

Objective 1: Understand the constitutional basis of civil liberties and the Supreme Court's role in defining them.

1. Define the term "civil liberties."
2. What was the most important difference between the Supreme Court's decision in *Barron v. Baltimore* and *Gitlow v. New York*?
3. Explain the importance of the Fourteenth Amendment.
4. What is the incorporation doctrine?

Objective 2: Discuss the religious liberties guaranteed in the First Amendment.

1. List four Supreme Court cases concerning the establishment clause and comment on their significance.
 - a. *Lemon v. Kurtzman*
 - b. *Zelman v. Simmons-Harris*
 - c. *Engel v. Vitale*
 - d. *School District of Abington Township v. Schempp*
2. Compare and contrast the Supreme Court case of *Employment Division v. Smith* (1990) with the Religious Freedom Restoration Act of 1993.

Objective 3: Explain the nature of and the issues involving freedom of expression in America.

1. Define the term "prior restraint."

-*Near v. Minnesota*

2. List and explain the significance of these three Supreme Court cases concerning free speech and public order.

a. *Schenk v. United States*

b. *Dennis v. United States*

c. *Yates v. United States*

3. What is a shield law?

4. How did the Supreme Court define obscenity in the case of *Miller v. California*?

5. How are the standards for winning libel lawsuits different for public figures and private individuals?

New York Times v. Sullivan-

6. Define the term "symbolic speech."

7. Who regulates commercial speech?

8. What is the function of the Federal Communications Commission (FCC)?

9. Explain the two facets of the freedom of assembly.

a.

b.

NAACP v. Alabama-

Objective 4: Identify the rights of individuals accused of crimes.

1. How are the following terms interrelated: probable cause, unreasonable searches and seizures, search warrant, and exclusionary rule? (4th Amendment)

2. What are the three guidelines for police questioning of suspects as set forth in *Miranda v. Arizona* (1966)?
5th Amendment
 - a.

 - b.

 - c.

3. What is the significance of the Supreme Court case of *Gideon v. Wainwright* (1963) – 6th Amendment

4. What are the pros and cons of plea bargaining?

5. List and explain the importance of these three Supreme Court cases concerning the death penalty.
8th Amendment
 - a. *Furman v. Georgia*

 - b. *Gregg v. Georgia*

 - c. *McCleskey v. Kemp*

Objective 5: Evaluate and discuss the issue of the right to privacy.

1. Explain how the Constitution implies a right to privacy.

2. List and explain the importance of these four Supreme Court cases concerning abortion.

a. *Roe v. Wade*

b. *Webster v. Reproductive Health Services*

c. *Planned Parenthood v. Casey*

d. *Sternberg v. Carhart*

Objective 6: Understand the impact of civil liberties on democracy and the scope of government.

1. In your opinion are the rights guaranteed in the Fourth, Fifth, Sixth, Seventh, and Eighth Amendments more beneficial to criminals or society at large?

2. In what ways do civil liberties limit the scope of government and in what ways do they expand the scope of government?

KEY TERMS

civil liberties

Bill of Rights

First Amendment

Fourteenth Amendment

incorporation doctrine

establishment clause

free exercise clause

prior restraint

libel

symbolic speech

commercial speech

probable cause

unreasonable searches and seizures

search warrant

exclusionary rule

Fifth Amendment

self-incrimination

Sixth Amendment

plea bargaining

Eighth Amendment

cruel and unusual punishment

right of privacy

Identify and describe: key cases

Barron v. Baltimore (1833)

Gitlow v. New York (1925)

Lemon v. Kurtzman (1971)

Zelman v. Simmons-Harris (2002)

Engel v. Vitale (1962)

School District of Abington Township, Pennsylvania v. Schempp (1963)

Near v. Minnesota (1931)

Schenk v. United States (1919)

Zurcher v. Stanford Daily (1976)

Roth v. United States (1957)

Miller v. California (1973)

New York Times v. Sullivan (1964)

Texas v. Johnson (1989)

Miami Herald Publishing Co. v. Tornillo (1974)

Red Lion Broadcasting Co. v. Federal Communications Commission (1969)

NAACP v. Alabama (1958)

Mapp v. Ohio (1961)

Miranda v. Arizona (1966)

Gideon v. Wainwright (1963)

Gregg v. Georgia (1976)

McCleskey v. Kemp (1987)

Roe v. Wade (1973)

Planned Parenthood v. Casey (1992)

Compare and contrast:

civil liberties and Bill of Rights

First Amendment and Fourteenth Amendment

Barron v. Baltimore and *Gitlow v. New York*

Gitlow v. New York and Fourteenth Amendment

establishment clause and free exercise clause

Lemon v. Kurtzman and *Zelman v. Simmons-Harris*

Engel v. Vitale and *School District of Abington Township, Pennsylvania v. Schempp*

prior restraint and *Near v. Minnesota*

Roth v. United States and *Miller v. California*

libel and *New York Times v. Sullivan*

Texas v. Johnson and symbolic speech

Miami Herald Publishing Company v. Tornillo and *Red Lion Broadcasting Company v. Federal Communications Commission*

probable cause, unreasonable searches and seizures, and search warrant

unreasonable searches and seizures and *Mapp v. Ohio*

unreasonable searches and seizures and exclusionary rule

Fifth Amendment and self-incrimination

Fifth Amendment and *Miranda v. Arizona*

Sixth Amendment and *Gideon v. Wainwright*

Eighth Amendment and cruel and unusual punishment

Gregg v. Georgia and *McCleskey v. Kemp*

right of privacy and *Roe v. Wade*