenship involves living up to certain characteristics and fulfilling certain duties.

Responsible citizens exhibit certain characteristics. Those characteristics include trustworthiness and honesty, as well as courtesy, and respect for the rights of others.



Review the list of criteria for naturalization today. Are there other or different criteria you think Congress should adopt? Explain.

Additional characteristics of responsible citizens are: accountability, financial responsibility, self-reliance, respect for the law, and patriotism. A responsible citizen can exhibit any number of other characteristics, as well, but they will also exhibit, or at least strive to exhibit, each of those characteristics just mentioned. By living up to these characteristics, responsible citizens help ensure that society works well for everyone.

Responsible citizens are also bound by certain duties. Like all duties, the duties of responsible citizenship require action and effort. They may even require personal sacrifice to fulfill, but they are essential to maintaining the vitality of our democracy. Among the duties of responsible citizenship are: obeying the law, paying taxes, serving on juries, registering to vote, and voting. Other duties of responsible citizenship include: performing public service, keeping informed of current events, respecting the opinions of others, and practicing personal and fiscal responsibility.

Civic Identity A commitment to responsible citizenship is one of the features that unites Americans under a common civic identity. A devotion to key ideas such as patriotism, equality, popular sovereignty, and equal justice under the law are also part of our civic identity. Other shared civic values include support for individual rights and freedoms, and belief in limited and representative government.

READING CHECK Identifying Supporting

Details What are the two main ways of achieving citizenship in the United States?

Immigration Policies

Throughout our history, many people from other countries have come here to live and become citizens. This long history of immigration has had a huge influence on American society and culture. The United States is often described as “a nation of immigrants.” Early in our history, there were few barriers to immigration, and it was generally encouraged. Over time, however, the government began to restrict immigration and to create national immigration policies.

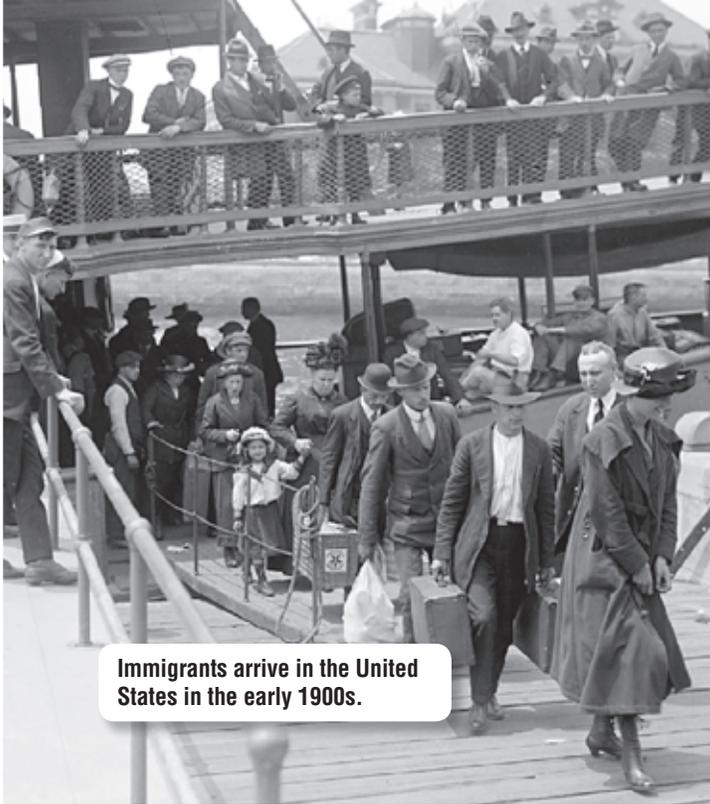
Encouraging Immigration The federal government has the power to regulate immigration and to set immigration policies. This power is an inherent power that comes from a country’s right to control and protect its borders.

