**Civil liberties in America**

1) Civil liberties are legal and constitutional protections against

 A) criminals.

 B) government.

 C) private enterprise.

 D) foreign invasions.

 E) tyranny.

2) The \_\_\_\_\_\_\_\_ is the final interpreter of the content and scope of Americans’ civil liberties.

 A) president

 B) Supreme Court

 C) American Civil Liberties Union

 D) Congress

 E) Constitution

3) The Bill of Rights was written and proposed by

 A) the United States Supreme Court in 1796.

 B) President George Washington in 1789.

 C) the Constitutional Convention in 1787.

 D) the First Congress of the United States in 1789.

 E) President Thomas Jefferson in 1801.

4) The Bill of Rights was adopted primarily in response to

 A) the Spanish Inquisition.

B) the abuses committed by the United States Continental Army during the Revolutionary War.

C) the horrors of the French Revolution.

D) British abuses of the colonists’ civil liberties.

E) Shays’ Rebellion.

5) The great freedoms of speech, press, religion, and assembly are contained in the

 A) First, Second, Third, and Fourth Amendments.

 B) Third Amendment.

 C) First Amendment.

 D) Fourth Amendment.

 E) Second Amendment.

6) The language of the First Amendment, “Congress shall make no law,” suggests that

 A) the Bill of Rights was written to restrict the powers of the national government.

 B) the Bill of Rights was written to restrict the powers of the state governments.

 C) the Bill of Rights, as written, did not apply to the state governments.

 D) A and C

 E) A and B

7) In the case of \_\_\_\_\_\_\_\_, the Supreme Court ruled that the Bill of Rights restrained only the national government, not states and cities.

 A) *Barron v. Baltimore*

B) *Engel v. Vitale*

C) *Gitlow v. New York*

D) *Miranda v. Arizona*

E) *New York v. the United States*

9) Beginning with the case of \_\_\_\_\_\_\_\_ in 1925, the Supreme Court began to rule that the Bill of Rights applied directly to the states, as well as to the national government.

 A) *Barron v. Baltimore*

B) *Gitlow v. New York*

C) *Miranda v. Arizona*

D) *Engel v. Vitale*

E) *United States v. Bill of Rights*

10) In *Gitlow v. New York* (1925), the Court ruled that freedoms of speech and press were liberties protected by the \_\_\_\_\_\_\_\_ clause of the Fourteenth Amendment.

 A) commerce

 B) interstate commerce

 C) due process

 D) necessary and proper

 E) free press

11) The incorporation doctrine involves

 A) the government’s power to regulate corporations.

 B) the interpretation of the commerce clause.

 C) the extension of judicial review to state courts.

 D) the procedures for creating a city government.

 E) application of the Bill of Rights to the states.

13) The abridgement of citizen’s freedom to worship, or not to worship, as they please is prohibited by the

 A) establishment clause.

 B) Second Amendment.

 C) due process clause.

 D) freedom of religion.

 E) free exercise clause.

15) Aid to parochial schools was first passed in the 1960s at the request of

 A) Richard M. Nixon.

 B) John F. Kennedy.

 C) Lyndon Johnson.

 D) Jimmy Carter.

 E) Barry Goldwater.

17) In the *Lemon v. Kurtzman* decision of 1971, the Supreme Court ruled that

A) any aid of any sort to church-related schools is not constitutional, because it violates church-state separation.

B) devotional Bible-reading in public schools was unconstitutional.

C) spoken prayers in public schools were unconstitutional.

D) aid to church-related schools must be for secular purposes only, and cannot be used to advance or inhibit religion.

E) aid to church-related schools is fully constitutional, and can be used for any purposes needed by the schools.

21) In dealing with First Amendment cases involving religion, the Supreme Court has ruled that

A) while all religious beliefs are constitutionally protected, all religious practices are not.

B) the Constitution does not protect antireligious beliefs and practices.

C) such questions should be resolved at the state and local levels of government.

D) government must not interfere with any expression of religious faith.

E) None of the above.

22) In the *Engel v. Vitale* case of 1962, the Supreme Court ruled that was (were) unconstitutional.

 A) prayers done as classroom exercises in public schools

 B) police search or seizure without an authorized warrant

 C) prior restraint

 D) segregation

 E) the Connecticut statute barring the distribution of birth control information

23) Which of the following is TRUE?

A) The Supreme Court has prohibited prayer and recitation of Bible verses in public schools when done as part of classroom exercises.

B) The Supreme Court has prohibited the posting of the Ten Commandments on the walls of public classrooms.

C) The Supreme Court has declared that it is unconstitutional to pray in public schools.

D) All of the above

E) A and B

24) During the 1980s, the Supreme Court the displaying of Christmas nativity scenes and Hanukkah menorahs on public property.

