

REPORTING CATEGORY 2:
ROLES, RIGHTS & RESPONSIBILITIES OF CITIZENS

SS.7.C.2.1: Define the term "citizen," and identify legal means of becoming a United States citizen.

Citizen: a native or naturalized member of a state or nation who owes allegiance to its government and is entitled to its protection.

You can become an U.S. citizen by birth, through a process called "naturalization," through "derivative citizenship," or through "acquired citizenship."

Naturalization: A process where you show Immigration – the government agency that regulates questions of citizenship -- that you meet certain legal requirements for becoming a U.S. citizen is called "naturalization."

You must have "good moral character" to become a naturalized U.S. citizen. This does not necessarily mean the same as a "good person," as opposed to a "bad person." This is only a legal phrase. You might know a person whom you think of as a "good person" but Immigration might consider this person to lack "good moral character" and deny him or her citizenship. "Good moral character" is not the only requirement for naturalization.

If a person meets all the naturalization requirements, they can apply for naturalization. Immigration will send out an interview notice several months after the naturalization application is filed. During the interview, Immigration will go over the application to make sure the citizenship answers are correct. English skills and an understanding of U.S. history and government are tested. If either the English or U.S. history or government tests are failed, a second interview will be scheduled 3 months later to allow more time to study. If the second interview is failed, citizenship will be denied. Filing again is acceptable, but fees will need to be paid once again.

If the tests are passed during the first or second interview, Immigration will set an appointment to be "sworn in" as a U.S. citizen. This appointment might take several months, but once a person is sworn in, they are a citizen of the United States.

If you are in, or have been in, active duty service in the U.S. Armed Forces, you will want to find out more about the naturalization requirements and if any of the exceptions to the requirements might apply to you.

Derivative Citizenship through their parents' naturalization, some children become U.S. citizens automatically, or "derivatively." Laws about "derivative citizenship" vary depending upon the date the parent(s) were naturalized. Children become U.S. citizens derivatively through their parents' naturalization as long as all of the following requirements are met before the child's 18th birthday.

At least one parent is a U.S. citizen, the child is under 18 years of age, and the child is admitted to the United States as an immigrant.

Acquired Citizenship A child might have "acquired" U.S. citizenship at birth without knowing, or without the parents knowing, if they were born outside the United States and either parent was a U.S. citizen when the child was born. This might also be true even if neither parent was born in the United States, but one or more of the grandparents were. This is an extremely complicated area of immigration law.

SS.7.C.2.2: Evaluate the obligations citizens have to obey laws, pay taxes, defend the nation, and serve on juries

The United States government recognizes a **citizen** as a legal member of the nation who is either born or **naturalized** in the United States. Being a U.S. citizen means that there are both **obligations** and **responsibilities** that must be met, in order to maintain representative democracy and the proper role of government. An obligation is an action that a citizen is required to fulfill by law. A responsibility is an action that a citizen should take for the sake of the **common good**. Below are examples of obligations and responsibilities:

Obligations of Citizens	Responsibilities of Citizens
<p><i>An action that is required by law</i></p> <ul style="list-style-type: none"> • Obeying laws • Paying taxes • Defending the nation • Registering for selective service • Serving on juries 	<p><i>An action that benefits the community/people</i></p> <ul style="list-style-type: none"> • Voting • Attending civic meetings • Petitioning the government • Running for office • Performing community service

Each **citizen** in the United States has certain **obligations** and **responsibilities**. Both the government and citizens are responsible for protecting the rights of individuals and for promoting the **common good** (benefits to the community/people).

When citizens fulfill their obligations to the government they are making the United States a safer and better place to live. By following the law and not committing crimes, communities are less dangerous places. By paying taxes, citizens are ensuring that the government can afford to provide services that benefit the general public. By choosing to defend the nation, citizens are making sure that those who live in the United States are protected against enemies. And finally, by serving on juries, citizens are making sure that the right to a trial by jury is protected.