Despite this power, Congress did little to regulate immigration during the first 100 years of the country’s history. With abundant land and resources, immigration was generally encouraged. For example, the U.S.-Mexico border was quite open throughout the 1800s, and many workers and families moved back and forth across the border with little concern about whether or not they had the necessary papers. So many immigrants arrived in our early history that by 1870 about one in seven Americans had been born outside the country.

By the late 1800s however, the country’s population had grown dramatically. With less land available for settlers, tensions between some immigrants and native-born Americans increased. In addition, the major sources of immigration changed. Previously, most immigrants had come from northern and western Europe. By the late 1800s, most immigrants came from southern and eastern Europe. Differences in traditions between these new immigrants, mainly Catholics and Jews, and the country’s native-born population contributed to rising tensions.

Restricting Immigration In 1875 Congress enacted the first major restriction on immigration when it barred entry to criminals. Then, in 1882 Congress passed the Chinese Exclusion Act, effectively ending immigration from China for 10 years.

In the 1920s new laws began to restrict immigration even further. The Quota Law of 1921 and National Origins Quota Act of 1924 restricted immigration by country and established a total number of immigrants allowed into the United States annually—165,000. Each European country was given an exact number of immigrants that could be admitted. The quotas were based on the national origin of the U.S. population in 1890. The largest group of residents at that time had ancestors from northern and western Europe, so Congress allowed more immigration from those regions.



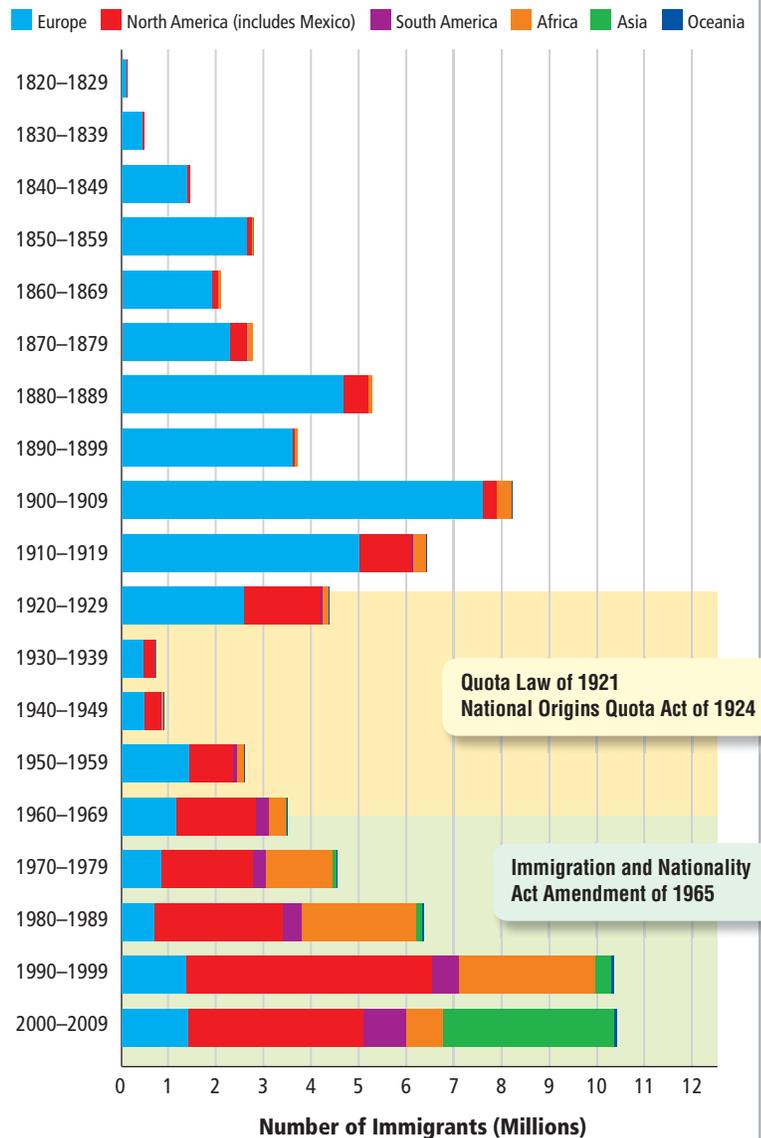
Immigrants arrive in the United States in the early 1900s.

