

The background is a light blue gradient with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance.

THE BILL OF RIGHTS AND THE FIRST AMENDMENT

TOPIC 3.1-3.4

What are Civil Liberties?



I. THE BILL OF RIGHTS

HOW DOES THE CONSTITUTION PROTECT INDIVIDUAL LIBERTIES AND RIGHTS, AND WHAT RIGHTS ARE PROTECTED BY THE BILL OF RIGHTS?

A. LIBERTIES AND THE CONSTITUTION

- Madison: opposed then got on board

B. PROTECTIONS IN THE BILL OF RIGHTS: 9th and 10th amendments, and selective incorporation

C. A CULTURE OF CIVIL LIBERTIES: liberty v. public interest

D. INTERPRETING THE BILL OF RIGHTS

BILL OF RIGHTS

FIRST AMENDMENT

Freedom of speech, religion, press, right to assemble, and petition the government



SECOND AMENDMENT

Right to bear arms



THIRD AMENDMENT

Right to refuse quarters to soldiers



FOURTH AMENDMENT

Protection from unreasonable search and seizure



FIFTH AMENDMENT

Protects people from double jeopardy, self-incrimination, being held for a crime unless accused, and property from being taken for public use

SIXTH AMENDMENT

Right to a fair and speedy trial



SEVENTH AMENDMENT

Right to a trial by jury



EIGHTH AMENDMENT

Protects against cruel or unusual punishment



NINTH AMENDMENT

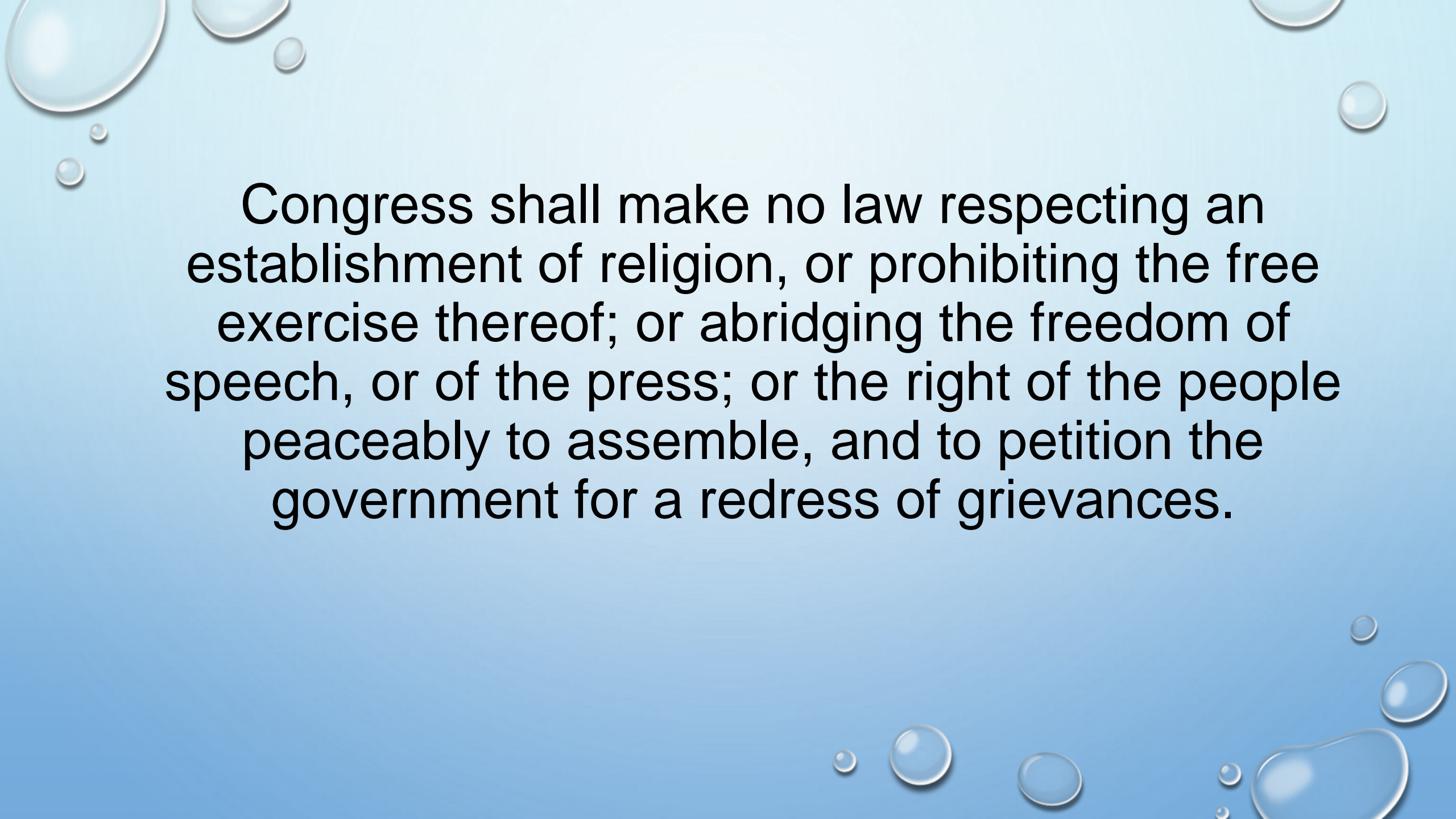
Not all rights are listed in the Constitution