A) upheld the constitutionality of

B) encouraged

C) first permitted and then prohibited

D) declared unconstitutional

E) refused to hear cases challenging

25. In free exercise case, the Supreme Court

 A. prohibits the government form interfering with religious practices

 B. prohibits prayer in public schools but permits government aid to religious schools

C. Allows the government to interfere with religious practices as long as it is not specifically aimed at religion.

D. permits the government to interfere with religious practices

E. never allows the government to interfere with religious practices

26. The Supreme Court ruled that freedom of religion practice was more important than the right of the government to interfere in deciding in favor of

A. the Louisiana law requiring schools that taught Darwinism theory to teach the Bible’s version of creation as well.

B. the right of Amish parents in Wisconsin to take their children out of public school after the eighth grade.

C. Christian Scientists’ religious opposition to scientific medical treatment for themselves or their children.

D. a Mormon who justified polygamy on religious grounds

E. the right of an orthodox Jewish Air Force captain to wear his yarmulke despite the strict military dress code.

27. Which of the following statements is TRUE?

A. Most Americans believe that religious extremists should not be permitted to hold meetings.

B. Most Americans believe that religious extremists should be permitted to hold meetings.

C. Americans are more likely than citizens of other nations with developed economies- such as Israel, Canada, Sweden, France, Germany, Japan- to believe that religious extremists should be permitted to hold meetings.

D. Both A and B

E. Both B and C

28. In what case did the Supreme Court rule that a newspaper, no matter how outrageous its opinions, must be allowed to publish without prior restraint?

 A. *New York Times v. Sullivan*

 B. *Mapp v. Ohio*

 C. *Miranda v. Arizona*

 D. *Near v. Minnesota*

 E. *Wisconsin v. Yoder*

29. In its *Near v. Minnesota* decision of 1931, the Supreme Court ruled that

A. the state government could not use prior restraint to shut down an outspoken newspaper.

B. a school newspaper was not a public forum and could be regulated “ in any reasonable manner” by school officials.

C. a CIA agent could not publish a personal memoir without clearing it through the agency.

D. states were prohibited from publishing newspapers because that amounted to government censorship of the press and constituted the establishment of a government monopoly.

E. states had the power to use prior restraint broadly, but the national government did not.

30. Which of the following elements of the Bill of Rights was extended to the states by the Supreme Court case of *Near v. Minnesota*?

 A. Freedom of the press

 B. Right to counsel in felony cases

 C. Grand jury requirement

 D. Right to privacy

 E. Freedom of speech

31. In the case of *Dennis v. United States*, the Supreme Court

A. overturned the convictions of Communist Party officials who had been sent to prison because of their beliefs.

B. upheld the federal law banning the Nazi party in the United States and prohibiting its activities.

C. upheld the convictions of Communist Party officials who has been sent to prison because of their beliefs.

D. ruled that burning a draft card was not covered under freee speech.

E. overturned the federal law against burning or desecrating the American flag, arguing that it violated free speech.

32. A shield law

 A. prevents reporters from disclosing secret government information.

 B. gives reporters the right to withhold information from the courts.

 C. projects certain religious practices not covered by Supreme Court rulings

 D. gives judges that right to issue a gag order

 E. prevents the courts from closing criminal trails to the press

35. In *Roth v. United States*, the Supreme Court held that

A. the government cannot prohibit discrimination against women priests by churches because it would violate the free exercise of religion.

B. the film *Carnal Knowledge,* which had a critical acclaim but a sexual theme and explicit themes, could not be banned.

C. obscenity is not within the area of constitutionally protected free speech.

D. the possession of child pornography was not covered by any right of free speech or press, and could be made a crime.

E. outdoor drive-ins could not be barred from showing a film that included nudity.

37. In \_\_\_\_\_\_\_\_\_\_, the Court clarified its doctrine of what was obscene, including such gauges as whether material appealed to merely a prurient interest in sex, and whether it lacked serious artistic, literary, political, or scientific merit.

 A) Osborne v. Ohio

 B) Near v. Minnesota

 C) Engel v. Vitale

 D) Miller v. California

 E) Federal Communications v Stern

38. Miller v. California (1973)

 A) achieved a workable definition of legal obscenity

 B) resulted in uniform state laws regulating obscenity

 C) abolished pornographic material only when it involved children

 D) stated that local communities should have more responsibility over deciding what constitutes

obscenity

 E) prohibited hanging as a cruel and unusual punishment

39. At the urging of feminists and conservative Christians, some cities have banned pornography on the grounds it dehumanizes and endangers women. How have the courts dealt with these bans?

 A) They have refused to review them.

 B) They have upheld them based on the Federal Protection Clause of the Fourteenth Amendment.

 C) The courts have been erratic, allowing some ordinances and revoking others.

 D) They have upheld them based on the First Amendment.

 E) They have struck them down as violations of the First Amendment.

40) In the case of New York Times v. Sullivan (1964), the Supreme Court ruled that,

 A) statements made about political figures, however malicious, can never be deemed libelous.

 B) the Pentagon papers could be legally published despite the government’s desire to keep the

disregarded for the truth.

 C) statements made about political figures are libelous only if made with malice and reckless

disregard for the truth.