The new laws also effectively banned immigration from Asia and Africa and placed heavy restrictions on immigration from Latin America. The result of these new restrictions was a major drop in immigration, because the countries in Europe with the highest quotas did not have enough people who wanted to emigrate to the United States.

The national quota system that was developed in the 1920s remained in place until Congress passed the Immigration and Nationality Act Amendment of 1965. This law, inspired in part by the civil rights movement, did away with the country-based quota system that had favored immigration from Europe over that from non-European countries. Instead, the new law allowed 290,000 total immigrants annually without regard to national origin, with 120,000 from the Western Hemisphere and 170,000 from the Eastern Hemisphere. The law gave special preference to people with certain job skills and the relatives of U.S. citizens and legal residents.

The 1965 law led to a dramatic increase in immigration. In addition, the national origin of the majority of immigrants changed, as more immigrants arrived from Asia and Latin America. In 1990 the law was updated, and the total number of immigrants allowed was increased to about 675,000 annually.

LEGAL IMMIGRATION TO THE UNITED STATES, 1820–2009



Source: U.S. Department of Homeland Security

Skills FOCUS

INTERPRETING GRAPHS

How did immigration laws in the 1920s and 1960s change the source and number of legal immigrants to the United States?

Political Asylum and Refugees The federal government has separate immigration policies for refugees and people seeking political asylum, many of whom come fleeing wars or political persecution in their home country. The United States accepts far more refugees than any other country in the world. It accepted more than 50,000 in 2005.

READING CHECK Sequencing How has immigration policy in the United States changed over time?

Illegal Immigration

In addition to legal immigration, many people enter the United States illegally each year. Illegal immigration has been one of the most difficult challenges facing the country. Despite attempts to solve the problem, undocumented immigrants continue to enter the country in large numbers.

The Situation Today An unauthorized immigrant, or **undocumented alien**, is someone living in a country without authorization from the government. No one knows exactly how many undocumented aliens there are in the United States, but in 2007 the number was estimated to be about 12 million. If caught, undocumented aliens are subject to **deportation**—the legal process of forcing a noncitizen to leave a country.

The majority of undocumented aliens are from Mexico and Latin America. Most come to work in low-paying jobs because these jobs pay more than many jobs in their home

countries. Some undocumented aliens travel back home after working here for a few months at a time or send part of their earnings back to relatives in their home countries. Others try to stay permanently.

About half of all unauthorized immigrants enter the United States by crossing the U.S.-Mexico border. Most of the rest enter legally, such as with tourist or student visas but then stay after their visas have expired. Once they are here, undocumented aliens work in such industries as agriculture, construction, and domestic services. Although the federal government makes efforts to apprehend and deport these immigrants, it has been unable to keep track of most of them.

The Debate over Illegal Immigration

The large number of undocumented aliens in the United States is a concern to many citizens. Some people are concerned that undocumented aliens take jobs away from U.S. citizens and are a drain on government services like schools and hospitals, especially in states such as California, Arizona, Texas, and Florida, where the number of undocumented aliens is high. Others state that it is simply wrong for people to enter this country illegally with the intention of staying permanently.

On the other hand, undocumented aliens and their supporters argue that most are hardworking people who are trying to build a better life for themselves and their families. They resent that undocumented aliens are sometimes viewed as criminals. In addition, they say that undocumented workers contribute to the U.S. economy by paying taxes, buying American goods and services, and filling low-paying jobs that most Americans choose not to do.

Illegal Immigration Policies In the early 1900s, the United States began efforts to patrol the nation's borders with an eye toward preventing illegal immigration. This effort eventually led to the creation of the Border Patrol in the 1920s.

