

Unit 3 Content Review: Civil Liberties and Civil Rights

Essential Questions

1. To what extent do the U.S. Constitution and its amendments protect against undue government infringement on essential liberties and from invidious discrimination?
2. How have U.S. Supreme Court rulings defined civil liberties and civil rights?

Chapters: 4 & 5

Big Idea	Enduring Understandings	Essential Knowledge
C o	<p>CON-6: The Supreme Court's interpretation of the U.S. Constitution is influenced by the composition of the Court and citizen-state interactions. At times, it has restricted minority rights and, at others, protected them.</p>	<ol style="list-style-type: none"> I. SCOTUS and Civil Rights <ol style="list-style-type: none"> A. Minority Rights <ol style="list-style-type: none"> 1. Describe how the following cases have either restricted or protected minority rights in the United States: <ol style="list-style-type: none"> a) Plessy v. Ferguson (1896) b) Brown v. Board of Education (1954) c) Korematsu v. United States (1944) B. Affirmative Action <ol style="list-style-type: none"> 1. What are the goals of Affirmative Action programs? 2. List some of the arguments against the use of Affirmative Action programs. 3. What were Allan Bakke's arguments against the use of Affirmative Action? Describe how the Supreme Court decided the Regents of the University of CA v. Bakke case.
Li be rt	<p>LOR-2: Provisions of the U.S. Constitution's Bill of Rights are continually being interpreted to balance the power of government and the civil liberties of individuals.</p>	<ol style="list-style-type: none"> I. The Constitution <ol style="list-style-type: none"> A. Unalienable Rights: <ol style="list-style-type: none"> 1. Define the concept of unalienable rights. Provide examples. 2. What is the purpose of the privileges and immunity clause that is located in the Constitution? How did the Supreme Court interpret this clause in the infamous Dred Scott decision? 3. Why did the Federalists eventually decide to include a national Bill of Rights in order to get the Constitution ratified? II. SCOTUS Interpretation of the Bill of Rights <ol style="list-style-type: none"> A. First Amendment <ol style="list-style-type: none"> 1. Describe the meaning of the phrase "wall of separation" when it comes to freedom of religion? 2. What is the purpose of the First Amendment's establishment clause? 3. Describe the three criteria that must be met in order for the government to provide aid to religious

institutions (The Lemon Test) as established in **Lemon v. Kurtzman (1971)**

4. List the constitutional basis that allows people to practice their own religion freely.
 5. Describe how the following cases that set precedents that have shaped the interpretation of the **free exercise clause**:
 - a) **Reynolds v. United States (1879)**
 - b) **Wisconsin v. Yoder (1972)**
 - c) **Employment Division v. Smith (1990)**
 6. Define the following types of speech and provide an example:
 - a) **Pure Speech**
 - b) **Speech Plus**
 - c) **Symbolic Behavior**
 7. Why were the **Alien and Sedition Acts of 1798** considered controversial?
 8. Describe how the following court cases have limited free speech:
 - a) **Schenck v. United States (1919)**
 - b) **Gitlow v. New York (1925)**
 - c) **Johnson v. Texas (1989)**
 - d) **Tinker v. Des Moines School District (1969)**
 - e) **Miller v. CA (1973)**
 - f) **New York Times v. Sullivan (1964)**
 - g) **Chaplinsky v. State of New Hampshire (1942)**
 9. How did **Near v. Minnesota (1931)** affect the concept of **prior restraint**?
 10. Describe the circumstances surrounding **New York Times Co. v. United States**. What did SCOTUS decide?
 11. How did **Branzburg v. Hayes (1972)** negatively affect members of the press?
- B. Fourth Amendment
1. What lead the framers of the constitution to protect people from unreasonable searches and seizures by the government?
 2. Define the following terms:
 - a) **Probable Cause**
 - b) **Warrant**
 - c) **Exclusionary Rule**
 3. Why did civil libertarians praise the court for the decision in **Mapp v. Ohio (1961)**?
 4. How did **United States v. Leon (1984)** alter the Mapp ruling?
- C. Fifth Amendment
1. List the protections included in the 5th Amendment that help the accused.
 2. Explain how **Miranda v. Arizona (1966)** shapes the modern interpretation of the 5th Amendment.

	<p>LOR-3: Protections of the Bill of Rights have been selectively incorporated by way of the 14th Amendment's due process clause to prevent state infringement of basic liberties</p>	<p>D. Sixth Amendment</p> <ol style="list-style-type: none"> 1. List the protections included in the 6th Amendment that help the accused. 2. What is the importance of Gideon v. Wainwright (1963)? 3. How has the Supreme Court attempted to balance claims of individual freedom with laws and enforcement procedures that promote public order and safety? <p>III. Selective Incorporation</p> <p>A. Briefly define Selective Incorporation:</p> <ol style="list-style-type: none"> 1. Why did the Bill of Rights originally only apply to the national government? 2. How did the case Gitlow v. New York (1925) affect the interpretation of the Bill of Rights? 3. Compare and contrast the concepts of procedural due process and substantive due process. 4. Describe the significance of the following cases: <ol style="list-style-type: none"> a) McDonald v. Chicago (2010). b) Roe v. Wade (1973)
<p>Ci vi</p>	<p>PRD-1:The 14th Amendment's equal protection clause as well as other constitutional provisions have often been used to support the advancement of equality.</p>	<p>I. The Fourteenth Amendment and Social Movements</p> <p>A. 14th Amendment</p> <ol style="list-style-type: none"> 1. Define the due process clause 2. Define the equal protection clause <p>B. Social Movements</p> <ol style="list-style-type: none"> 1. How did the 14th Amendment support the causes of the following: <ol style="list-style-type: none"> a) Civil Rights Movement of the 1960s - Use evidence from Dr. Martin Luther King's "Letter from a Birmingham Jail". b) The National Organization for Women and the women's rights movement c) The Gay Liberation Movement d) The Pro-Life Movement

<p style="text-align: center;">C o m p</p>	<p>PMI-3: Public policy promoting civil rights is influenced by citizen-state interactions and constitutional interpretation over time.</p>	<ul style="list-style-type: none"> I. Government Response to Social Movements <ul style="list-style-type: none"> A. Civil War Amendments <ul style="list-style-type: none"> 1. What was the purpose of the 13th Amendment? 2. What was the original purpose of the 14th Amendment? 3. How was the “equal protection clause” of the 14th Amendment used to decide Plessy v. Ferguson (1896)? Describe the “separate but equal doctrine”. 4. How did the Supreme Court justify the decision in Brown v. Board of Education of Topeka (1954)? 5. What was the intent of the 15th Amendment? Explain how the Voting Rights Act (1965) strengthened the 15th Amendment. 6. Describe how Eisenhower’s appointment of Earl Warren played a vital role in the Brown decision. How did cities in the South respond to the Brown decision? 7. Define de jure segregation. B. The Civil Rights Era <ul style="list-style-type: none"> 1. What are the provisions of the Civil Rights Act of 1964? 2. List the protections provided under the 24th Amendment. Describe the relationship between the 24th Amendment and the Voting Rights Act of 1965. 3. What protections are included in the Civil Rights Act of 1968?
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Potential FRQ Prompts: