5.8 Civil Rights in the United States: Race, Gender and LGBT+ Rights: Test Pack

EDEXCEL 9PL0 · about 15 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. Short answer questions may be brief. For levels-marked questions, write a fully developed essay using precise legal and political vocabulary, named cases and dates where relevant. The final question is a 30-mark evaluation and requires a clear judgement.

1 Define the Equal Protection Clause of the Fourteenth Amendment in the context of US constitutional civil rights, naming the amendment and clause.

(Total for Question 1 is 1 mark)

2 State the year in which the US Supreme Court decided Brown v Board of Education, the landmark racial segregation case affecting public schools.

(Total for Question 2 is 1 mark)

3 State the Supreme Court decision that in 2015 legalised same-sex marriage nationwide in the United States and give the case name.

(Total for Question 3 is 1 mark)

4 State one constitutional clause, other than the Equal Protection Clause, that civil rights advocates have used to argue for rights protections in the United States, and name the amendment.

(Total for Question 4 is 1 mark)

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5 Identify two legal effects of the Supreme Court's Brown v Board of Education decision on US public education policy and constitutional law.

(Total for Question 5 is 2 marks)

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6 Explain briefly why the Supreme Court's Dobbs v Jackson Women's Health Organization decision (2022) changed the legal protection for abortion in the United States, naming the key precedent that Dobbs overruled.

(Total for Question 6 is 3 marks)

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7 Identify two ways in which social movements have contributed to civil rights change in the US, giving one concrete historical example for each way.

(Total for Question 7 is 2 marks)

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8 Explain two ways state governments have responded to the Dobbs decision since 2022, naming a specific state example for each way.

(a) Explain one way a state government expanded abortion protections after Dobbs and give a state example. **(2)**

(b) Explain one way a state government restricted abortion after Dobbs and give a state example. **(2)**

(Total for Question 8 is 4 marks)

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Mark scheme · 5.8 Civil Rights in the United States: Race, Gender and LGBT+ Rights: Test Pack

Question 1

a concise definition stating that the Equal Protection Clause requires states to treat people in similar situations equally under the law — **B1**

Answer: The Equal Protection Clause, in the Fourteenth Amendment, requires states not to deny any person within their jurisdiction the equal protection of the laws, meaning laws should not arbitrarily discriminate between people.

Question 2

1954 cao — **B1**

Answer: 1954.

Question 3

Obergefell v Hodges cao — **B1**

Answer: Obergefell v Hodges (2015).

Question 4

identifies one clause, e.g. the Due Process Clause of the Fourteenth Amendment — **B1**

Answer: The Due Process Clause of the Fourteenth Amendment.

Question 5

identifies one effect, e.g. declaring state laws establishing separate public schools for black and white students unconstitutional — **B1**

identifies a second effect, e.g. it required desegregation of public schools and provided constitutional basis for further civil rights litigation — **B1**

Answer: It declared state laws establishing separate public schools for black and white students unconstitutional, and it required desegregation of public schools, providing a constitutional basis for subsequent civil rights enforcement.

Question 6

identifies that Dobbs overruled Roe v Wade — **B1**

explains that the Court held there is no federal constitutional right to abortion under the Due Process Clause — **B1**

notes the practical effect that regulation returned to the states, producing wide variation in access — **B1**

Answer: Dobbs (2022) overruled Roe v Wade, holding that the US Constitution does not guarantee a federal right to abortion under the Due Process Clause; as a result, authority to regulate abortion returned to individual states, producing variation in legal access across the country.

Question 7

identifies one way with an accurate example, e.g. organised protest leading to legislative or judicial change, illustrated by the 1950s-60s Civil Rights Movement and the 1964 Civil Rights Act — **B1**

identifies a second way with an accurate example, e.g. strategic litigation achieving constitutional rulings, illustrated by litigation culminating in Obergefell v Hodges for same-sex marriage — **B1**

Answer: Examples: mass protest and mobilisation helped produce legislative change, as in the 1950s-60s Civil Rights Movement contributing to the Civil Rights Act 1964; strategic litigation and advocacy helped secure rights via the courts, as civil rights lawyers advanced cases that culminated in Obergefell v Hodges (2015) for same-sex marriage.

Question 8

(a) identifies expansion, e.g. state legislation or ballot measures protecting abortion access — **B1**

(a) gives a correct example, e.g. Colorado or California passing laws or measures to protect access — **B1**

(a) Answer: Some states expanded protections by passing legislation or measures to protect abortion access, for example California strengthened legal protections for abortion services and funded access after Dobbs.

(b) identifies restriction, e.g. trigger laws or new bans coming into force — **B1**

(b) gives a correct example, e.g. Texas enforcing strict restrictions or a near-total ban — **B1**

(b) Answer: Other states restricted abortion by enforcing trigger laws or new bans, for example Texas implemented and enforced strict restrictions on abortion access following Dobbs.

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