In 1954 the Border Patrol took part in a large-scale effort to identify illegal immigrants from Mexico and deport them. The operation resulted in an estimated 1 million undocumented aliens being

Views on Illegal Immigration

Americans have many different views on how to solve the problem of illegal immigration. Some support increased border security, tougher penalties for employers that hire undocumented aliens, or improved law enforcement. Others support a path to citizenship for undocumented aliens who have been living and working in the country for years. In 2006, as Congress was debating the issue of immigration reform, hundreds of thousands of people marched in cities such as Los Angeles (below) in support of undocumented aliens. *Why do you think the issue of illegal immigration has been so difficult for the government to solve?*



removed to Mexico. However, the operation also drew many complaints of discrimination against Mexican Americans who were also deported, and it was soon ended.

As illegal immigration continued to rise in later years, the federal government adopted new policies. In 1986 Congress passed the Immigration Reform and Control Act. This law gave undocumented aliens a one-time amnesty, or general pardon from the government for people who have broken the law. The law also gave undocumented aliens a path to citizenship. An estimated 2.7 million people used this law to become citizens. Another major provision of the law made it illegal for employers to hire undocumented workers, in the hope that reducing job opportunities would decrease illegal immigration. These employer sanctions were rarely enforced, however.

Despite the 1986 law, illegal immigration continued to increase. The federal government responded with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This law increased the size of the Border Patrol, made it easier to deport undocumented aliens, and increased the penalties for smuggling people into the country.

The terrorist attacks of September 11, 2001, led to renewed demands for improved border security. Three of the hijackers had expired visas and were here illegally at the time of the attacks, and two others could have been denied admission to the country based on immigration laws. In yet another attempt to control the nation's borders, the Border Patrol was increased and began to conduct more patrols and deportations. Border security measures, such as fencing and barriers, also increased, especially in large border cities like San Diego and El Paso. In 2006 President George W. Bush ordered more than 6,000 National Guard troops to assist the Border Patrol.

Still, illegal immigration has continued, and despite prodding by the Bush administration, Congress has been unable to pass comprehensive immigration reform. Members of both parties are divided over issues such as whether to allow undocumented aliens to legalize their status or whether to create a guest worker program, as well as how to secure the borders.

READING CHECK Summarizing What policies has the federal government created to deal with illegal immigration?

ACADEMIC VOCABULARY
comprehensive
covering completely or broadly

SECTION

4

ASSESSMENT

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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Define the following terms: *jus soli*, *jus sanguinis*, *naturalization*, *denaturalization*, *expatriation*.

b. Explain What duties and responsibilities do citizens have, and why are they important?

c. Evaluate What do you think about the Supreme Court's rulings that, in most cases, taking someone's citizenship away would be cruel and unusual punishment?
- a. Recall** When did the United States first make laws restricting immigration?

b. Analyze How did the Immigration Act of 1965 change the nation's immigration policies and society?

c. Evaluate How do you think national immigration policies affect local communities and states?
- a. Describe** What are some of the basic issues concerning illegal immigration today?

- b. Rate** What policies toward illegal immigration has the U.S. government created, and why do you think these policies have failed to stop illegal immigration?

Critical Thinking

- Analyze** Copy the chart below and use it to list three key facts about both citizenship and immigration. Then explain how each fact affects people in the United States.

Citizenship	Immigration

FOCUS ON WRITING

- Expository** The United States is becoming an increasingly diverse society. How might these changes affect our representative democracy? Write a short paper stating your opinion.



We the People

THE CITIZEN & THE CONSTITUTION

Civic Participation

Our system of government depends on the active participation of citizens. Citizens, after all, have the ultimate power and responsibility to govern. This lesson outlines the importance of civic participation in our constitutional democracy.

