**Identify the following terms:**

poll tax

literacy test

grandfather clause

segregation

affirmative action

Jim Crow laws

13th Amendment

14th Amendment

15th Amendment

Plessy v. Ferguson

Brown v. Board of Education

Regents of the University of California v. Bakke

Amendment (to the Constitution)

Judicial Review

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

The Declaration of Independence

The U.S. Constitution has been “changed” several times in the history of the United States. There are basically two ways in which this change occurs – **amendments** and **judicial review.**

**Amendments** – add to the actual words of the Constitution. Often this is done to add rights for people.

* The first 9 amendments spell out basic rights of citizens – speech, assembly, the press, religion, etc.
* The 10th and 11th Amendments preserve rights for the individual states.
* The 13th 14th and 15th Amendments extend rights to former slaves (including voting rights for the men)
* The 19th Amendment extends voting rights to women.
* The 24th Amendment abolishes poll taxes, protecting voting rights for the poor.
* The 26th Amendment extends voting rights to citizens beginning at age 18.

Amendments to the Constitution are very difficult to pass.

1. First, they must be introduced in Congress. Both the House of Representatives and the Senate must pass the proposed amendment with at least a 2/3 majority.
2. Next, the passed proposal goes immediately to the 50 states to consider. In order to become an official amendment, the proposal must be passed by 3/4 of the states.

**Judicial Review** – occurs when the Supreme Court decides a case based on the existing words of the constitution, officially deciding what they mean. Sometimes this can limit rights though often it also extends or expands rights. Some examples include:

* Plessy v. Ferguson (1896) – Plessy argued that his rights under the 13th and 14th amendments were being denied, but the Court disagreed. Had had not been denied transportation on a train because of his race, but simply turned away from a section set aside for white passengers. The Court ruled that you could legally separate races as long as the different facilities were equal (“separate but equal”)
* Brown v. Board of Education (1954) – Almost 60 years later, Oliver Brown – speaking for himself and several other parents – argued that their children were being denied equal protection that was supposed to be guaranteed to them under - again - the 14th Amendment. This time, the court agreed, and argued that “separate was inherently unequal.”
* Regents of the University of California v. Bakke (1978) – In an effort to help make up for past injustice, certain colleges had begun to set up admissions policies that gave preference to minority students wanting to apply (a process known as “affirmative action”). In this case, the University of California Davis medical school had set aside 16 admission slots specifically for racial minorities. White applicant Allan Bakke argued that, even though his qualifications (grades, test scores, etc.) were considered good enough to be admitted, he had been denied admission because of the policy, and his 14th Amendment rights had been violated. The Court eventually ruled in his favor, ordering UC Davis to admit Bakke and declaring that race could not be a single factor in determining admission. It did, however, leave the door open for schools to include race as one of the considerations.