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**Unit Three Guide**

**Chapters 5, 6 & 16 (Wilson Text)**

**Overview: Students will connect the founding principles of our government to the debates over the**

**appropriate balance of liberty and order, noting how citizens and other groups have pursued**

**policy solutions to protect the civil liberties and civil rights of all Americans, laying the**

**foundation for later discussions about other ways citizens can participate in the government.**

**The U.S. Constitution, primarily through the Bill of Rights and the Fourteenth Amendment,**

**protects the civil liberties and civil rights of citizens, though the extent of those protections**

**and the need to protect the safety and general welfare of individuals has long been debated.**

**Through social movements, legal challenges, and acts of Congress, citizens have attempted**

**to restrict the government from unduly infringing on individual rights and from denying equal**

**protection under the law.**

***What do I need to know?***

1. **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.**
   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 Amendments reflects a commitment to individual liberty**
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   7. **Explain how the Supreme Court has attempted to balance claims of individual freedom with laws and enforcement procedures that promote public order and safety.**
   8. **Explain the implications of the doctrine of selective incorporation.**
   9. **Explain the extent to which states are limited by the due process clause from infringing upon individual rights.**
2. **The Fourteenth Amendment’s equal protection clause as well as other constitutional provisions have often been used to support the advancement of equality.**
   1. **Explain how constitutional provisions have supported and motivated social movements**
3. **Public policy promoting civil rights is influenced by citizen-state interactions and constitutional interpretation over time.**
   1. **Explain how the government has responded to social movements.**
4. **The 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.**
   1. **Explain how the Court has at times allowed the restriction of the civil rights of minority groups and at other times has protected those rights.**
   2. **Explain how the Court has at times allowed the restriction of the civil rights of minority groups and at other times has protected those rights.**
5. **The design of the judicial branch protects the Supreme Court’s independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice.**
   1. **Explain the principle of judicial review and how it checks the power of other institutions and state governments.**
   2. **Explain how the exercise of judicial review in conjunction with life tenure can lead to debate about the legitimacy of the Supreme Court’s power.**
   3. **Explain how the exercise of judicial review in conjunction with life tenure can lead to debate about the legitimacy of the Supreme Court’s power.**
   4. **Explain how the exercise of judicial review in conjunction with life tenure can lead to debate about the legitimacy of the Supreme Court’s power.**
   5. **Explain how other branches in the government can limit the Supreme Court’s power.**

**Required Documents:**

**Constitution**

**Letter from Birmingham Jail (Martin Luther King Jr**

**Required Court Cases:**

Gitlow v. New York (1925) Palko v. Connecticut (1937) McDonald v. Chicago (2010)

Schenck v. United States (1919) Texas v. Johnson (1989) Reno v. ACLU (1997)

Chaplinksy v. New Hampshire (1942) New York Times v. Sullivan (1964)

Tinker v. Demoines (1969) Miller v. California (1973) Citizens United v. FEC (2010)

FEC v. Wisconsin Right to Life (2007) Engel v. Vitale (1962) Lee v. Weisman (1992)

Lemon v. Kurtzman (1971) Zelman v. Simmons-Harris (2002)

Wisconsin v. Yoder (1972) Burwell v. Hobby Lobby (2014)

Plessy v. Ferguson (1896) Brown v. Board of Education (1954) Reed v. Reed (1971)

Craig v. Boran (1976) Griswald v. Connecticut (1965) Roe v. Wade (1973)

Planned Parenthood v. Casey (1992) Whole Women’s Health v. Hellstedt (2016)

Regents of the University of California v. Bakke (1978)

Fisher v. University of Texas at Austin et al (2016)

Boy Scouts of America v. Dale (2000) Lawrence v. Texas (2003) United States v. Windsor (2013)

Obergefell v. Hodges (2015)

**Master Vocabulary List**

**Chapter 5**

Bill of Rights

-Civil liberties

First Amendment

-Second Amendment

-Individual liberty

-Establishment Clause

-Free Exercise Clause

-Wall of Separation

-Secular

-Majoritarian

-Engel v. Vitale (1962)

-Wisconsin v. Yoder (1972)

-Tinker v. Des Moines (1969)

-Symbolic speech

-Social order

-Defamation

-Libel

-Slander

-Obscenity

-Hate speech

-Schenck v. United States (1919)

-“Clear and Present Danger” test

-New York Times Co. v. United States (1971)

-Prior restraint

-National security

-Eighth Amendment

-Cruel and unusual punishment

-Death penalty

-Fourth Amendment

-Telecommunication metadata

-Selective incorporation

-Fourteenth Amendment

-Infringement

-McDonald v. Chicago (2010)

-Right to keep and bear arms

-Miranda rule

-Fifth Amendment

-Sixth Amendment

-Writ of habeas corpus

-Public safety exception

Good faith exception

Inevitable discovery

Civil forfeiture

-Unreasonable search and seizure

Probable Cause

-Right to counsel

-Speedy and public trial

-Impartial jury

-Search warrant

-Patriot Act

-USA Freedom Act

-Due Process Clause

-Equal Protection Clause

-Gideon v. Wainwright (1963)

-Exclusionary rule

-Right to privacy

-Roe v. Wade (1973)

**Chapter 6**

Civil rights

-Brown v. Board of Education (1954)

-The Civil Rights Act of 1964

-Title IX of the Education Amendments Act of 1972

-The Voting Rights Act of 1965

-Supreme Court holding

-“Separate but equal” doctrine

-Majority-minority districting

-Affirmative action

-Pro-life movement

-Pro-choice movement

-Compelling state interest

-Constitutional provision

-Social movement

-“Letter from a Birmingham Jail”

-Civil Rights Movement

De jure segregation

De facto segregation

Suspect classification

Strict scrutiny

Civil disobedience

Protest

Police power

Equality of results

Equality of opportunity

Reverse discrimination

-Women’s Rights Movement

-National Organization for Women (NOW)

**Chapter 16**

Judicial review

Constitutional court

District courts

Courts of Appeal

Legislative courts

Litmus Test

Federal question cases

-Federalist #78

-Marbury v. Madison (1803)

-Precedent

-Stare decisis

Political question

remedy

Writ of certiorari

In forma pauperis

Fee shifting

Plaintiff

Defendant

Standing

Class-action suits

Brief

Amicus curiae

-Judicial activism approach

-Judicial restraint approach

-Strict constructionism

-Loose constructionism

-Original jurisdiction

-Appellate jurisdiction

-Concurrent jurisdiction

Sovereign immunity

Per curiam opinion

Concurring opinion

Dissenting opinion