TENTH AMENDMENT

Powers not given to the federal government belong to the people





Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

II. FIRST AMENDMENT: FREEDOM OF RELIGION

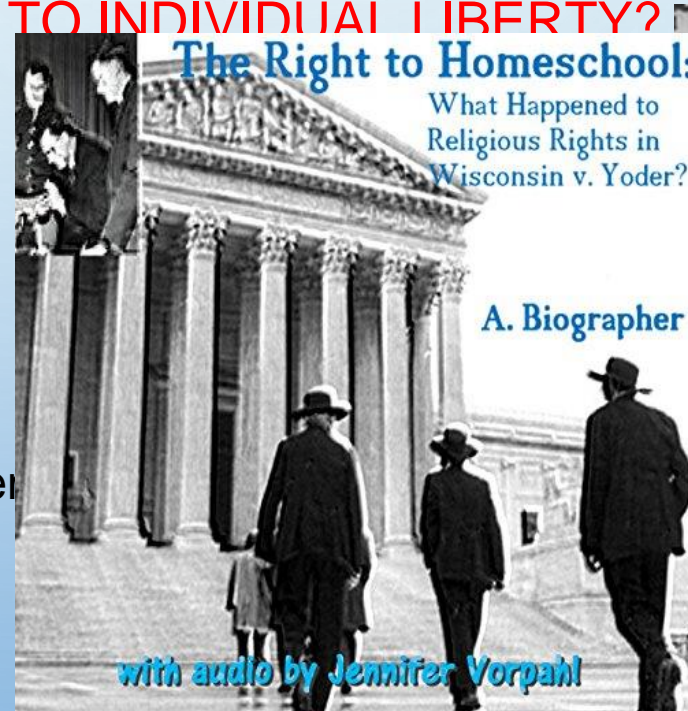
TO WHAT EXTENT DOES THE SUPREME COURT'S INTERPRETATION OF FREEDOM OF RELIGION REFLECT A COMMITMENT TO INDIVIDUAL LIBERTY?

A. CHURCH AND STATE

- establishment clause
- free exercise clause
- engel v. vitale
- the lemon test and excessive entanglement
- Wisconsin v. Yoder

B. CONTEMPORARY ISSUES

- public funding, vouchers, religion in public school?, religious symbols in public places?





III. FIRST AMENDMENT: FREEDOM OF SPEECH

TO WHAT EXTENT DOES THE SUPREME COURT'S INTERPRETATION OF FREEDOM OF SPEECH REFLECT A COMMITMENT TO INDIVIDUAL LIBERTY?

A. DEFINING PROTECTED SPEECH

B. Time, place, and regulations

A. When is a protest free speech? When is it not?

B. When are actions free speech? When are they not? (symbolic speech)

- Tinker V. Des Moines

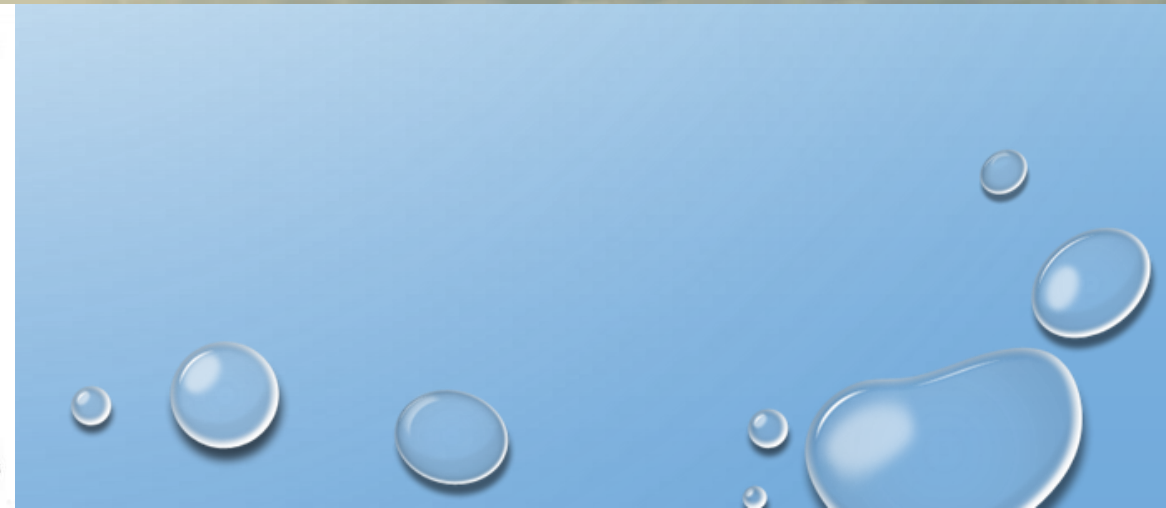
C. Obscenity- Roth V. US, Miller V. California

D. "clear and present danger"

FREE SPEECH



*
CONDITIONS APPLY FUKT



IV. FIRST AMENDMENT: FREEDOM OF THE PRESS

TO WHAT EXTENT DOES THE SUPREME COURT'S INTERPRETATION OF
FREEDOM OF THE PRESS REFLECT A COMMITMENT TO INDIVIDUAL LIBERTY?

A. FREE PRESS IN A DEMOCRACY

- press and speech pretty much the same
- libel, new York times v. Sullivan
- breathing space v. malicious intent
- no prior restraint