 D) government officials cannot sue newspapers for libel since this would entail prior restraint of

the press.

 E) the publication of the Pentagon papers could be legally barred as a matter of national security.

41. The publication of statements known to be false that are malicious and tend to damage a person’s reputation is called

 A) Symbolic speech.

 B) obscenity.

 C) fraud.

 D) slander.

 E) libel.

42) The principle that statements about public figures are libelous only if made with maice and reckless disregard for the truth was established in

 A) Hustler Magazine v. Falwell.

 B) Texas v. Johnson.

 C) New York Times v. Sullivan.

 D) Osborne v. Ohio.

 E) the Anti-Defamation Act of 1952.

43) When Jacksonville, Florida asserted a ban on all films containing nudity, prohibiting them from being shown in drive-in theatres, the Court

 A) ruled that X-rated movies were protected under the First Amendment.

 B) asserted that nudity was always obscene and therefore upheld the ban.

 C) ruled that all nudity may not be deemed obscene and therefore overturned the ban.

 D) upheld the ban to help the community rid itself of a public nuisance and potential traffic

hazard.

 E) upheld the ban to protect citizens’ rights to privacy.

44) Advertising is considered a form of \_\_\_\_\_\_, and according to the decisions of the Supreme Court, is subject to greater restrictions on free speech than religious or political speech.

 A) propaganda

 B) commercial speech

 C) imaged expression

 D) paid speech

 E) symbolic speech

47) Obtaining evidence in a haphazard or random manner, in violation of the Fourteenth Amendment, is

 known as

 A) bounty hunting.

 B) cruel and unusual punishment.

 C) unreasonable search and seizure.

 D) a violation of privacy.

 E) an Ariel search.

48) In the case of \_\_\_\_\_\_\_, the Supreme Court ruled that the protection against unreasonable search

 and seizure applied to the state and local governments, as well as the national government, thus

 nationalizing the exclusionary rule.

 A) *Gideon v. Wainwright*

 B) *United States v. New York*

 C) *Roth v. United States*

 D) *Miranda v. Arizona*

 E) *Mapp v. Ohio*

49) The Fifth Amendment forbids

 A) cruel and unusual punishment.

 B) illegal searches and seizures.

 C) forced self-incrimination.

 D) the government establishment of a national religion.

 E) All of the above except D.

51) In the case of *Miranda v. Arizona*, the Supreme Court ruled that

 A) defendants In all felony cases have a right to counsel, even if the state has to provide such legal assistance.

 B) the death penalty could be imposed for the most extreme of crimes.

 C) the police must show probable cause before making an arrest.

 D) police must inform any suspect series of rights, including the constitutional right to remain silent.

 E) illegally obtained evidence cannot be used in a trial.

52) In what case did the Supreme Court rule that suspects must be told of their constitutional rights to

 remain silent, that what they say can be used against the, and of their right to have an attorney

 present during any questioning?

 A) *Near v. Minnesota*

 B) *Miranda v. Arizona*

 C) *Plucennik v. United States*

 D)*Gideon v. Wainwright*

 E) *Mapp v. Ohio*

53) The Supreme Court's 1991 ruling that a coerced confession introduced during a trial does not

 automatically taint a conviction if it is a “harmless error” is an example of the Court's recent

 willingness to make exceptions to the requirements of

 A) the exclusionary rule.

 B) habeas corpus.

 C) the right to privacy.

 D) *Miranda rights*

 E) cruel and unusual punishment.

56) In the 1963 case of \_\_\_\_\_\_\_\_\_, the Supreme Court ruled that defendants in all felony cases had a

 right to counsel, and if they could not afford to hire a lawyer, one must be provided.

 A) *Mapp v. Ohio*

 B) *Gideon v. Wainwright*

 C) *National Bar Association v. United States*

 D) *Engel v. Vitale*

 E) *Miranda v. Arizona*

57) In *Hamdam v. Rumsfeld* (2006) the Supreme Court ruled that

 A. Terrorists are not entitled to protection by the Bill of Rights.

 B. The procedures for trying prisoners at Guantanamo Bay, Cuba, were insufficient for ensuring

 a fair trial.

 C. the president has “inherent powers” to fight the war on terror as he sees fit. Therefore, the president can establish judicial procedures on his own.

 D. the Geneva Convention does not apply because the “enemy combatants” are not soldiers in a

 recognized army.

 E. All of the above.

58) Cruel and unusual punishment is forbidden by the

 A) Sixth Amendment.

 B) Fifth Amendment.

 C) exclusionary clause.

 D) self-incrimination clause.

 E) Eighth Amendment.

59) *Gregg v. Georgia* (1976) is significant in that it

 A) settled once and for all debate over whether the death penalty constitutes cruel and unusual punishment.

 B) marks the Supreme Court’s ruling that the death penalty is constitutional, even though it is an extreme sanction for the most extreme of crimes.

 C) was the first time the Court found a state’s death penalty practices (in this case, the state of Georgia) to be “freakish” and “random”.

