Rights in Motion

How Supreme Court rulings change the meaning of constitutional protections

SS24.USG.6d "Explain how landmark United States Supreme Court cases have shaped the constitutional interpretation and expansion of civil liberties and civil rights."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline constitutional provisions, circle case names, and number the statements that explain how a ruling changed what states may or must do.

From Constitutional Words to Everyday Rights

1. At the schoolhouse door, a rule can look ordinary until the Supreme Court asks what the Constitution permits. After the Civil War, the Fourteenth Amendment required states to provide equal protection of the laws. Yet in Plessy v. Ferguson (1896), the Court accepted racial separation under a "separate but equal" theory. In Brown v. Board of Education (1954), the Court rejected that theory for public schools, holding that racially separate schools are inherently unequal. Brown changed the constitutional meaning of equal protection in education, but a ruling alone did not integrate schools. Communities and federal officials still had to enforce it.

2. When Clarence Earl Gideon faced a felony charge in a Florida court, he could not pay for a lawyer. Florida refused to appoint one because state rules generally limited that help to capital cases. In Gideon v. Wainwright (1963), the Supreme Court ruled that states must provide counsel to defendants who cannot afford one in felony prosecutions. The Court applied the Sixth Amendment right to counsel to the states through the Fourteenth Amendment. This interpretation expanded a civil liberty: the right to a fair defense could no longer depend on a defendant's money in those cases.

3. At a county clerk's counter, constitutional interpretation could determine whether a couple received a marriage license. In Obergefell v. Hodges (2015), the Supreme Court held that the Fourteenth Amendment requires states to license marriages between two people of the same sex and recognize such marriages lawfully performed elsewhere. The majority relied on both due process, which protects fundamental liberties, and equal protection, which guards against unequal treatment. The decision extended marriage rights nationwide, though it did not settle every dispute involving discrimination. Brown, Gideon, and Obergefell show that constitutional language gains practical force through particular rulings, while enforcement and later disputes remain important.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Brown change the Court's interpretation of equal protection from the interpretation accepted in Plessy?

2. How did Gideon use the Fourteenth Amendment to expand the protection of the Sixth Amendment?

3. Compare the change in state practice required by Brown with the change required by Gideon.

4. How did the Court's use of due process and equal protection in Obergefell change what states had to do?

3 YOUR TURN

Your own words

A state public library offers joint borrowing cards to married different-sex couples but denies them to married same-sex couples. In 70 to 95 words, use reasoning from two cases in the passage to argue against the policy and explain one limit of your comparison.

ANSWER KEY

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GRADE 12 · SS24.USG.6d

PART 1 · READ AND MARK

Underline constitutional provisions, circle case names, and number the statements that explain how a ruling changed what states may or must do. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Brown change the Court's interpretation of equal protection from the interpretation accepted in Plessy?	**Plessy accepted racial separation under a "separate but equal" theory. Brown held that racially separate public schools are inherently unequal.**
2	How did Gideon use the Fourteenth Amendment to expand the protection of the Sixth Amendment?	**The Court applied the Sixth Amendment right to counsel to the states through the Fourteenth Amendment, requiring states to provide counsel to defendants who cannot afford one in felony prosecutions.**
3	Compare the change in state practice required by Brown with the change required by Gideon.	**Brown barred states from maintaining racially separate public schools. Gideon required states to provide counsel to defendants who could not afford one in felony prosecutions.**
4	How did the Court's use of due process and equal protection in Obergefell change what states had to do?	**The Court used both protections to require states to license marriages between two people of the same sex and recognize such marriages lawfully performed elsewhere.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The library's policy treats married couples differently based on whether their spouses are the same sex. Obergefell requires states to recognize lawful same-sex marriages, so the library cannot simply pretend those marriages do not exist. Brown also shows why a state policy that sorts people into unequal groups deserves constitutional scrutiny. Still, Brown concerned racial segregation in public schools, not library cards or sexual orientation. Neither case specifically decides access to joint cards, but their reasoning supports a challenge to unequal treatment by a state library.

Accept arguments using any two passage cases if they accurately explain each ruling's reasoning and identify a meaningful limit. Students should not claim that a case directly decided library-card access.