

Civil Liberties: Protecting Individual Rights

Essential Question

To what extent has the judiciary protected the rights of privacy, security, and personal freedom?

Section 1:

Due Process of Law

Section 2:

Freedom and Security of the Person

Section 3:

Rights of the Accused

Section 4:

Punishment

“My **belief** has always been . . . that **wherever** in this land any individual’s **constitutional rights** are being **unjustly denied**, it is the **obligation** of the federal government—at point of bayonet if necessary—to **restore** that individual’s constitutional **rights**.”

—Ronald Reagan

Photo: Statue of Lady Justice

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Lesson Goals

SECTION 1

Students will . . .

- understand the importance of due process by analyzing examples of when due process was and was not followed and by considering how government might function without due process.
- evaluate how government balances its police power with individual freedoms by summarizing scenarios in which society’s well-being conflicts with a person’s rights.

SECTION 2

Students will . . .

- understand 4th Amendment guarantees against unreasonable search and seizure by discussing proper procedures of police officers and by completing a chart on Court decisions in related cases.
- identify how Supreme Court rulings have narrowed the meaning of the exclusionary rule by defining the rule and analyzing Court opinions related to it.

SECTION 3

Students will . . .

- identify the rights of people accused of crimes by note-taking, completing a tree diagram, and discussing a case related to habeas corpus.
- evaluate the guarantee against self-incrimination by participating in simulations and analyzing a case related to the Miranda rule.

SECTION 4

Students will . . .

- examine how the Court’s interpretation of “cruel and unusual punishment” has changed over time by analyzing court cases on the death penalty.
- analyze and evaluate arguments on the constitutionality of juvenile capital punishment by analyzing Supreme Court opinions and editorials on this issue.

DIFFERENTIATED INSTRUCTION KEY

Look for these symbols to help you adjust steps in each lesson to meet your students’ needs.

L1 Special Needs

L2 Basic

ELL English Language Learners

LPR Less Proficient Readers

L3 All Students

L4 Advanced Students

Pressed for Time

Explain that due process of law requires that government act fairly and in accordance with established rules. Have students create a timeline that charts the development and expansion of due process in the United States. Timelines should begin with the Civil War period and continue to the present. Tell students to scan the chapter to find key Supreme Court cases that addressed due process guarantees regarding security of the person and rights of the accused, and which limited both the Federal Government and State governments. Have students note the cases on their timelines, including explanations of their significance.