 D) A and C
 E) B and C

60) Which of the following statements regarding the case *McClesky v. Kemp* (1987)

 is TRUE?

 A) The Court upheld the constitutionality of the death penalty.
 B) The Court ruled that without evidence that juries intended to discriminate on the basis of race, the unequal distribution of the death penalty did not violate the equal protection of the law.
 C) The Court ruled that the death penalty did not violate the Fourteenth Amendment simply because minority defendants were most likely to receive the death penalty than white defendants.
 D) All of the above
 E) None of the above

61) Which of the following statements regarding the death penalty is NOT true?

 A) The Courts have made it easier for prosecutors to exclude from juries jurors who oppose the death penalty.
 B) The Supreme Court has made it easier for death row prisoners to file petitions to delay and appeal their executions.

 C) Most Americans support the death penalty.
 D) The European Union prohibits the death penalty in member countries.
 E) There is evidence that racism plays a role in whites’ support of the death penalty

62) In *Griswold v. Connecticut* (1965), the Supreme Court
 A) ruled that various portions of the Bill of Rights cast “penumbras” protecting a right to privacy, including a right to family planning.
 B) overturned a Connecticut state law banning the use of contraceptives.
 C) held that abortion was a woman’s legal right.
 D) A and B
 E) B and C

63) In *Roe v. Wade*, the Supreme Court ruled that in the third trimester of pregnancy
 A) states can ban abortion except when the mother’s health is in danger.
 B) states cannot ban abortion.
 C) states cannot ban abortion unless the mother’s life is in danger.
 D) states are prohibited from funding the abortions of poor women.
 E) the federal government, but not the states, is prohibited from funding abortions for poor women.

65) Since it’s *Roe v. Wade* decision, the Supreme court has

 A) not moved an inch from its dramatic original ruling.
 B) reversed itself within the last few years, and has now overturned the *Roe* decision.
 C) generally moved to allow states more room to regulate abortions (e.g., waiting periods) than was true in *Roe.*

 D) greatly extended the right of a woman to make her own decision about terminating her pregnancy.
 E) been silent on the politically diverse issue of abortion.

66) In the 1992 case of *Planned Parenthood v. Casey*, the Supreme Court has ruled
that abortion
 A) Restrictions could only be imposed be states if they did not involve “undue burdens” on the women seeking abortions.
 B) must be funded by state governments when the mother cannot afford it, or it would be a violation of the equal protection clause.
 C) was a fundamental right, and any restrictions on such a right had to be judged by a “strict scrutiny”.
 D) could be completely outlawed by individual states
 E) funding by any level of government was unconstitutional

69) The right to bear arms is provided for in the \_\_\_\_ Amendment.

 A) first B)fifth C) third D) fourth E) second

70) Which amendment deals with grand juries, double jeapordy, self- incrimination,

due process, and eminent domain?

1. First B) fourth C) second D) third E) fifth

71) The Sixth Amendment deals with \_\_\_\_\_; the Seventh with \_\_\_\_\_.

 A) bails, fines, and punishment; rights retained by the people.
 B) right to bear arms; quartering of soldiers
 C) criminal court procedures; trial by jury
 D) criminal court procedures; rights reserved for the states
 E) searches and seizures; trial by jury

72) The part of the Fourteenth Amendment guaranteeing that persons cannot be deprived of life, liberty, or property by the United States or state governments without due process of law is called the

 A) necessary and proper clause

 B) interstate commerce clause

 C) eminent domain clause

 D) elastic clause

 E) due process clause

74) The part of the First Amendment stating that “Congress shall make no law respecting an establishment of religion” is known as the

 A) free exercise clause

 B) lemon test

 C) due process clause

 D) establishment clause

 E) elastic clause

75) The Supreme Court upheld a program that provided some families in Cleveland, Ohio, vouchers that could be used to pay tuition at religious schools in

 A) *Engel v. Vitale*

 B) *Gitlow v. New York*

 C) *Zelman v. Simmon-Harris*

 D) *Griswold v. Connecticut*

 E) *Lemon v. Kurtzman*

76) The 1984 Equal Access Act

 A) allows prayer in school

 B) makes it unlawful for public high schools receiving federal funding to keep students

 from using school facilities for religious worship if the school opens its facilities for other student meetings

 C) prohibits prayer in schools

 D) makes it unlawful for public high schools receiving federal funding to permit students to use

 school facilities for religious worship

 E) both B and C

77) The Supreme Court decision holding that a Pennsylvania law requiring Bible reading in schools violated the First Amendment is

 A) *School District of Abington Township, PA v. Schempp*

 B) *Griswold v. Connecticut*

 C) *Zelman v. Simmons-Harris*

 D) *Lemon v. Kurtzman*

 E) *Engel v. Vitale*

78) The act by which government prevents material from being published is called

 A) libel

 B) prior restraint

 C) slander

 D) free exercise

 E) incorporation

79) The Supreme Court decision upholding the conviction of a socialist who had urged young men to resist the draft during World War I was

 A) *Engel v. Vitale*

 B) *Schenck v. United States*

 C) *Near v. Minnesota*

 D) *School District of Abington Township, PA v. Schempp*

 E) *Zelman v. Simmons-Harris*

81) The publication of false or malicious statements that damage someone’s reputation is called

 A) pornography

 B) libel

 C) obscenity

 D) slander

 E) incorporation

84) A written authorization from a court specifying the area to be searched and what the police are searching for is called a(n).

