The Judicial Branch

Chapter 15: Constitutional Freedoms

1. **Lesson 1: Freedom of Speech**
2. Free Speech in Democracy
3. Citizens and noncitizens have the **­­­­\_\_\_\_\_\_** to speech, read and write what they choose
4. The first Amendment’s protection of **\_\_\_\_\_\_\_\_** and **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** is central to US democracy
5. This gives the people the ability to obtain **\_\_\_\_\_\_\_\_\_\_\_\_\_** from a diversity of sources
6. This gives the people the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** to make decisions and communicate these decisions to the government
7. The first amendment was intended to **\_\_\_\_\_\_\_\_\_\_\_**people from having their speech punished by the federal government
8. The first amendment exists to protect **\_\_\_\_\_\_\_** that may be unpopular or different from those of the **\_\_\_\_\_\_\_\_\_\_\_\_**
9. Types of Free Speech
10. **\_\_\_\_\_\_\_** speech refers to verbal expression to an audience that has chosen to listen
11. Expression may be **\_\_\_\_\_\_\_\_\_\_\_** as well as verbal or nonverbal
12. Symbolic speech is **\_\_\_\_\_\_\_\_\_\_** that expresses an idea
13. Content Restriction on Speech
14. Like other constitutional rights, the government can place some **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** on the freedom of speech
15. Conflicts involving **\_\_\_\_\_\_\_\_\_\_\_** of expression are among the most difficult ones that courts are asked to **\_\_\_\_\_\_\_\_\_**
16. Free speech cases frequently involve a clash of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** values
17. Obscenity
18. In **\_\_\_\_\_\_** the US Supreme Court ruled that obscenity is not speech protected by the Constitution
19. The Supreme Court also stated that **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** for what is considered obscene may be different from one\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to the next
20. In 1997, in the case called *Reno v. ACLU* the Supreme Court ruled that a law prohibiting the distribution of material online was **\_\_\_\_\_\_\_\_\_\_\_\_**
21. Defamation
22. This is a false expression about a person that **\_\_\_\_\_\_\_\_\_\_\_** that person’s reputation (slander)
23. Someone who commits **\_\_\_\_\_\_\_\_\_\_** may be sued and pay money damages to the person harmed
24. This is a hard case to win in court because of the **\_\_\_\_\_\_\_** placed on freedom of speech
25. *New York Times Co. v. Sullivan* (1964) the Supreme Court stated that even if a **\_\_\_\_\_\_\_\_\_\_\_\_\_** story about a government official is false it was still protected speech unless the person knew it was **\_\_\_\_\_\_\_\_**
26. “Fighting Words”
27. The First Amendment does not protect you if you use words that are **\_\_\_\_\_\_\_\_** that they amount into violence
28. The value of **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** are outweighed by society’s need to maintain order
29. Courts very rarely use the “fighting words” doctrine today because **\_\_\_\_\_\_\_\_\_\_\_\_\_** speech could make listeners angry
30. Commercial Speech
31. Most advertising is consider **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** speech
32. The courts have ruled that commercial speech is **\_\_\_\_\_\_\_\_\_\_\_** but not like political speech is protected
33. Governments are allowed to ban commercial speech that is **\_\_\_\_\_\_\_** or provides information about **\_\_\_\_\_\_\_** products
34. Governments can place restrictions on other forms of commercial speech (billboards) if they have **\_\_\_\_\_\_**reason
35. Seditious Speech
36. Congress have outlawed **\_\_\_\_\_\_\_\_\_\_\_** speech, any form of speech that is urging the **\_\_\_\_\_\_\_\_\_\_\_\_\_** to lawful authority
37. In 1919, *Schenck v. United States* gave the court the ability to punish a person that presents **“\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_"**
38. The Supreme Court has altered this by stating that if it does not **\_\_\_\_\_** violence its not “clear and present danger”
39. Free Speech in Public School
40. Free Speech in public schools **\_\_\_\_\_\_** only if it doesn’t come into conflict with **\_\_\_\_\_\_\_** of others or violates **\_\_\_\_\_\_\_\_\_\_\_** environment
41. Courts allow greater expression rights in **\_\_\_\_\_\_\_** parks and on street corners than in **\_\_\_\_\_\_\_\_\_\_**
