**Unit 3 Outline:**

**Civil Liberties and Civil Rights**

**(13-18% of Exam)**

**Through the U.S. Constitution, but primarily through the Bill of Rights and the Fourteenth Amendment, citizens and groups have attempted to restrict national and state governments from unduly infringing upon individual rights essential to ordered liberty and from denying equal protection under the law. Likewise, it has sometimes been argued that these legal protections have been used to block reforms and restrict freedoms of others in the name of social order.**

The Constitution, but especially the Bill of Rights and t he Fourteenth Amendment, are used to assert the rights of citizens and protect groups from discrimination. As such, the government must respect the dignity of the person and assure equal treatment, with its power constrained in the process of protecting individual freedoms. The Fourteenth Amendment includes two clauses that affirm and protect civil rights and liberties—the due process clause and the equal protection clause. The courts must balance the desire for social order with the protection of individual rights and freedoms when considering due process and equal protection challenges.

In a process known as selective incorporation, the Supreme Court has used the power of judicial review to interpret the due process clause in such a way as to prevent states from unduly restricting fundamental freedoms. The Court has been called upon to interpret protections for freedom of political expression and religious exercise, the right to bear arms, the right of privacy, and the rights necessary to ensure that those accused of crimes receive a fair trial.

The equal protection clause provides that states may not deprive persons of equal protection under the law. African Americans, Hispanics, women, LGBTQ (lesbian, gay, bisexual, transgender, queer) people, and other groups have used the clause to lead social movements on behalf of their concerns. The Supreme Court has rendered several landmark decisions that expand civil rights, and Congress has passed legislation that expands equality. At times Congress and the courts are asked to determine the legitimacy of equal protection claims by various groups, as well as weigh the majority’s concerns that they will be harmed by the changes sought.

**Essential Questions:**

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

**Unit 3 Learning Objectives**

1. Explain how the U.S. Constitution protects individual liberties and rights.
2. Describe the rights protected in the Bill of Rights.
3. Explain the extent to which the Supreme Court’s interpretation of the First and Second Amendment reflects a commitment to individual liberty.
4. Explain how the Supreme Court has attempted to balance claims of individual freedom with laws and enforcement procedures that promote public order and safety.
5. Explain the implications of the doctrine of selective incorporation.
6. Explain the extent to which states are limited by the due process clause from infringing upon individual rights.
7. Explain how constitutional provisions have supported and motivated social movements
8. Explain how the government has responded to social movements.
9. Explain how the Supreme Court has at times allowed the restriction of the civil rights of minority groups and at other times has protected those rights.

**Edwards Textbook Chapters**

Chapter 4: Civil Liberties and Public Policy

Chapter 5: Civil Rights and Public Policy

**Crash Course Government and Politics**: Episodes 23-32

**Required Foundational Documents: “**Letter from a Birmingham Jail”, Martin Luther King, Jr.

**Required Court Cases:**

*Engel v. Vitale* (1962), *Wisconsin v. Yoder* (1972), *Tinker v. Des Moines Independent Community School District* (1969), *Schenck v. United States* (1919), *New York Times Co. v. United States* (1971), *McDonald v. Chicago* (2010), *Gideon v. Wainwright* (1963), *Roe v. Wade* (1973), *Brown v. Board of Education* (1954)

**Unit 3 Vocabulary**

1. Bill of Rights
2. Civil liberties
3. Civil rights
4. 1st Amendment
5. Free exercise clause
6. Establishment clause
7. *Engle v Vitale*
8. *Wisconsin v Yoder*
9. Symbolic speech
10. *Tinker v Des Moines*
11. Obscenity
12. Clear and present danger clause
13. *Schenck v US*
14. *New York Times v US*
15. Prior restraint
16. 2nd Amendment
17. 8th Amendment
18. 4th Amendment
19. Selective incorporation
20. *McDonald v Chicago*
21. 14th Amendment
22. Due process
23. Miranda rule
24. 5th Amendment
25. 6th Amendment
26. Patriot Act
27. USA Freedom Act
28. *Gideon v Wainwright*
29. Indigent
30. *Roe v Wade*
31. “Letter from Birmingham Jail”
32. *Brown v Board of Education*
33. Majority-minority
34. Civil Rights Act of 1964
35. Title IX
36. Voting Rights Act of 1965
37. Affirmative Action