**UNIT MATERIALS**

**AP UNITED STATES GOVERNMENT AND POLITICS**

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| **UNIT III** | ***The Judiciary, Civil Rights,***  ***and Civil Liberties*** |

**[](http://www.tomrichey.net)**

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| **AP US GOVERNMENT AND POLITICS**  **ESSENTIAL TERMS LIST** | **UNIT III**  ***The Judiciary / Civil Rights & Liberties*** |

**THE CONSTITUTION**

The Bill of Rights (especially 1st, 2nd, 4th, 5th, 6th, 8th, 9th, 10th)

Fourteenth & Fifteenth Amendments

Discrimination *(Race and Gender)*

First Amendment Vocabulary *(Establishment Clause, Free Exercise Clause, “Wall of Separation” Doctrine)*

Right to Privacy *(and controversies involving – namely abortion)*

ACLU

**THE FEDERAL JUDICIARY**

*Amicus curiae* Brief  
*Stare decisis*

Writ of Certiorari

Originalism (Original Intent)

Judicial Activism

Judicial Review

Selective Incorporation (Incorporation Doctrine)

The nomination and confirmation process

“Borking”

“Ginsburg Rule”

Clarence Thomas confirmation hearings

The judiciary and public opinion

Checks and Balances

Chief Justice & Associate Justices *(Currently 8)*

Life Tenure

The structure of the federal judiciary   
*(district courts, appellate courts, judicial circuits)*

**SUPREME COURT CASES**

***Tier One***

(Mentioned on Multiple Released Exams)

*Marbury v. Madison*

*Mcculloch v. Maryland*

*Gibbons v. Ogden*

*Dred Scott v. Sandford*

*Plessy v. Ferguson*

*Brown v. Board*

*Miranda v. Arizona*

*Roe v. Wade****Tier Two***

(Mentioned on a Released Exam)

*Baker v. Carr*

*Gideon V. Wainwright*

*Gitlow v. New York*

*Griswold v. Connecticut*

*Korematsu v. United States*

*Mapp v. Ohio*

*New York Times v. Sullivan*

*Shaw v. Reno*

*Sweatt v. Painter*

*Wolf v. Colorado*

***Tier Three***

(Landmark Cases Not Mentioned on Available Exams)

*Schechter Poultry Corp. v. United States*

**Civil Rights Acts**

[**1957**](http://en.wikipedia.org/wiki/Civil_Rights_Act_of_1957)[**1960**](http://en.wikipedia.org/wiki/Civil_Rights_Act_of_1960)

[**1964**](http://en.wikipedia.org/wiki/Civil_Rights_Act_of_1964)[**1968**](http://en.wikipedia.org/wiki/Civil_Rights_Act_of_1968)

*Heart of Atlanta Motel v. United States*

*Tinker v. Des Moines*

*Miller v. California*

*Hustler Magazine v. Falwell*

*Schenck v. United States*

*Texas v. Johnson*

*Engle v. Vitale*

*Lemon v. Kurtzman*

*Regents v. Bakke*

**AP US GOVERNMENT AND POLITICS**

**LEARNING SUPPLEMENTS**

**UNIT III**

***The Judiciary, Civil Rights & Liberties***

**Textbook Chapters** (Click for PowerPoint)

[Chapter 4](http://wps.ablongman.com/wps/media/objects/2129/2180893/0321338464_ppt/0321338464_04.ppt) (Civil Liberties and Public Policy)

[Chapter 5](http://wps.ablongman.com/wps/media/objects/2129/2180893/0321338464_ppt/0321338464_05.ppt) (Civil Rights and Public Policy)

[Chapter 16](http://wps.ablongman.com/wps/media/objects/2129/2180893/0321338464_ppt/0321338464_16.ppt) (The Federal Courts)

**Supplemental Readings**

[**Article III – The Judicial Branch**](http://www.usconstitution.net/const.html#Article3) **(U.S. Constitution)**

[***The Federalist* No. 78**](http://www.constitution.org/fed/federa78.htm) **(The Judiciary Department)**

