

# Unit 3 Study Guide

## Key Concepts:

### - Civil liberties vs. Civil rights

↳ Civil liberties = basic freedoms (guaranteed in constitution)

while... Civil rights = basic right to not be discriminated against (legal rights protecting against discrimination)

- **Selective incorporation** → States cannot pass laws that infringe on the Bill of rights

- **Habeas Corpus** → Constitutional right against unlawful and indefinite imprisonment

### - First Amendment

\* Free exercise clause

↳ right to practice religion

\* Establishment Clause

↳ prohibits the gov't from establishing a religion

\* What is protected?

1. religion

2. free speech

3. Symbolic speech

4. right to assemble

5. right to petition

6. freedom of the press

} when can speech be limited?  
"time, place and manner" restrictions

} when can press be limited?

press that is directly inciting or producing imminent lawless action

### - Second Amendment

\* Right to bear arms

### - Rights of the accused

\* 4th Amendment → right to proper search and seizure

\* 5th Amendment → right to fair treatment for the accused

\* 6th Amendment → right to an attorney and a fair trial

\* 8th Amendment → prevents excessive bail and cruel and unusual punishment

### - 14th Amendment

\* Defines U.S. Citizens' rights

\* Equal Protection clause → Gov't cannot deny people equal protection of its governing laws

\* Due Process Clause → Gov't cannot take "life, liberty and property" away from someone without due process of law, such as a lawful trial

### - Civil Rights Act of 1964

↳ prohibited discrimination in public accommodations and federally funded programs

### - Voting Rights Act of 1965

↳ prohibited discriminatory practices for the voting process, such as literacy tests

### - Affirmative Action

↳ Providing favourment towards discriminated races

### - Judicial Restraint vs. Activism

↳ Restraint = keeping current precedings

while... Activism = favouring making strides on opinion-based issues while in office