AP US Government & Politics

Exam Review Units 7.5 & 8

**Enduring Understanding: 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.**

The **U.S. Constitution** includes a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** specifically designed to protect individual liberties and rights.

Civil liberties are:

Civil rights are:

The application of the **Bill of Rights** is continuously interpreted by the courts.

The **Bill of Rights** consists of the first \_\_\_\_\_\_\_\_ Amendments to the **Constitution**, which enumerate the liberties and rights of individuals.

The interpretation and application of the **First Amendment’s** establishment and free exercise clauses reflect an ongoing debate over balancing majoritarian religions practice and free exercise, as represented by such cases as:

* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1962), which declared school sponsorship of religious activities violates the establishment clause
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(1972), which held that compelling Amish students to attend school past the eighth grade violates the free exercise clause

“wall of separation”:

Establishment Clause:

Free Exercise Clause:

The Supreme Court has held that symbolic speech is protected by the **First Amendment**, demonstrated by ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** (1969), in which the court ruled that public school students could wear black armbands in school to protest the Vietnam War.

Efforts to balance social order and individual freedom are reflected in interpretations of the **First Amendment** that limit speech, including:

* Time, place, and manner regulations
* Defamatory, offensive, and obscene statements and gestures
* That which creates a “clear and present danger” based on the ruling in ***Schenck v. United States*** (1919)

In ***New York Times Co. v. United States*** (1971), the Supreme Court bolstered the freedom of the press, establishing a “heavy presumption against prior restraint” even in cases involving national security.

The Supreme Court’s decisions on the **Second Amendment** rest upon its constitutional interpretation of individual liberty.

**Enduring Understanding: Protections of the Bill of Rights have been selectively incorporated by way of the Fourteenth Amendment’s due process clause to prevent state infringement of basic liberties.**

The doctrine of selective incorporation has imposed on state regulation of civil rights and liberties as represented by:

* ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** (2010), which ruled the **Second Amendment’s** right to keep and bear arms for self-defense in one’s home is applicable to the states through the **Fourteenth Amendment**

The Supreme Court has on occasion ruled in favor of states’ power to restrict individual liberty; for example, when speech can be shown to increase the danger to public safety.

The Miranda rule involves the interpretation and application of accused persons’ due process rights as protected by the **\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_ Amendments**, yet the Supreme Court has sanctioned a public safety exception that allows unwarned interrogation to stand as direct evidence in court.

Pretrial rights of the accused and the prohibition of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ searches and seizures are intended to ensure that citizen liberties are not eclipsed by the need for social order and security, including:

* The right to legal counsel, a \_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_ trial, and an \_\_\_\_\_\_\_\_\_\_\_\_ jury
* Protection against warrantless searches of cell phone data under the **Fourth Amendment**
* Limitations placed on bulk collection of telecommunication metadata (Patriot and USA Freedom Acts)

The due process clause has been applied to guarantee the right to an attorney and protection from unreasonable searches and seizures, as represented by:

* ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** (1963), which guaranteed the right to an attorney for the poor or indigent in a state felony case
* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ rule, which stipulates that evidence illegally seized by law enforcement officers in violation of the suspect’s **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amendment** right to be free from unreasonable searches and seizures cannot be used against that suspect in criminal prosecution

While a right to privacy is not explicitly named in the **Constitution**, the Supreme Court has interpreted the due process clause to protect the right of privacy from state infringement. This interpretation of the due process clause has been the subject of controversy, such as has resulted from:

* ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** (1973), which extended the right of privacy to a woman’s decision to have an abortion while recognizing compelling state interests in potential life and maternal health

**Enduring Understanding: The Fourteenth Amendment’s equal protection clause as well as other constitutional provisions have often been used to support the advancement of equality.**

Civil rights protect individuals from discrimination based on characteristics such as race, national origin, religion, and sex; these rights are guaranteed to all citizens under the due process and equal protection clauses of the **U.S. Constitution**, as well as acts of Congress.

The leadership and events associated with civil, women’s, and LGBTQ rights are evidence of how the equal protection clause can support and motivate social movements, as represented by:

* Dr. Martin Luther King’s **“\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_”** and the civil rights movement of the 1960s
* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (NOW) and the women’s rights movement
* The pro-life (anti-abortion) movement

**Enduring Understanding: Public policy promoting civil rights is influenced by citizen–state interactions and constitutional interpretation over time.**

The government can respond to social movements through court rulings and/or policies, as in:

* *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* (1954), which declared that race-based school segregation violates the Fourteenth Amendment’s equal protection clause
* The Civil Rights Act of 1964:
* Title IX of the Education Amendments Act of 1972:
* The Voting Rights Act of 1965:

**Enduring Understanding: 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.**

Decisions demonstrating that minority rights have been restricted at times and protected at other times include:

* State laws and Supreme Court holdings restricting African American access to the same restaurants, hotels, schools, etc., as the majority white population based on the “\_\_\_\_\_\_\_\_\_\_\_\_\_ but \_\_\_\_\_\_\_” doctrine established by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1896)
* *Brown* *v. Board of Education* (1954), which declared that race-based school segregation violates the Fourteenth Amendment’s equal protection clause
* The Supreme Court upholding the rights of the majority in cases that limit and prohibit \_\_\_\_\_\_\_\_-\_\_\_\_\_\_\_\_\_\_\_\_\_ districting (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (1993))

Public Policy: see shared docs on weebly (study all, but provide the following):

Major pieces of education legislation (at least three + definition):

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Major pieces of environmental legislation (at least three + definition):

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Major pieces of health care legislation (at least three+ definition):

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Economic Policy terms:

* monetary policy:
* fiscal policy:
* Federal Reserve (what, when established):
* Keynesian economics (what + example):
* Supply-side or trickle-down economics (what + example):