All of these examples demonstrate how citizens, by fulfilling their obligations, can protect and promote the common good. See the chart below for more examples:

<u>Citizen Obligation</u>	<u>How the Obligation Relates to the Common Good</u>
<ul style="list-style-type: none"> • Obeying the laws 	Obeying laws keeps order so that people are safe
<ul style="list-style-type: none"> • Paying taxes 	Taxes pay for large programs that benefit everyone (roads, schools and libraries, among others)
<ul style="list-style-type: none"> • Jury duty 	By participating in jury duty, one is protecting the Constitutional right to be tried by one’s peers.
<ul style="list-style-type: none"> • Defending the nation 	Defending the nation benefits the entire country and protects the nation.

Responsibilities of a Citizen	How the Responsibility Relates to the Common Good
<ul style="list-style-type: none"> • Voting 	Voting relates to the common good because voting is one way for citizen views to be heard by representatives of the people.
<ul style="list-style-type: none"> • Attending civic meetings 	By attending civic meetings one is able to have one’s voice heard by public officials.
<ul style="list-style-type: none"> • Petitioning the government 	Petitioning the government allows one to voice one’s opinion to the government.
<ul style="list-style-type: none"> • Community service 	Community service helps the common good. It benefits everyone when a citizen sees a need in their community and takes an extra step to find the solution.

Each **citizen** has certain basic **obligations** and **responsibilities** that relate to active participation in society and government. Active participation happens when a citizen is actively participating to help maintain promote the **common good**.

Active participation comes in many different forms for both obligations and responsibilities. Obeying the laws, registering for **selective service**, defending our nation, serving on juries and paying taxes are all obligations and examples of active participation in the society and government. Registering to vote, attending civic meetings, joining interest groups, joining a political party, running for office, and petitioning the government are all responsibilities of good citizens and are examples of active participation in the society and government.

A **citizen** is a legally recognized and protected member of a country. In the United States, citizens have both **obligations** and **responsibilities**. In a democracy, the people actively participate in government and make decisions to promote the **common good**. Examples of contributions that citizens can make, as related to obligations and responsibilities, include:

If **citizens** did not fulfill their **responsibilities**, the United States would be a very different place.

SS.7.C.2.4: Evaluate rights contained in the Bill of Rights and other amendments to the Constitution.

The **Bill of Rights** includes the first ten **amendments** to the U.S. Constitution. The Bill of Rights was added to the U.S. Constitution in 1791, two years after the U.S. Constitution was **ratified**. These amendments define individual freedoms, rights of those accused of a crime, and protections from the federal government.

The First Amendment includes five individual freedoms. Those freedoms are the right to free speech, press, religious exercise, peaceable assembly, and petitioning the government. Freedom of speech allows individuals to express their opinions. This includes speech that may criticize the government or government officials. Freedom of the press allows individuals to publish or print information. Freedom of religious exercise allows individuals to practice their religion freely or to choose not to practice a religion at all. Freedom to peaceably assemble is the ability to peacefully gather in groups. These groups can include those meeting to publicly demonstrate ideas or beliefs, such as a protest. Freedom to petition allows individuals to express their concerns with the government. A petition may formally ask the government for a policy change and may include the signatures of those who support those changes.

There are three categories of rights, freedoms and protections listed in the **Bill of Rights**. The first are individual freedoms as stated in the First Amendment: **free speech, press, religious exercise, peaceable assembly, and petition**.

The second category is the **rights of those accused** of a crime. **Search and seizure** occurs when police believe that a crime has been committed. Police conduct a search to seize (collect) evidence that may have to do with the crime. Protection from unreasonable search and seizure means that police must have a reason and in most cases a warrant from a judge to search a person's personal property, home or body that may include their car, home, locker, backpack or purse belonging to the accused person. Rights of those accused of a crime also include the right to **due process of law**. Due process means that one cannot have their life, liberty or property taken without appropriate legal procedures and protections. **Pleading the Fifth**, or protection against **self-incrimination**, means that those accused of crimes may refuse to testify against themselves in a court of law. Pleading the Fifth prevents anything that a person may say to be used as evidence against them to convict them of a crime. **Double jeopardy** is also protected by the Bill of Rights. If evidence is found after an accused person is found "not guilty" of a crime, that person cannot be brought back to stand trial for the same crime. The right to legal counsel (lawyer) allows all people accused of a crime to have legal representation in court. **Trial by jury** is an additional right protected by the Bill of Rights. Protection of trial by jury means that a judge and **jury** must decide the issue based on the facts and evidence of a criminal case. Further, persons accused of a crime are protected against **cruel and unusual punishment** which may include torture or other forms of punishment considered too harsh for the crime committed. The **constitutionality** of the death penalty has long been questioned as to whether it should be considered cruel and unusual punishment.

