POLS 1101: American Government

Chapter 5 Study Guide

Chapter 5: Civil Liberties

2. Civil Liberties: Foundational Concepts

- Be sure to know and understand the definition of civil liberties.
 - Legal rights designed to protect individuals from abuse of power by government

The Nature and Constitutional Sources of Civil Liberties

- Do constitutions protect civil liberties against infringement by private individuals (or businesses) or do constitutions only protect against infringement by government?
 - Only protect against infringement by government
- Did civil liberties listed in the Bill of Rights of the U.S. Constitution apply to actions taken by state governments prior to the Civil War? Did they apply to actions taken by the federal government prior to the Civil War?
 - They applied to actions taken by the federal govt only

Judicial Enforcement and Interpretation of Civil Liberties

- What is "Incorporation"? What does it have to do with the Due Process Clause of the 14th Amendment?
 - When the supreme court holds that a civil liberty from the bill of rights applies to state govts through 14th amendment; the clause was protected against state govt. By this process clause
 - What's the difference between "selective incorporation" and "total corporation"? Which
 approach has the U.S. Supreme Court used?
 - Gradual process by which the supreme court has chosen which civil liberties from bill of rights to incorporate through 14th amendment due
 - The idea that all of the civil liberties protected by the bill of rights should automatically be incorporated into the due process clause all at once
- These two concepts are closely tied to the Due Process Clause of the 14th Amendment: (1)
 Incorporation and (2) Unenumerated Constitutional Rights. What's the difference between those
 two constitutional sources of civil liberties?
 - Enumerated: rights that are said to be implied by the constitution but that are not actually mentioned in it
 - The difference between the two is in how liberties protected are discovered

American Government Chapter Four Study Guide

Dan Sullivan

American Government Chapter Four Study Guide:

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