* **Ch 10 Civil Liberties**
* **10.1 Protecting constitutional rights Notes**
* **Main Idea**
* The US was formed out of a belief that individuals had certain important liberties and rights
* The Constitution’s Bill of Rights protects these liberties and rights
* **The Bill of Rights**
* Founders commitment to “freedom” led to D of I
* “Life, Liberty, and the Pursuit of Happiness”
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **After Independence & Ratification**
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Only briefly discussed at Constitutional Convention in 1787
  + Mason proposed a Bill of Rights
  + Most felt state constitutions & separation of powers were enough to protect Americans’ rights
* During national debate over ratification it became clear that a lack of B of R could doom Constitution
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in government’s commitment to rights wasn’t enough
* **The 10 Amendments**
* In order to win ratification of Constitution, supporters agreed to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Madison drafted amendments
* *If we list them, does this imply that the govt only protects THOSE rights?...\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*
* 10 amendments ratified by states in 1791
* **CL vs CR**
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Basic freedoms to think and act that all people have and that are protected from govt abuse
* ~ guarantee of religious freedom
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Rights of fair and equal status and treatment and the right to participate in govt
* ~ right to petition the govt
* **Limits on Civil Liberties & Rights**
* Individual liberties and rights can conflict
* The government must decide if \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* The courts work to balance the protection of civil liberties and the protection of the public good
* **Civil Liberties & the 14 Amendment**
* The Supreme Court has ruled that much of the B of R applies to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
  + Based on 14th amendment
  + In wake of CW, 14th forbade states to “deprive any person of life, liberty, or property without due process of law”
  + Due process = \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Court has held the due process clause means that many guarantees of B of R apply to the states
* The SC “incorporated” or “merged” much of B of R into 14 amendment
  + Reasoning is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ – certain protections are essential to due process of the law
  + States can’t deny these protections to the people
* \*See key incorporation cases on pg 283-284