**Questions for Chapter 4**

1. Where do Americans get their rights to life and liberty? Where are those rights enumerated?

2. What is the difference between civil liberties and civil rights?

3. Who has the responsibility to ensure that the Constitution, the Bill of Rights and American laws? How?

4. Is the Bill of Rights a “granting of rights” or a “denial of authority”?

5. Before the 14th Amendment, what/who did the Bill of Rights apply to?

6. What is selective incorporation?

7. Has the 1st Amendment’s guarantee of freedom of expression ever been violated in US history? When?

8. How did *Brandenburg v Ohio (1968)* change the view of the courts toward the freedom of speech?

9. Can an American burn his draft card? Why? What case determined this?

10. Can a person burn the American flag in a political protest? Why? What case determined this?

11. Can the Nazi party peacefully organize rallies and parades promoting their philosophy of racial purity? Why? What case determined this?

13. Can the government stop a publication from going to press? Why? What case determined this?

14. What is the difference between libel and slander? When is somebody guilty of libel or slander?

15. Is the possession of child pornography protected by the 1st Amendment?

16. How are the 1st Amendment’s free exercise clause and the establishment clause in contradiction with one another? What is the “Lemon Test”?

17. What do the rulings in the Van Orden case and the McCreary case tell us about religion in judicial decisions?

17. What did the court say in *DC v Heller* in 2008? What about *McDonald v Chicago* in 2010?

18. Are abortion rights enumerated or implied in the Bill of Rights? Where in the constitution did the right to an abortion come from?

19. Did *Planned Parenthood v Casey* change the opinion of the court in terms of abortion rights protected by the U.S. Constitution? How about *Gonzales v Carnhart*?

20. What is “procedural due process” and where is it found in the U.S. Constitution?

21. Identify the five phases in a criminal procedure and the rights the accused has during this process.

22. What are your Miranda Rights? Describe the case that produced these specific rights?

22. Are the states different in their per capita incarceration rates? Why?

23. Do enemy combatants have a constitutional right to civilian courts? Why? Where in the constitution is this enumerated?

24. Do enemy combatants have a right to a trial? Why? Where is this right found?

25. Are Snowden and Manning traitors or whistleblowers?

Important Cases from Chapter Four

Brandenburg v. Ohio 1969

Bowers v Hardwick 1986

Burwell v Hobby Lobby 2014

Citizens United v FEC 2010

D.C. v. Heller 2008

Employment Division v Smith 1990

Engle v. Vitale 1962

Gitlow v. New York 1925

Griswold v. CT 1965

Gideon v Wainwright 1963

Gonzalas v Carhart 2007

Hamdi v. Rumsfeld 2004

Hamdan v. Rumsfeld 2006

Korematsu v US 1944

Johnson v Zerbst 1938

Lawrence v Texas 2003

Lemon v Kurtzman 1971

Mapp v. Ohio 1961

McCreary County v. American Civil Liberties Union 2005

McDonald v Chicago 2010

Miller v California 1973

Miranda v Arizona 1966

Missouri v Siebert 2004

Near v MN 1931

New York Times v US 1971

New York Times v Sullivan 1964

Nix v Williams 1984

Panetti v Quarterman 2007

Planned Parenthood v Casey 1992

Riley v CA 2014

Roe v Wade 1973

Schenk v US 1919

Snyder v Phelps 2011

Texas v Johnson 1989

United States v Leon 1984

Van Orden v Perry 2005

Whren v US 1996

Witherspoon v IL 1968

Weeks v US 1914

Zelman v Simmons-Harris 2002