Why should Americans participate in the civic life of the country? America's constitutional democracy has often been called an experiment in self-government. Sovereignty resides with the people. How the people use their power directly affects the society in which they live and the vibrancy of their civic institutions. The people also determine which problems they can solve for themselves and which problems require governmental responses.

Participation in civic life does more than address problems. Participation helps individuals become

attached to their communities, regions, states, and the country as a whole. Such attachment is necessary for Americans to develop pride in their communities and country and to understand that they share a common destiny. For many people, civic engagement includes recommitting to the ideals they have set for themselves and understanding how those ideals relate to the fundamental principles of American constitutional democracy.

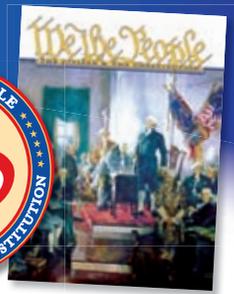
Those who participate actively in civic life are more likely to vote. They also are more likely to become well-informed voters.

Voting



Contributing Community Service





How is civic participation connected to self-interest? Many Americans engage in civic activities and vote because they realize it is in their self-interest to do so. Business people, for example, serve on local boards and commissions or run for county commission or city council because they know that healthy communities are good for business. Parents volunteer their time to create and maintain parks because they want safe places for their children to play. Homeowners join neighborhood associations because they care about the value of their property.

Civic engagement has other personal benefits, including:

- acquiring skills, such as organizing groups, speaking and debating in public, and writing letters
- becoming more self-confident
- learning how to affect decisions
- building a reputation as an important member of the community
- making new friends
- developing important contacts

Volunteering with Senior Citizens



Self-interest is not necessarily a narrow concept. French noble and historian Alexis de Tocqueville (1805–1859) observed that Americans often demonstrate “enlightened” self-interest as well as narrow self-interest. Many Americans sacrifice time, money, and effort to strengthen their communities and their country because they realize that the good of the whole benefits them as individuals.

How is civic participation related to advancing the common good? Working with others in civic activities frequently makes people aware of other perspectives and leads to a concern for the common good. Commitment to the common good is a central feature of classical republicanism. Concern for the common good requires individuals to see themselves as part of a larger whole and to modify their behavior to serve the needs of the whole.

Civic participation is one of the ways Americans strengthen the network of interdependence and contribute to the common good. Sometimes acting on behalf of the common good simply requires providing opportunities for others to have a voice in their community. At other times acting on behalf of the common good requires a more significant action, such as voting to increase taxes even though one receives no direct personal benefit from the increase.

Reviewing Ideas

- 1. Describe** How can civic participation help develop life skills?
- 2. Explain** What is the difference between narrow self-interest and enlightened self-interest?

Critical Thinking

- 3. Develop** Imagine that you were asked to speak to a group of citizens about the importance of civic participation. Write a short paragraph outlining three main reasons why citizens should participate in the civic life of their communities.

Connecting Online

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Go online for review and enrichment activities related to this chapter.



Quiz and Review

GOV 101

Examine key concepts in this chapter.

ONLINE QUIZZES

Take a practice quiz for each section in this chapter.

Activities

eActivities

Complete Webquests and Internet research activities.

INTERACTIVE FEATURES

Explore interactive versions of maps and charts.

KEEP IT CURRENT

Link to current events in U.S. government.

Partners

American Bar Association
Division for Public Education

Learn more about the law, your rights and responsibilities.

Center for Civic Education

Promoting an enlightened and responsible citizenry committed to democratic principles and actively engaged in the practice of democracy.

 Online Textbook

ONLINE SIMULATIONS

Learn about U.S. government through simulations you can complete online.



Read more about key topics online. at hmhsocialstudies.com

Comprehension and Critical Thinking

SECTION 1 (pp. 320–324)

1. **a. Review Key Terms** For each term, write a sentence that explains its significance or meaning: discrimination, prejudice, racism.
- b. Compare and Contrast** How has the ideal of civil rights compared to the reality of civil rights in United States history?
- c. Evaluate** What factors do you think explain why only certain groups have endured widespread discrimination in U.S. history?