The third category is protection from government abuse of power. Such matters may deal with **property rights**, voting rights or the right to protect oneself. For example, the **right to bear arms** is included in this category. The right to bear arms means that one is able to own and carry weapons, such as owning and carrying a gun for self-protection. **Eminent domain** allows the government to take private property (property owned by people organizations or companies) for public use although the owner must be compensated (paid) fairly for it. A good example of this is if a road needs to be expanded and someone's property is in the path of the road. The government must pay the owner for the land that will be taken by the government for expanding the road. The Ninth Amendment gives the people unenumerated rights or rights that are not be listed in the Constitution. Unenumerated rights include **privacy rights** which, while not listed in the Constitution, belong to the people. Equal protection under the law guarantees citizens protection from states treating them in a way that denies them their rights under federal law. The 15th, 19th, 24th and 26th Amendments each deal with **suffrage**. Each amendment deals with a different aspect of suffrage; the 15th Amendment protects the voting rights of African-American men, the 19th Amendment

The rights contained in the Bill of Rights have been evaluated by the U.S. Supreme Court based on cases that have come before the Court. Since 1803, the U.S. Supreme Court has had the power to declare federal, state and local laws **unconstitutional**. However, the U.S. Supreme Court does not evaluate laws unless a challenge to the constitutionality of those laws is brought before the Court and the Court has agreed to hear the case.

The wording of the **Bill of Rights** is not entirely clear. What is "speech"? "What is the freedom of religious exercise"? What does it mean to guarantee the right to counsel? The U.S. Supreme Court has been asked to evaluate situations where individuals have questioned whether their rights guaranteed under the U.S. Constitution have been violated (abused) by a federal, state or local law or other government regulation. Through evaluating these situations, the U.S. Supreme Court has interpreted what the Bill of Rights and other amendments to the Constitution mean. Through these interpretations, the U.S. Supreme Court has recognized violations (abuses) of citizen and individual protections. And, these decisions have established **precedents** for future case decisions.

One key example is *Tinker v. Des Moines* (1969). *Tinker v. Des Moines* is a case that interpreted the First Amendment right to free speech to include “**symbolic speech**”. John and Mary Beth Tinker, who attended public school in Des Moines, Iowa, wanted to wear black armbands to school to protest the Vietnam War in 1965. The school did not allow students to wear black armbands, and the Tinkers were suspended. Their parents sued and the case was eventually heard by the U.S. Supreme Court. The Court decided that the wearing of black armbands was a form of “symbolic speech” or “political speech” that was protected by the “free speech” right in the First Amendment. The U.S. Supreme Court stated that denying students the right to wear the black armbands violated their free speech rights under the Bill of Rights.

Miranda v. Arizona (1966) dealt with protection from self-incrimination or the right to **plead the fifth**. The police did not tell Miranda that he did not have to say anything to police when they questioned him. He confessed to a crime and the confession was used against him in court. The U.S. Supreme Court stated that his confession could not be used against him in court because the police did not inform him of his protection from self-incrimination. As a result of this case, police must inform a person of their rights if they are arrested for committing a crime. These rights are now called Miranda Rights.

SS.7.C.2.5: Distinguish how the Constitution safeguards and limits individual rights.