A) writ of mandamus

B) search warrant

C) writ of certiorari

D) probable cause warrant

E) reasonable search and seizure

86) Which of the following is provided by the USA Patriot Act?

A) Powers to examine a terrorist suspect’s records held by doctors, libraries, and universities.

B) Allowed agents to monitor political or religious groups without connection to a criminal investigation.

C) Eased restrictions on domestic spying in counter terrorism operations

D) All of the above

E) None of the above

87) The situation occurring when an individual accused of a crime is compelled to be a witness against him or herself is called

A) Indoctrination

B)Incorporation

C) unlawful search and seizure

D) libel

E) self-incrimination

88) A bargain stuck between the defendant’s lawyer and the prosecutor to effect that the defendant will plead guilty to lesser crime in exchange for the state’s promise not to prosecute for a more serious crime called a(n)

A)plea bargain

B) Miranda warning

C) writ of habeas corpus

D)lawful search and seizure

E) none of the above

89) The eighth amendment deals with which civil liberties issues?

A)Freedom of association.

B) Freedom from unlawful search and seizure.

C) Trial by jury.

D)Free press

E) Freedom from cruel and unusual punishment

90) Questions about the constitutionality of the death penalty with which amendment ?

 A) Ninth B) Eleventh C) Tenth D) Twelfth E) Eighth

91) The 1987 Supreme Court decision that upheld the constitutionality of the death penalty against charges that it violated the fourteenth amendment was

A) Gregg v. Georiga

B)Gideon v. Wainwright

C)Hamdan v. Rumsfeld

D)Rasul v. Bush

E) McClesky v. Kemp

92) The right to a private personal life free from the intrusion of government is the right to

A) Choice

B)Free expression

C)Privacy

D)Counsel

E) Life

Answer Sheet – Chapter 4

1) B 2) B 3) D 4) D 5) C 6) D 7) A 8) C 9) B 10) C 11) E 12) E 13) D 14) E 15) C 16) A 17) D 18) A 19) D 20) D 21) A 22) A 23) E 24) D 25) C 26) B 27) E 28) D 29) A 30) A 31) C 32) B 33) C 34) E 35) C 36) D 37) D 38) D 39) E 40) C 41) E 42) C 43) C 44) B 45) D 46) E 47) C 48) E 49) C 50) C 51) D 52) B 53) D 54) C 55) C 56) B 57) B 58) E 59) B 60) D 61) B 62) D 63) A

64) E 65) C 66) A 67) A 68) C 69) E 70) E 71) C 72) E 73) E 74) D 75) C 76) B

77) A 78) B 79) B 80) B 81) B 82) E 83) E 84) B 85) A 86) D 87) E 88) C 89) E

90) E 91) E 92) C 93) D

Chapter 5

7) Today the equal protection clause is interpreted broadly enough to do all of the following EXCEPT

A) reapportion state legislatures.

B) prohibit job discrimination.

C) forbid racial segregation in public schools.

D) permit sexual harassment.

E) None of the above.

8) The Dred Scott v. Sandford ruling was handed down by the Supreme Court

A) during the Civil War.

B) in 1896.

C) in the 1950s.

D) a few years after the Civil War.

E) a few years prior to the Civil War.

9) In Dred Scott v. Sandford (1857), Chief Justice Taney declared that

A) slavery is inherently unconstitutional.

B) a slave who had escaped to a free state became a free man.

C) Congress had no authority to ban slavery in the territories.

D) the importation of slaves into the United States was illegal, but slavery itself was not.

E) slavery can be practiced in the so-called free states.

10) The \_\_\_\_\_\_ Amendment outlawed slavery in the US.

A) Equal Rights

B) 1st

C) 13th

D) 19th

E) 10th

13) In the case of Plessy v. Ferguson,

A) school busing was allowed to remedy racial segregation.

B) Housing discrimination was forbidden.

C) the principle of “separate but equal” was overturned.

D) the principle of “separate but equal” was used to justify segregation.

E) US citizenship and all right that go with it were granted to former slaves.

14.) Which of the following is TRUE?

            A.) The Fifteenth Amendment forbids racial discrimination in voting

            B.) President Truman ordered the armed forces desegregated in 1948

            C.) All-White primaries were banned in 1944

            D.) All of the above

            E.) None of the above

15.) Jim Crow laws were those that

A.) were enacted by Southern Whites in the late nineteenth century to segregate African-

Americans from whites

            B.) justified slavery and codes for slaves’ behavior

            C.) the North enforced in the South in the Reconstruction era following the Civil War,

granting    rights to former slaves.