42. Courts have ruled that they can punish **\_\_\_\_\_** or **\_\_\_\_\_\_\_\_\_** speech even though the same speech would be protected outside school
43. Courts consider age of the students and the **\_\_\_\_\_\_\_\_\_** educational setting when deciding these cases
44. **Lesson 2: Freedom Press, Assembly, and Petition**
45. Freedom of the Press
46. The 1st Amendment protects us from government **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of any media source
47. Traditionally, courts have protected the press from government **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
48. The most important reason to having a free press is that the press **\_\_\_\_\_\_\_\_\_** all our political and legal institutions to public **\_\_\_\_\_\_\_\_\_**
49. Sometimes it does **\_\_\_\_\_\_\_** with other rights
50. Prior Restraint
51. Prior Restraint is censorship of information before it is **\_\_\_\_\_\_\_\_\_\_\_\_**
52. Prior Restraint is unconstitutional unless it is going to cause certain serious and **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** harm
53. *New York Times Co. v. United States* the Supreme Court up held the New York Times right to **\_\_\_\_\_\_\_\_\_\_** information that could prove an **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** to the US government
54. Fair Trials
55. The First Amendment’s freedom of speech and the Sixth Amendment’s right to a fair trial can come into **\_\_\_\_\_\_\_\_\_\_\_**
56. The Supreme Court has stated that newspapers can publish information about a trial and the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of a trial can still get a fair trial
57. New Media
58. **\_\_\_\_\_\_\_\_\_\_\_** media has created new issues regarding freedom of press
59. The problem with modern media is the use of **\_\_\_\_\_\_** clips showing the crime taking place could **\_\_\_\_\_\_\_\_\_\_\_\_** a jury
60. does this still mean that the defendant gets a fair trial?
61. Judges still have to decide on a case by case **\_\_\_\_\_\_** if the defendant can get a fair trial
62. Freedom of Petition
63. **\_\_\_\_\_\_\_\_\_\_** includes such things as signing a petition, filing a lawsuit, writing an e-mail, testifying before tribunals, or collecting signatures for a ballot initiative
64. The right to petition has **\_\_\_\_\_\_\_** in the Magna Carta and English Bill of Rights
65. Freedom of Assembly
66. This means people can **\_\_\_\_\_\_\_\_\_\_\_\_\_** in protests, parades, and other large events peacefully
67. This freedom also allows us to meet in each others **\_\_\_\_\_\_\_** or other private places, **\_\_\_\_\_\_\_\_\_\_\_\_**
68. The freedom of **\_\_\_\_\_\_\_\_\_\_\_** must be balanced with government’s interest in maintaining order and safety
69. The government can **\_\_\_\_\_\_\_\_\_\_\_\_\_** regulate the time, place, and manner of assemblies
70. **Lesson 3: Freedom of Religion**
71. Religious Freedom
72. The \_\_\_\_\_\_\_\_\_\_ of the United States believed that individuals should be able to practice their religion freely
73. the government is \_\_\_\_\_\_\_\_\_\_ from either endorsing or punishing religious people for their religious beliefs
74. The \_\_\_\_\_\_\_\_\_\_\_\_\_ can not make a law that favors one religion or favor religious activities over non religious activities
75. Between \_\_\_\_\_\_ and \_\_\_\_\_\_, the US Supreme Court heard only five cases dealing with separation of church and state
76. The Establishment Clause
77. This is the first **\_\_\_\_\_\_\_** of the 1st amendment
78. It forbids the **\_\_\_\_\_** or **\_\_\_\_\_\_\_** government from favoring one religion
79. It also **\_\_\_\_\_\_\_\_** the state and federal government from requiring that the people attend church
80. This were the term **“\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**” comes from
81. The cases involving the establishment clause are the most **\_\_\_\_\_\_\_\_\_\_\_** to reach the Supreme Court
82. School Prayer
83. These types of cases in the courts are the most **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
84. Since public schools receive funds from the **\_\_\_\_\_\_\_\_\_\_\_\_\_**, this make them part of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
85. *Engle v. Vitale* the Supreme Court has held that public school-sponsored prayer **\_\_\_\_\_\_\_\_** the establishment clause
86. Religious Displays by Governments
87. The establishment clause also **\_\_\_\_\_\_\_\_\_\_** some religious displays by the government