The writers of the U.S. Constitution wanted to create a **federal government** that was effective and powerful, but one that also **safeguards** the rights of individuals. The U.S. Constitution establishes a system that protects the rights of individuals and in turn, limits the powers of the federal government. The Bill of Rights lists many individual rights and guarantees that the government will not interfere with these rights. Other individual rights safeguarded in the U.S. Constitution are located in Article I, Section 9. These rights include the writ of ***habeas corpus*** and ***ex post facto laws***.

Although the Constitution safeguards rights, it is reasonable and fair to place limits on most rights. This means that rights are not absolute and can be limited in certain situations. Over the years, courts in the United States have developed various guidelines for limiting individual rights. These guidelines are used to help decide when individual rights interfere with other important rights and interests, including the rights of other individuals. Citizens may not exercise their freedoms to the full extent that they might like because doing so would threaten the **common good**. Federal and state laws, and U.S. Supreme Court decisions, have all placed limitations on **First Amendment** freedoms in order to protect the **public interest**. Rights and freedoms have been safeguarded because they are a foundation of the system of government in the United States while they are also limited in order to insure that the government is stable.

Freedom of expression includes the **First Amendment** rights of free speech, press, assembly, and petition. The unlimited right to free expression may be dangerous to public safety, national security, or other important interests. If the danger is great enough, the courts have allowed freedom of expression to be limited. Also, some rights may be limited when they conflict with other rights or with other important values and interests. In situations where the rights of one citizen may conflict with the rights of other citizens, limitations to protect everyone’s rights may be put into place.

In the landmark case *Schenck v. U.S.*(1919), the Supreme Court set the **precedent** of the “balancing test.” This balancing test focuses on the relationship between individual rights and the **public interest**. Rights may be limited when the public interest is threatened or at risk. The U.S. Supreme Court has ruled on different occasions that the government may be allowed to limit individual rights in order to protect the public interest. In these situations, there must be a balance of **individual rights**, the rights of others, and the **common good**.

The U.S. Supreme Court has ruled that the government sometimes may be allowed to limit **individual rights**, specifically **freedom of speech** and freedom of the press. In general, there must be a balance of individual rights, the rights of others, and the **common good**.

Listed below are additional conditions used to limit freedom of speech and freedom of the press.

- * Clear and Present Danger – Will this act of speech create a dangerous situation?
- * Fighting Words – Will this act of speech create a violent situation?
- * Libel – Is this information false or does it put true information appear false?
- * Conflict with Government Interests – During times of war the government may limit acts of speech due to national security.

One scenario where the U.S. Supreme Court upheld Congress' right to limit individual rights was in *Schenck v. U.S.* (1919). In this case, the U.S. Supreme Court upheld the Espionage Act of 1917, legislation that limited free speech during **World War I**. Charles Schenck was Secretary of the Socialist Party of America who printed and distributed 15,000 pamphlets to possible **draftees** (someone registered for **selective service**) encouraging them not to fulfill their obligation of serving in the military during World War I. Schenck argued that the Espionage Act of 1917 violated his First Amendment freedom of speech by limiting what he could say about the war. The U.S. Supreme Court upheld Schenck's criminal conviction because, it argued, the First Amendment does not protect speech that would create a "clear and present danger". In this case, draftees who refused to be drafted to defend the nation during World War I would threaten the **public interest** because it would reduce the nation's ability to defend itself.

The **judicial branch** plays an important role in how the government protects **individual rights**. The writers of the U.S. Constitution designed an **independent judiciary** where the judicial branch would have freedom from the executive and legislative branches. The U.S. Constitution guaranteed that judges would serve "during good behavior" and would be protected from any decrease in their salaries. Both of these features prevent the other two branches from removing judges or decreasing their salaries if they don't like a judge's opinion (decision) on a case. This gave the judicial branch the freedom to make decisions based on the law and not based on pressure from the other two branches.

The writers of the U.S. Constitution wanted to create a federal government that was effective and powerful, but one that did not step on the rights of the individual. In Article 1, Section 9 of the U.S. Constitution, there are two key individual rights that are protected, or safeguarded:

The first is in this statement:

"The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

Habeas corpus is an important individual right. This statement from Article I, Section 9 means that an authority has to prove to a court why it is holding someone. If the government cannot show why a person is being held in jail, that person must be released.