            D.) sought to end segregation and bring the races into closer contact with one another

            E.) established slavery and contact law regulating slave trade

16.) Legal segregation of the races was declared unconstitutional in the 1954 landmark ruling known as

            *A.)* *Plessy v Ferguson*

*B.) King v University of Kansas*

*C.) Craig v Boren*

*D.) Dredd Scott v Sanford*

*E.) None of the above*

18.) In *Brown v Board of Education* (1954), the Supreme Court

            A.) enunciated the principle of separate but equal

            B.) ruled that school segregation was inherently unequal

            C.) enunciated the principle of equal but separate

            D.) ordered the Topeka school district to spend more money on Black schools

            E.) ruled that the visible signs of education were substantially equal between Black

schools and    White ones

19.) *De Facto* educational segregation occurs

            A.) by law

            B.) by the reality of neighborhood schools located in areas that happen to be racially

segregated

            C.) by forced school busing to integrate the races

            D.) by forced school busing to separate the races

            E.) when segregated classrooms occur within an integrated school

20.) *De Jure* educational segregation occurs

            A.) from day-to-day depending on changing enrollments at a particular school

            B.) by law

            C.) by constitutional amendment

            D.) by the reality of neighborhood schools located in areas that happen to be racially

segregated

            E.) by forced school busing to integrate the races

21) The immediate reaction to *Brown v. Board of education* (1954) was

1. Increased enrollment in private schools by Whites in the south and a threat to close public schools.
2. The busing of students to achieve racially balanced schools.
3. The closing of schools in Topeka, Kansas.
4. Passage of the twenty-third Amendment to overturn the Brown decision.
5. The desegregation of public schools in the south.

22) After *Brown v. Board of education* (1954), school integration in the south

1. Ended abruptly.
2. Proceeded very slowly.
3. Was completed within three years.
4. Was unaffected by the decision.
5. Never changed

23) In 1964, Congress prohibited federal aid to schools that remained segregated in the

1. No Child Left Behind Act.
2. Equality of Education Act.
3. National Education Act.
4. Equal Opportunity Act.
5. Civil Rights Act.

24) The case of *Swann v. Charlotte-Mecklenberg county schools* (1971)

1. Gave state legislatures the power to determine school desegregation procedures in each state.
2. Ruled that schools must set aside a federal judge-determined number of spots for blacks before they would be considered desegregated.
3. Permitted judges to achieve racially balanced schools through busing.
4. Prohibited busing for school integration.
5. Ruled that schools could not limit the number of black students enrolled in an effort to minimize desegregation.

25) Which of the following is true

1. Race is a permissible factor among many to use in consideration for colleges.
2. The Supreme Court has declared the use of race in voluntary integration plans to be in violation of the equal protection clause.
3. Affirmative action programs are subject to strict scrutiny under the Court’s standards of review.
4. All of the above
5. None of the above

27) The Civil Rights Act of 1964

1. Made racial discrimination illegal in places of public accommodation.
2. Forbade discrimination in employment on the basis of race, color, national origin, religion or gender.
3. Prohibited gender discrimination in the work place.
4. Both A and B
5. Neither A nor B

28) The agency created by the 1964 Civil Rights Act and charged with monitoring and enforcing protections against job discrimination is the

A) Federal Trade Commission.

B) Federal Communication Commission.

C) National Bar Association.

D) Equal Employment Opportunity Commission.

E) Voting Rights Commission.

29) Suffrage refers to

A) the legal right to vote.

B) the legal segregation of the races or of men and women in hotels, motels, restaurants, and other public places.

C) the hardships endured to obtain civil rights for African Americans and equal rights for women.

D) the practice of shackling slaves working in fields so they could not run away.

E) the practice of *de facto* slavery rather than *de jure* slavery.

30) Which amendment reads, “The right of citizens to vote shall not be abridged by the United States or by any state on account of race, color, or previous condition of servitude”?

A) Twentieth

B) Thirteenth

C) Fifteenth

D) Fourteenth

E) Sixteenth

31) The grandfather clause was passed by Oklahoma and other southern states to

A) distribute land to former slaves on the basis of how many generations they had served on a particular plantation.

B) exclude Blacks from having the right to vote in primary elections, though they could vote in general elections.

C) deny land to anyone whose grandfathers were not white.

D) deny African Americans the right to vote.

E) guarantee the equal rights of senior citizens in employment.

32) The grandfather clause was \_\_\_\_\_\_\_\_\_\_\_ by the Supreme Court in the 1915 decision, *Guinn v. United States*.

A) overlooked

B) declared age discrimination

C) upheld as constitutional

D) established

E) found unconstitutional and outlawed

33) The Twenty-fourth Amendment, ratified in 1964,

A) prohibited discrimination in employment or public accommodations based on race.

B) outlawed the use of literacy tests in order to register to vote.

C) granted Negroes the right to vote.

D) outlawed the grandfather clause and the White primary.

E) prohibited the use of poll taxes in federal elections.

34) Poll taxes for federal elections were outlawed in the

 A) Voting Rights Act.