88. Constitutional displays would be more than one **\_\_\_\_\_\_\_\_\_** being shown or displays done with a **\_\_\_\_\_\_\_\_** purpose
89. The Free Exercise Clause
90. Protects the right of **\_\_\_\_\_\_\_\_\_\_\_\_** to worship as they choose
91. Sometimes this can be taken away if it comes into **\_\_\_\_\_\_\_\_\_** with other important interests
92. Governments can pass laws that don’t **\_\_\_\_\_\_\_** to harm religion but it still happens to **\_\_\_\_\_\_\_\_\_** someone or force someone to act in a way that **\_\_\_\_\_\_\_\_\_** their religion
93. Some of the most discuss cases on free **\_\_\_\_\_\_\_\_\_\_\_** deal with children saluting the **\_\_\_\_\_\_\_\_\_\_\_\_\_** Flag
94. **Lesson 4: The 14th Amendment**
95. Citizenship
96. The 14th Amendment clearly **\_\_\_\_\_\_\_\_\_\_\_\_\_** what constitutes citizenship
97. Anyone **\_\_\_\_\_\_** or **\_\_\_\_\_\_\_\_\_\_\_\_** as long as they are in the US jurisdiction
98. This also meant that people of all races who were born here were US **\_\_\_\_\_\_\_\_**
99. Native American Citizenship
100. The 14th amendment did not **\_\_\_\_\_\_** citizenship to Native Americans
101. In **\_\_\_\_\_** the Indian Citizenship Act granted citizenship to all Native Americans **\_\_\_\_\_\_** in the US
102. Procedural Due Process
103. Means that the government must follow fair **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** if it is going to **\_\_\_\_\_\_\_\_** someone of their unalienable rights
104. It guarantees that anyone who goes to court will go through a fair **\_\_\_\_\_\_** and have the opportunity to **\_\_\_\_\_\_** their legal rights
105. Substantive Due Process
106. Means that laws **\_\_\_\_\_\_\_\_\_\_\_\_** have to be fair
107. A law cannot **\_\_\_\_\_\_\_\_\_\_\_\_\_** interfere with a fundamental or basic **\_\_\_\_\_\_**
108. A law will not necessarily be declared unconstitutional simply because it affects a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** right
109. Equal Protection
110. Means that laws must apply to **\_\_\_\_** people who are in a similar situation unless the state has a very good reason
111. It also means the government cannot draw **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** distinctions among different groups
112. When a law or government action is **\_\_\_\_\_\_\_\_\_\_\_\_** as violating the equal protection clause judges determine if it is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
113. Rational Basis
114. Judges use this when **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** cases go to court
115. This exists when there is a logical **\_\_\_\_\_\_\_\_\_\_\_\_\_** between the treatment of some group of people and the purpose of the law
116. Substantial Relationship
117. They use this test in gender **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** cases
118. This is a middle ground between **\_\_\_\_\_\_\_\_\_\_** basis and **\_\_\_\_\_\_\_** scrutiny
119. When determining causes using this test there must be a close **\_\_\_\_\_\_\_\_\_\_\_\_\_** between the law or practice and its purpose
120. Laws that classify based on gender must serve an important **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** purpose
121. **Lesson 5: Equal Protection and Discrimination**
122. Protection from Unfair Discrimination
123. The promise of equality is set out in the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of Independence
124. Discrimination occurs when some people are treated **\_\_\_\_\_\_\_\_\_\_\_\_** than others
125. Sometimes, the government must treat different groups of people **\_\_\_\_\_\_\_\_\_\_\_**
126. Other laws or government actions **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** in a way that is unconstitutional
127. *Brown v. Board of Education (1954)*
128. Is the first case that challenged **\_\_\_\_\_\_\_\_\_\_\_\_\_** in public schools
129. The Court **\_\_\_\_\_\_\_\_\_\_\_\_\_** descried that segregated school could never ben equal and thus unconstitutional
130. This **\_\_\_\_\_\_\_\_\_\_\_\_\_** the “separate but equal” doctrine of *Plessy v. Ferguson*
131. In **\_\_\_\_\_\_** LBJ appointed Thurgood Marshall to the Supreme Court becoming the first African American justice
132. Discrimination Based on National Origin
133. In **\_\_\_\_\_** the Supreme Court made it clear the 14th Amendment protects people based on national not just race
134. *Hernandez v. Texas* the Court ruled that excluding one race from a trial **\_\_\_\_\_\_\_\_\_** defendants like Hernandez of equal protection