The second is in this statement:

"No... ex post facto Law shall be passed."

An **ex post facto law** is one that makes an act a crime after it has been committed.

The appellate process in the federal and state court systems also protect the rights of the individual. The **appellate process** allows citizens to appeal a decision from a lower court to a higher court to make sure that the trial was conducted properly.

By ensuring that the rights of individuals would be protected, this created a system where the powers of the federal government also became limited. The judicial branch interprets the U.S. Constitution and establishes guidelines and sets **precedents** on when and how individual rights are safeguarded and limited.

SS.7.C.3.6: Evaluate Constitutional rights and their impact on individuals and society.

The **Bill of Rights** protects individual rights. For example, the **First Amendment** includes the personal rights or personal freedoms that include religious exercise, peaceable assembly, speech, press and petition. Freedom of peaceable assembly is the right to hold meetings and form groups without interference by the government. An example of political rights is the freedom to petition the government to fix problems.

The **Fifth Amendment** protects citizens' life, liberty, and **property rights** from inappropriate federal government action while the **Fourteenth Amendment** protects citizens' life, liberty and property rights from inappropriate state government action. Property rights include the right to own, produce, trade, purchase or use property. Economic rights include the right to buy, sell, produce, trade, purchase or use goods and services. Economic rights also include rights related to employment.

The Fifth Amendment protects individuals from the federal government. The Fourteenth Amendment protects individuals from the state governments. Some of these rights and protections include protection from illegal **search and seizure**, protection from **cruel and unusual punishment**, and the right not to be a witness against oneself, and the right to a jury trial, legal counsel, and **due process**.

Social, political, and economic systems rely on **individual rights** and freedoms. In order for the government to represent the people well, the people's right to express their opinion on issues and concerns to the government needs to be protected. Freedom of the press would not be effective if there were no freedom of speech because the press gives the people a voice in expressing their concerns about government.

The economic system also depends on individual freedoms such as the freedom of individuals to build businesses and employ workers. One of the biggest challenges that citizens face is balancing the protection of individual rights and the need to protect society. **Eminent domain** gives government the right to take private property from individuals in order to benefit the public interest. Property taken from individuals under eminent domain requires a fair payment as stated in the **Fifth Amendment**.

The **Founding Fathers** knew that the needs of the public could change over time. This knowledge gave the government the ability to keep or limit **individual rights**. The government's job is to protect both the Constitution and **public interest** even though there are some who argue that protecting the public interest may result in the loss of individual rights and others who argue that protecting individual rights may result in a loss to the public interest.

SS.7.C.3.7: Analyze the impact of the 13th, 14th, 15th, 19th, 24th, and 26th amendments on participation of minority groups in the American political process.

- The **13th Amendment**, ratified in 1865, made slavery illegal in the United States. While people were slaves, they were considered property; they were not considered citizens, and so therefore they could not vote. While this amendment did not extend voting rights, it was an important first step in expanding voting rights.
- The **14th Amendment**, ratified in 1868, stated that anyone born in the United States was a citizen of the United States and that they had the same rights as any other citizen of the United States. This amendment established that anyone who had been born a slave was a citizen of the United States. The 14th Amendment also established that state governments could not pass laws that limited U.S. citizens' rights. This Amendment also extended the right to vote to all males age 21 and over the right to vote. The impact of the 14th Amendment on various social movements was that the U.S. Constitution now

protected all U.S. citizens (including former slaves) from state-level policies that **discriminated** against them because of their race. This meant that African-Americans and women could sue in court when they believed that state-level policies discriminated against them and violated their rights as U.S. citizens.

- The **15th Amendment**, ratified in 1870, stated specifically that race could not be a factor in denying someone the right to vote. This amendment protected the right to vote extended to any male over the age of 21 that was established with the 14th Amendment.
- The **ratification** of the 13th, 14th and 15th amendments was not well received by the former slave states. In their efforts to keep African-Americans from voting, many of whom had been slaves, several southern states passed laws that made it very difficult, sometimes impossible, to vote. For example, in Alabama, African-Americans were required to take a 68 question **“literacy” test** that had to be answered completely in a short time, otherwise, those African-Americans would not be allowed to register to vote. Voter registration was a requirement.

