

Important Items about the Civil Liberties, Rights and Public Policy

You need to begin familiarizing yourself with these terms. You will be having an identification quiz at the halfway point of the Unit. Remember, the quiz has no word bank, you must know these terms.

Chapter 4 Bill of Rights	Unreasonable search and seizure
Civil Liberties	Chapter 5 Affirmative action
Commercial speech	
Cruel and unusual punishment	Americans with Disabilities Act (1990)
Eighth Amendment	Civil Rights
Establishment Clause	Civil Rights Act of 1964
Exclusionary rule	Comparable worth
Fifth Amendment	
First Amendment	Equal Protection of the Laws
Fourteenth Amendment	Equal rights amendment
Free exercise clause	Fifteenth Amendment
Incorporation Doctrine	
Libel	Fourteenth Amendment
Plea Bargaining	Nineteenth Amendment
Prior restraint	Poll Taxes
Probable cause	Suffrage
Right to privacy	Thirteenth Amendment
Search warrant	
Self-incrimination	Twenty-fourth Amendment
Sixth Amendment	Voting Rights Act of 1965
Symbolic speech	White primary

CIVIL LIBERTIES, RIGHTS AND PUBLIC POLICY

Learning Objectives (you should be able to answer these by the time we finish the Unit)

Chapter 4 – Civil Liberties and Public Policy

1. Analyze why people who are advocates of rights in theory often hesitate when it comes time to put those rights into practice.
2. Examine how decisions of the Supreme Court have extended specific provisions of the Bill of Rights to the states as part of the incorporation doctrine.
3. Describe how the two constitutional statements about religion and government-the *establishment clause* and the *free exercise clause*-may sometimes conflict.
4. Examine what the First Congress may have intended by the terms *establishment* and *free exercise* of religion.
5. Establish why the Supreme Court will usually not permit prior restraint on speech and press.
6. Explain why it has been so difficult for the courts to clearly define which types of materials are considered obscene.
7. Differentiate between *freedom of speech* and related concepts like *symbolic speech* and *freedom of expression*.
8. Understand the conflict that can occur between free speech and public order.
9. Determine how essential rights such as the right to a fair trial can conflict with other rights such as the right to a free press.
10. Identify the two facets of freedom of assembly and explain how they may conflict with other social values.
11. Explain how specific provisions of the Bill of Rights have been used to extend basic rights to defendants in criminal trials.
12. Ascertain how concepts such as a *right to privacy* can be inferred or implied from the Bill of Rights.
13. Explain why civil liberties are seen as an individual's protection against the *government*.

Chapter 5 – Civil Rights and Public Policy

1. Understand how civil rights have been used to extend more equality to groups that historically have been subject to discrimination.
2. Analyze different interpretations of *equality*, such as equality of opportunity contrasted with equality of results.
3. Identify provisions of the Bill of Rights that have implications for equality.
4. Explain how the Fourteenth Amendment guarantee of "equal protection of the laws" has been applied to the idea of equality.
5. Examine how the Supreme Court has used different levels of judicial scrutiny for racial, ethnic, and gender classifications.
6. Explain how the Supreme Court provided a constitutional justification for segregation in the 1896 case of *Plessy v. Ferguson*.
7. Summarize the reasoning of the Court in the 1954 case of *Brown v Board of Education* and use this case to show how the Court set aside its earlier precedent in *Plessy v. Ferguson*.
8. Determine how the distinction between *de jure* and *de facto* segregation has sometimes been blurred by past practices.
9. Explain how sit-ins, marches, and civil disobedience were used as key strategies of the civil rights movement of the 1950s and 1960s.
10. Trace the attempts of southern states to deny African Americans the right to vote even after the passage of the Fifteenth Amendment.
11. Identify the major public policy milestones in the movement toward gender equality.
12. Determine the ways in which Americans with disabilities have become the successors to the civil rights movement.
13. Explain why gay and lesbian activists may face the toughest battle for equality of any of America's minority groups.
14. Evaluate the opposing positions of those who favor affirmative action and those who claim that these policies simply create reverse discrimination.
15. Analyze how the important democratic principles of *equality* and *individual liberty* may actually conflict with each other.
16. Determine how civil rights laws increase the scope and power of government.