 B) Tax Reform Act of 1963.

 C) Civil Rights Act of 1964.

 D) Twenty-fourth Amendment

 E) Supreme Court’s *Guinn v. United States* decision of 1915

35) One consequence of the Voting Rights Act of 1965 was

 A) an increase in segregation.

 B) dramatic increase in the number of African Americans registered to vote.

 C) decreased involvement of federal officials in state election procedures.

 D) the increased use of gerrymandering.

 E) increased access of Blacks to public accommodations

36) The White primary

 A) denied Blacks the right to vote in all southern elections.

B) excluded Blacks from primary elections, thus depriving them of a voice in the real electoral contests in the south.

C) was the examination voters had to pass before being allowed to vote, designed to prevent Blacks from voting because they had been denied educational opportunities.

D) Denied Blacks the right to run for office in primary elections in the South.

E) allowed Blacks to vote only in Republican primaries in the heavily Democratic South.

 38) The effect of Congress’s 1982 amendments to the Voting Right Act was to

 A) redraw district boundaries to avoid discriminatory results.

 B) prevent district boundaries from diluting the votes of African Americans

 C) Both A and B

 D) outlaw poll taxes

 E) outlaw voter literacy requirements.

40) Congressional districts that are intentionally drawn to give minority group voters a numerical majority are called

 A) majority-minority districts.

 B) salamanders.

 C) racial districts.

 D) unconstitutional.

 E) Jim Crow districts.

41) The case *Shaw v. Reno* (1993) was significant in that

A) the Supreme Court decried the creation of the oddly-shaped districts based solely on race.

B) the Supreme Court reaffirmed the legality of creating oddly-shaped districts based solely on race.

C) Both A and B.

D) the Supreme Court gave legal standing to challenges to oddly-shaped majority-minority districts.

E) Both A and D.

42) In *Johnson v. DeGrandy*(1994), the Supreme Court ruled that

A) state legislative redistricting plans do not violate the Voting Rights Act if they do not create the greatest possible number of districts in which minority group voters make a majority.

B) majority-minority districts were always constitutional.

C) race should be the predominant factor in drawing district boundaries.

D) state legislative redistricting plans violate the Voting Rights Act if they do not create the greatest possible number of districts in which minority group voters make a majority.

E) majority-minority districts were always unconstitutional.

43) In *Miller v. Johnson* in 1995, the Supreme Court

A) rejected the Justice Department’s efforts to achieve the maximum number of minority districts.

B) held that use of race as the predominant factor in drawing district lines should be presumed to be unconstitutional.

C) reaffirmed the Justice Department’s efforts to achieve the maximum number of minority districts.

D) held that use of race as the predominant factor in drawing district lines should be presumed constitutional.

E) Both A and B.

44) In *Bush v. Hera* (1996) and *Shaw v. Hunt* (1996) the Supreme Court

A) ruled that convoluted majority-minority districts that abandon compact district lines constitute unconstitutional racial gerrymandering.

B) reaffirmed the constitutionality of using race and the predominant factor is drawing district lines.

C) held that majority-minority districts were essential to the election of African Americans.

D) ruled that convoluted majority-minority districts that abandon compact district lines constitute constitutional racial gerrymandering if they result in the election of more African Americans to office.

E) ruled that race took precedence over geographical compactness in drawing district lines.

46) Which of the following statements about Native Americans is FALSE?

 A) Native Americans are guaranteed access to the polls, housing, and to jobs.

 B) Native Americans are the poorest minority group in the United States.

 C) The Indian Claims Act of 1946 established a means to settle financial disputes arising from the lands taken from the Native Americans.

 D) Native Americans were made citizens of the United States long before African Americans received the same status.

 E) Native Americans are the oldest minority group in the United States.

48) Most of the provisions in the Bill of Rights were applied to tribal governments in

 A) the Civil Rights Act of 1964.

 B) the 1982 Amendments to the Voting Rights Act of 1965.

 C) the Equal Employment Opportunity Act.

 D) Title II of the Civil Rights Act of 1968

E) the Voting Rights Act of 1965.

49) The largest minority group in the United States is

 A) African Americans.

 B) Native Americans.

 C) Japanese Americans.

 D) Asian Americans.

 E) Hispanic Americans.

50) *Hernandez v. Texas (1954)* was significant in that

 A) the Court extended protection from discrimination to Hispanic Americans, guaranteeing their right to a free trial.

 B) it was the first case in which Hispanic lawyers argued before the Supreme Court.

 C) the Court required Arlington National Cemetery to permit the burial of a Hispanic soldier.

 D) All of the above

 E) A and B

64) The \_\_\_\_\_\_\_\_ banned gender discrimination in employment by law.

            A) Civil Rights Act of 1964

            B) Nineteenth Amendment

            C) Supreme Court ruling in *National Organization for Women v. Bank of America*

D) Fair Labor Standards Act

            E) Gender Equality Act of 1972

65) Title IX of the Education Act of 1972

            A) requires gender parity in public school enrollments.