135. Civil rights laws protect against **\_\_\_\_\_\_\_\_\_\_\_** discrimination based on national origin
136. In *Plyler v. Doe* the Supreme court stated that **\_\_\_\_\_\_\_\_\_\_\_\_** immigrants are protected under the 14th Amendment
137. Discrimination Based on Sex and Gender
138. 22 states have passed specific protection against gender discrimination by **\_\_\_\_\_\_**
139. A variety of state and federal laws protect women and girls from **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
140. Despite many advances, women continue to earn less **\_\_\_\_\_\_\_\_** than men
141. Discrimination Based on Sexual Orientation
142. There are no federal laws that prohibit discrimination on the basis of **\_\_\_\_\_\_\_\_** orientation a number of states, cities, and towns have passed laws that provide some **\_\_\_\_\_\_\_\_\_\_\_**
143. These laws vary from place to place and may protect individuals in areas of **\_\_\_\_\_\_\_\_\_\_\_\_**, housing, **\_\_\_\_\_\_\_\_\_\_\_**, family matters, and **\_\_\_\_\_\_\_** accommodations
144. In **\_\_\_\_\_\_**, the federal government struck down “don’t ask, don’t tell” policy in the armed services
145. In **\_\_\_\_\_\_** the Supreme Court ruled that the federal government was required to recognize same-sex marriage
146. Discrimination Based on Disability
147. Many people with **\_\_\_\_\_\_\_\_\_\_\_\_\_** suffer discrimination in certain areas of daily life
148. Since the **\_\_\_\_\_\_\_\_**, numerous laws have been passed banning discrimination against a person with **\_\_\_\_\_\_\_\_\_\_\_\_**
149. These laws require consideration of a person’s special needs involve such issues as **\_\_\_\_\_\_\_\_\_\_\_**, employment, **\_\_\_\_\_\_\_\_\_** design, and transportation
150. Affirmative Action
151. This involves governments and employers taking steps to correct past and present **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** in workforce & education
152. Many states have voted to ban or limit these **\_\_\_\_\_\_\_\_\_\_\_\_**
153. The Court has been mixed when it comes to voting on this area of **\_\_\_\_\_\_\_\_** rights.
154. **Lesson 6: Right to Bear Arms and to Privacy**
155. 2nd Amendment
156. Many Americans **\_\_\_\_\_\_\_\_** about exactly what the 2nd amendment means
157. The Supreme Court has clearly ruled that it **\_\_\_\_\_\_\_\_\_** an individuals right to keep a **\_\_\_\_**
158. Gun Control
159. This is a **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** issue when it comes to the government
160. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**-is the primary gun control law that prohibits certain people from buying or possessing a gun
161. Some states have given people more **\_\_\_\_\_\_\_\_\_** to own and carry guns
162. When looking at firearms laws the Court has to **\_\_\_\_\_\_\_\_\_** protection of rights over the interest of public safety
163. Right to Privacy
164. This is a right that does not appear in the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** but many argue that it is a basic right
165. The Court has used the 1st, 3rd, 4th, and 5th amendments when ruling on **\_\_\_\_\_\_\_\_\_\_\_\_\_** related cases
166. The government may **\_\_\_\_\_\_\_\_** privacy rights if it **\_\_\_\_\_\_\_\_\_\_** with important government interests
167. Most states have added a right to **\_\_\_\_\_\_\_\_\_\_** clause in their state constitutions
168. Reproductive Rights and Privacy
169. The Court first recognized this right in the **\_\_\_\_\_\_**, when they stated a state couldn’t outlaw access to **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
170. The most **\_\_\_\_\_\_\_\_\_\_\_\_\_** ruling the Court decided was *Roe v. Wade* which made abortion legal
171. **\_\_\_\_\_\_\_\_\_\_\_\_** has been an important issue in elections and in judicial nominations
172. Information Gathering and Privacy
173. Online privacy is also **\_\_\_\_\_\_\_\_\_\_\_\_\_** by websites and hackers who gather information on people who use the internet
174. **\_\_\_\_\_\_\_\_\_\_\_\_** can even spy on your online activity to develop targeted **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
175. As long as the actions by individuals and businesses does not violate the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** or cause harm to an **\_\_\_\_\_\_\_\_\_\_\_\_\_** it is legal
176. Some actions can be **\_\_\_\_\_\_\_\_\_\_\_\_** by the state and federal government

****