The impact of the 13th, 14th and 15th amendments on various social movements included states being sued by individual citizens and interest groups because the state laws denied them their rights as U.S. citizens. Interest groups also organized marches and took part in **civil disobedience** as a way to protest these state policies. The number of protest activities and lawsuits against states increased dramatically beginning in the 1950s.

Even though the 15th Amendment was supposed to allow all races to vote, many states did everything they could to prevent African-Americans from voting. Many Americans recognized that this was unfair, and several laws were passed during the 1960s to protect **civil rights**. The **Civil Rights Acts of 1964** said employers could not **discriminate** based on race or gender. The **Voting Rights Act of 1965** banned racial discrimination in voting laws. This act specifically banned the use of **literacy tests** to determine whether someone could register to vote. The **Civil Rights Act of 1968** banned discrimination based on race or gender when selling or renting a house.

- The **19th Amendment**, ratified in 1920 eliminated **discrimination** in voting based on gender. A person’s gender could not be used as a reason to deny their **suffrage**, or the right to vote. This amendment denied states and the federal government from preventing women the right to vote. The ratification of the 19th Amendment gave to women power that they had not had before. Beginning in the 1960s, women began to form **interest groups** seeking equal employment opportunities, and other economic and social opportunities. Women have also taken part in marches protesting federal and state actions affecting women’s rights, and more women than ever before run for, and win, elected offices including the U.S. Congress. Several women have run for president and vice-president although no women have ever been elected president or vice-president. Women have also sued in court when federal and state laws discriminate against them because they are women.
- The **24th Amendment**, ratified in 1964, said that failure to pay a **poll tax** could not be a reason for a person to be denied the right to vote. Before the 24th Amendment, many states were trying to charge people money to allow them the right to vote. This often kept minorities or poor people from voting. The ratification 24th Amendment allowed more minorities and poor people to vote. One impact of this amendment is that candidates and public officials now pay more attention to concerns of the poor and minorities because the candidates and public officials know that these individuals are more likely to vote in elections.
- The **26th Amendment**, ratified in 1971, said that any United States citizen age 18 or older could vote when up to that point the federal government, and some states, allowed only persons age 21 or older to vote. One impact of this amendment is that candidates and public officials now pay more attention to concerns of young people because the candidates and public officials know that these individuals are more likely to vote in elections

SS.7.C.3.12: Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, *Marbury v. Madison*, *Plessy v. Ferguson*, *Brown v. Board of Education*, *Gideon v. Wainwright*, *Miranda v. Arizona*, *in re Gault*, *Tinker v. Des Moines*, *Hazelwood v. Kuhlmeier*, *United States v. Nixon*, and *Bush v. Gore*.

Landmark Supreme Court Cases and Case Impact on Society

***Gideon v. Wainwright* (1963)**

This judicial opinion on this case further clarified and strengthened the rights of the accused (which are the rights protected in the 4th, 5th, and 6th Amendments). This case focused on the 6th Amendment provision of the right to counsel (attorney) in criminal cases.

***Miranda v. Arizona* (1966)**

This judicial opinion on this case further strengthened the rights of the accused (which are the rights protected in the 4th, 5th, and 6th Amendments). This case focused on the 5th Amendment provision of due process and protection from self-incrimination. As a result of this ruling, law enforcement is now required to read people their “Miranda Rights” when they are being arrested for a crime. The “Miranda Rights” let suspects know that they have the right to remain silent and have the right to an attorney (the right to an attorney was established in *Gideon v. Wainwright*).

***Tinker v. Des Moines* (1968)**

This judicial opinion in this case focused on the 1st Amendment rights of students. It was assumed, before this case, that students lost all of the rights “at the school house gate”. This case did away with that belief, instead making sure that students do have some of their rights, including freedom of expression (including “symbolic speech”) and freedom of speech, as long as it does not disrupt the educational mission of the school.