            B) prohibits single-sex educational institutions and schools.

C) allows gender discrimination in education if it can be demonstrated to be an “educational necessity.”

D) requires public school institutions to demonstrate equal average scores among male and female students on standardized tests.

E) forbids gender discrimination in federally subsidized education programs, including athletics.

66) The United States Supreme Court has handed down each of the following decisions concerning gender discrimination in employment and business activity EXCEPT

A) requiring the federal government to give women equal pay for jobs of comparable worth.

B) protecting women from being required to take mandatory pregnancy leaves from their jobs.

C) voiding laws and rules barring women from jobs through arbitrary height and weight requirements.

D) prohibiting gender discrimination in private business and service clubs.

E) None of the above; the court has handed down each of the decisions above.

67) “Comparable worth” refers to the issue of

            A) the inherent dignity and equality of women with men.

            B) government subsidization of women who choose to work at home.

            C) equal voting rights and access to public office for women.

            D) reduced work responsibilities for female workers with children.

            E) paying men and women equivalent salaries for jobs requiring similar skills.

70) Sexual harassment is prohibited by

 A) the Nineteenth Amendment.

 B) Title IX of the Education Act of 1972.

 C) the Voting Rights Act of 1965.

 D) the Thirteenth Amendment.

71) In Faragher v. City of Boca Raton (1998), the Supreme Court held that.

 A) employers are responsible for preventing and eliminating sexual harassment.

 B) government entities are not responsible for preventing sexual harassment.

 C) school districts can be held liable for sexual harassment.

 D) the military cannot be responsible for sexual harassment at conferences.

 E) None of the above.

72) The Rehabilitation Act of 1973

 A) prohibits employment discrimination against the disabled.

 B) added handicapped people to the list of Americans protected from discrimination.

 C) entitles all children to a free public education appropriate to their needs.

D) guaranteed free, lifetime medical care and physical therapy for Vietnam War Veterans.

E) increased the amount of financial aid to disabled people.

73) Which of the following is FALSE?

A) The Supreme Court overturned a Texas antisodomy law in 2003, ruling that such laws were unconstitutional intrusions into the right to privacy.

B) Military personnel who declare their homosexuality face discharge unless they can prove they will remain celibate.

C) The Clinton Administration ended the ban on gays in the military.

D) Nearly one-half of the American public views homosexuality as morally acceptable.

E) The Defense Department strictly prohibits homosexual conduct.

74) In the case of Regents of the University of California v. Bakke, the court

 A) refused to allow the admission of Bakke to University of California-Davis.

 B) ruled that a public university could not set aside a quota of spots for particular groups.

 C) was united in its decision.

D) ordered that University of California-Davis could not use race as a criterion for admission.

E) ruled that nursing schools cannot discriminate against men in their admissions procedures.

75) In its 1995 ruling in Adarand Constructors v. Pena, the Supreme Court

 A) changed direction and began to curtail federal use of affirmative action programs.

 B) upheld federal affirmative action programs as constitutional.

 C) outlawed discrimination against women in the construction industry.

D) broadened the scope of state and local affirmative action programs that it considers constitutional.

E) mandated an expansion of federal affirmative action programs.

76) When Proposition 209 was passed in California in 1996, it banned

 A) affirmative action in federal hiring.

 B) affirmative action in public hiring, contracting, and educational admissions.

 C) affirmative action on behalf of women.

 D) affirmative action on behalf of homosexuals.

 E) affirmative action in the private sector.

89) The supreme Court case that extended protection against discrimination to Hispanics was

 A)*Hernandez v. Texas.*

B) *Miller v. Johnson.*

C) *Thornburg v. Gingles*

D) *Santa Clara Pueblo v. Martinez.*

E) *Hunt v. Cromartie*

93) The Supreme Court uses a standard of \_\_\_\_\_\_in ruling on claims of gender discrimination.

 A) strict scrutiny

 B) reasonableness

 C) medium scrutiny

 D) minimal scrutiny

 E) inherently suspect

95) In which case did the Supreme Court hold that a state university could not admit qualified individuals solely on the basis of their race?

 A) *Brown v. Board of Education*

 B) *Reed v. Reed*

 C) *Regents of the University of California v. Bakke*

 D) *Grutter v. Bollinger*

 E) *Adarand Constructors v. Pena*

Chapter 5 Answer Key

1. D 2) B 3) E 4) B 5) B 6) E 7) D 8) E 9) C 10) C 11) A 12) B 13) D

14) D 15) A 16)E 17) D 18) B 19) B 20) B 21) A 22) B 23) E 24) C 25) D 26) C

27) D 28) D 29) A 30) C 31) D 32) E 33) E 34) D 35) B 36) B 37) D 38) C 39) E

40) A 41) E 42) A 43) E 44) A 45) C 46) D 47) D 48) D 49) E 50) E

This is ALL I have as of right now so use it the best you can. Anyone else that owes me a Test bank needs to get it to me ASAP!! -Stel