[***The Federalist* No. 84**](http://www.constitution.org/fed/federa84.htm) **(Certain General and Miscellaneous Objections… Considered and Answered)**

**Brutus Essays** ( [Excerpt 1](http://www.utulsa.edu/law/classes/rice/constitutional/antifederalist/78.htm) [Excerpt 2](http://www.utulsa.edu/law/classes/rice/constitutional/antifederalist/80.htm) [Excerpt 3](http://www.utulsa.edu/law/classes/rice/constitutional/antifederalist/81.htm) [Excerpt 4](http://www.utulsa.edu/law/classes/rice/constitutional/antifederalist/82.htm) )

[**Thomas Jefferson to William Jarvis**](http://www.yamaguchy.com/library/jefferson/jarvis.html) (September 28, 1820)

**Andrew Napolitano, *The Constitution in Exile*, Chapter 2 (The Rise of the Supreme Court)**

[William Rehnquist, *The Supreme Court*, Chapter 1 (*Marbury v. Madison*)](http://www.box.com/shared/zpd1g4p5d4)

William Rehnquist, *The Supreme Court*, Chapter 11 (Presidential Appointments to the Supreme Court)

[Mark Levin, *Men in Black*, Chapter 1 (Radicals in Robes)](http://www.box.com/shared/ttbxxuv2a8)

William J. Watkins, Jr., “[Abandon the ‘Ginsburg Rule’ for Supreme Court Candidates](http://www.independent.org/newsroom/article.asp?id=2818)”

William J. Watkins, Jr., “[A Role for the People in Judicial Selection](http://www.independent.org/newsroom/article.asp?id=2817)”

**Videos**

Robert Bork Confirmation Hearings [Clip 1](http://www.youtube.com/watch?v=GvFLXFCJvJA) [Clip 2](http://www.youtube.com/watch?v=oNp0R1mAYYU) [Anti-Bork Ad](http://www.youtube.com/watch?v=NpFe10lkF3Y)

Clarence Thomas Confirmation Hearings [Clip 1](http://www.youtube.com/watch?v=rEB4a9DzJMw) [Clip 2](http://www.youtube.com/watch?v=XfvDcMzyAlY) [Clip 3](http://www.youtube.com/watch?v=egTyaIAaqz8)

Ruth Bader Ginsburg Confirmation Hearings [Clip 1](http://www.youtube.com/watch?v=-VfUB7PgW4o)

Samuel Alito Confirmation Hearings [Clip 1](http://www.youtube.com/watch?v=GLlZceRyxe4)

**AP US GOVERNMENT AND POLITICS**

**SUPREME COURT CASE PROJECT**

General Criteria:

Groups of 2-3 students

A 10-15 minute **multimedia presentation** with lasting value

*(i.e., something that I can show to classes in future years)*

The best presentations will combine video clips, narrations over still images, and on-screen text when necessary.

You should consider the following when researching:

1. Facts of the Case (Background)
2. Constitutional Questions
3. *Stare decisis*
4. Lower Court Decision(s)
5. The Court’s Decision:
   1. Majority Opinion
   2. Concurring Opinion(s)
   3. Dissenting Opinion(s)

\*\*\* NOTE: *You are not required to consider all concurring or dissenting opinions, but only the ones that make significant arguments that add something to the understanding of the central constitutional questions and/or inform later decisions.*

1. Respect for Precedent / Activism (to what extent were each present?)
2. Judicial Philosophies (originalism, textualism, activism, strict/loose construction, international law, “living constitution”)
3. Public Opinion (any relevant polling data you can find – if any exists for your case)
4. THE LEGACY
   1. What’s happened as a result?
   2. How has the ruling influenced American society?
   3. How has this ruling influenced subsequent rulings?
      1. Are there any “tests” that are employed now as a result of the ruling?

**HELPFUL WEBSITES:**

[**Cornell University Legal Information Institute (LII)**](http://www.law.cornell.edu/supct/)

[**Landmark Cases at Street Law**](http://www.streetlaw.org/en/landmark/home)

**TEST III WORDLE**