***United States v. Nixon* (1974)**

The judicial opinion in this case confirmed the concept of legal equality, which is that everyone is equal in the eyes of the law. Even though this case involved a U.S. President, it did not prevent him from being held responsible for his wrongdoings, or mistakes, including refusing to follow the rule of law.

***Hazelwood School District v. Kuhlmeier* (1987)**

The judicial opinion in this case focused on the 1st Amendment rights of students, specifically freedom of the press. The Court determined that a school could prevent the publication of articles in the school newspaper or limit the speech of their students if it disrupted the educational mission of the school.

***Bush v. Gore* (2000)**

The judicial opinion on this case set a **precedent** related to U.S. Supreme Court dealings with state elections. Considering that elections are handled by each state, and that there was no uniform way to count the presidential votes, the Supreme Court believed that the Florida Supreme Court, in deciding that only certain votes would be recounted (those that did not indicate a preferred candidate), acted in an unconstitutional manner.

***District of Columbia (DC) v. Heller* (2007)**

The judicial opinion on this case focused on the meaning of the 2nd Amendment right to bear arms. The Supreme Court’s interpretation of the 2nd Amendment is that individuals, not just militias, have the right to own or carry a weapon.

Landmark Supreme Court Cases and Case Constitutional Rights/Principles

Gideon v. Wainwright (1963)

This case dealt with rights of the accused which is protected by the 4th, 5th and 6th Amendments:

4th Amendment – no unreasonable searches and seizures

5th Amendment – protection from double jeopardy, the right to due process, protection from self-incrimination

6th Amendment – the right to an attorney, the right to a speedy and public trial, the right to be informed of criminal charges, the right to be confronted by witnesses accusing the person of committing a crime

Miranda v. Arizona (1966)

This case dealt with rights of the accused which is protected by the 4th, 5th and 6th Amendments. 5th Amendment - provision of due process and protection from self-incrimination.

Tinker v. Des Moines (1968)

This case dealt with the 1st Amendment as applied in schools and to students.

1st Amendment – freedom of speech, freedom of expression (symbolic speech)

United States v. Nixon (1974)

This judicial opinion in this case confirmed the concept of legal equality, which is that everyone is equal in the eyes of the law.

Hazelwood School District v. Kuhlmeier (1987)

This case dealt with the 1st Amendment as applied in schools and to students.

1st Amendment – freedom of speech, freedom of expression, freedom of the press

Bush v. Gore (2000)

The judicial opinion on this case set a **precedent** related to U.S. Supreme Court and state (Florida) Supreme Court dealings with state elections.

District of Columbia (DC)v. Heller (2007)

This case dealt with the **right to bear arms** which is protected by the 2nd Amendment.

There have been several landmark Supreme Court cases that have significantly impacted American society and government and the Court has acted as an arbiter (someone with the power to settle disputes) in these instances. These cases include unique or important decisions based on certain events, facts and discoveries. We call these decisions judicial opinions.

The landmark Supreme Court cases reviewed here are related to the protection of Americans' civil rights.

Landmark Supreme Court Cases and Case Impact on Society

Marbury v. Madison (1803)

The judicial opinion in this case strengthened the system of checks and balances. The outcome of this case established the power of judicial review for the Supreme Court. Judicial review is the power that the Court has to find something as "unconstitutional".

Plessy v. Ferguson (1896)

The judicial opinion in this case established that separate but equal did not violate the 14th Amendment equal protection clause as long as the separate African-American facilities were "equal" in quality to those of whites.

Brown v. Board (1954)

This judicial opinion on this case strengthened the meaning of the equal protection clause of the 14th Amendment and struck down the use of the "separate but equal" approaches in public education established in Plessy v. Ferguson. The Court upheld that segregation (separation of people based on race) in public schools is unconstitutional.

In re Gault (1966)

The judicial opinion in this case confirmed the concept of legal equality, which is that everyone is equal in the eyes of the law. Even though this case involved a juvenile, the Court determined that minors are given the same rights as adults and that Gault's 14th Amendment **due process** rights had been violated.