SECTION 2 (pp. 325–332)

2. **a. Review Key Terms** For each term, write a sentence that explains its significance or meaning: equal protection clause, suspect classification, de jure segregation, de facto segregation.
- b. Summarize** What major civil rights laws were passed during Reconstruction, and what effects did they have?
- c. Evaluate** In your view, what was the most significant aspect of the Court's ruling in the *Brown* decision?

SECTION 3 (pp. 334–340)

3. **a. Review Key Terms** For each term, write a sentence that explains its significance or meaning: civil rights movement, civil disobedience, affirmative action, reverse discrimination.
- b. Analyze** How might the Civil Rights Act of 1964 be viewed as a crowning achievement of the civil rights movement?
- c. Elaborate** How do you think supporters of affirmative action would justify reverse discrimination?

SECTION 4 (pp. 342–347)

4. **a. Review Key Terms** For each term, write a sentence that explains its significance or meaning: jus soli, jus sanguinis, naturalization, undocumented alien, deportation.
- b. Explain** What factors caused the United States to begin to change its immigration policies in the late 1800s?
- c. Elaborate** What are three factors that make illegal immigration such a difficult issue to solve?

Critical Reading

Read the passage in Section 2 that begins with the heading “The Equal Protection Clause.” Then answer the questions that follow.

5. Why was the equal protection clause targeted at the states?
 - A States were not upholding rights guaranteed by the Bill of Rights.
 - B States refused to recognize the equal status of women.
 - C States were discriminating against newly freed slaves.
 - D States applied the strict scrutiny test to all claims of discrimination.

6. Why has the equal protection clause been a vital tool in the fight for civil rights?

A because the Supreme Court has interpreted it to require the fair treatment of all groups

B because it was so effective at protecting the civil rights of newly freed slaves

C because it requires that people be equal in all respects

D because it helped overturn the Fourteenth Amendment

RESPONSIBILITIES OF LEADERSHIP



7. One of the most basic civil rights, and a duty of citizenship, is **voting**. Find out what steps you would need to take to register to vote in your community, including the location of your polling place. Then gather information about the next election. What issues or candidates will be on the ballot? Share the information you gather with the class.

8. Identify and research a **civil rights issue** discussed in this chapter—for example, illegal discrimination. Locate and analyze primary and secondary sources that support an argument on this issue. Evaluate these sources and use them to construct and support your own persuasive argument on the issue.

CONNECTING TO THE CONSTITUTION

9. Take the activity above a step further. Students in your school may be eligible to register to vote. As a service learning project, work with your school to organize a voter registration drive. Contact your local chapter of the League of Women Voters for help in organizing and publicizing the event. Reflect upon the experience by writing an article for your school or local newspaper on the outcome of the drive. What constitutional principles does a voter registration drive endorse?

10. Pericles was an Athenian statesman who helped develop democracy in ancient Greece. Pericles once said “We . . . do not call a man who takes no part in public life quiet or unambitious; we call such a man useless.” Do you agree or disagree with this statement? Write a short letter to Pericles explaining why you agree or disagree.

ANALYZING PRIMARY SOURCES



Photograph This photograph was taken in 1968 in Memphis, Tennessee. In the photo, striking sanitation workers are blocked from a demonstration route by members of the National Guard.



11. **Analyzing** Why do you think the protesters are wearing signs that say “I Am a Man”?

12. **Drawing Conclusions** What about this photograph symbolizes the struggle for civil rights?

FOCUS ON WRITING



Expository Writing *Expository writing gives information, explains why or how, or defines a process. To practice expository writing, complete the assignment below.*

Writing Topic: Civil Rights and the Law

13. **Assignment** Based on what you have read in this chapter, write a paragraph that explains how the struggle for civil rights in U.S. history has been tied to the law and to attempts to change the law.