

October 19th

TAKE OUT:

- Constitution Notes

Strengthening Federal Government Amendments

11th: protected states from lawsuits by citizens of other states or foreign countries.

12th: changed voting procedures in the Electoral College to separate the vote for president and vice president.

3 Civil War Amendments

13th: Abolished slavery

14th: Equal protection under the law
for all citizens

15th: Voting rights for all men

4 Progressive Era Amendments

16th: allows for Congress to establish an income tax (*main source of revenue for Fed. gov't*)

17th: Direct election of senators

18th: Prohibition - banning the sale of alcohol → repealed by the 21st Amendment

19th: Voting rights for women

4 20th Century Amendments

20th: changed the start date of presidential and congressional terms

22nd: Limited presidency to 2 terms

25th: Provide clear idea of the succession order if a president dies in office

27th: Any pay raise that Congress votes for itself cannot go into effect until the next election

3 Civil Rights Era Amendments

23rd: Allowed for citizens living in DC to vote in the presidential election

24th: banned poll taxes

26th: lower the voting age from 21 to 18

Who gets to do this
awesome job?!?!?

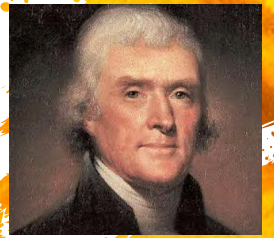
Interpreting the Constitution



Judicial Interpretation Process

1. The **text**, or **exact wording**, of the Constitution itself
2. The **original intent of the framers** → *what they meant or were trying to achieve—when they debated and wrote the Constitution*
3. **Court precedent** → *the past decisions of the Supreme Court*
4. The **practical consequences** for society of a particular interpretation
5. Basic **moral and ethical values**

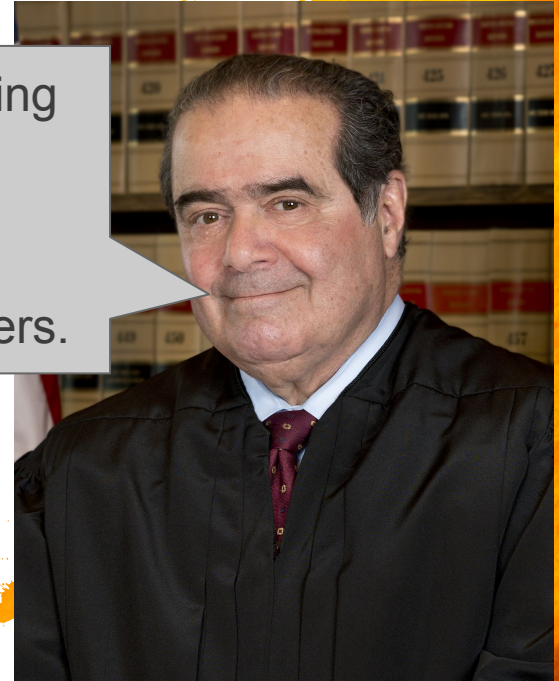
2 ways to interpret the constitution



Strict Construction

- Literal reading of the constitution
- “Originalism”
- Original language & intent of framers

the Constitution is not a living organism . . . it's a legal document and like all legal documents, it says some things and doesn't say others.

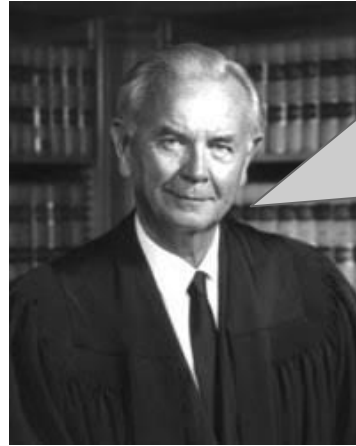


Supreme Court Justice
Antonin Scalia

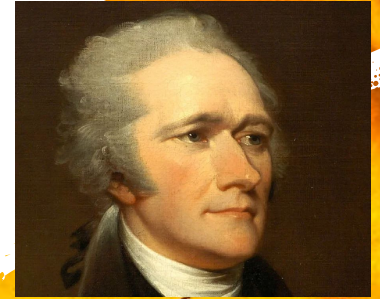
2 ways to interpret the constitution

Loose Construction

- Flexible reading of the constitution
- “Interpretivism”
- Modern values and social consequences must be taken in account



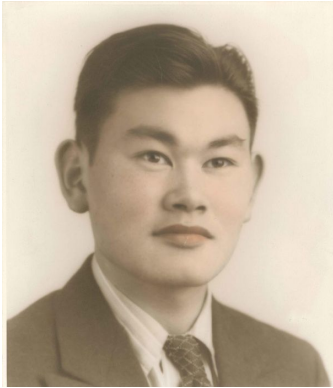
**Supreme Court
William J Brennan Jr**



We current Justices read the Constitution in the only way we can: as Twentieth Century Americans. We look to the history of the time of framing and to the intervening history of interpretation. But the ultimate question must be, what do the words of the text mean in our time? For the genius of the Constitution rests not in any static meaning it might have had in a world that is dead and gone, but in the adaptability of its great principles to cope with current problems and current needs.

Loose vs. Strict

↓
Korematsu vs
US



↓
Minnesota vs
Carter





**The Supreme
Court/courts makes sure
that rights guaranteed in
the Constitution is being
enforced**

Civil Liberties vs Civil Rights

Civil liberties:

- × Basic freedoms that we all are born with

Civil rights:

- × Rights that come with being a member of society.
- × Guarantees *by* government of equal rights and fair treatment under the law.
- × Not protections *from* government.

Turn & talk

With your table → can you think of examples of Civil Liberties and Civil Rights?

Civil Liberties

Freedom of speech

Freedom of religion

Freedom of the press

Freedom of assembly

Freedom from unreasonable
search and seizure

Civil Rights

Right to due process

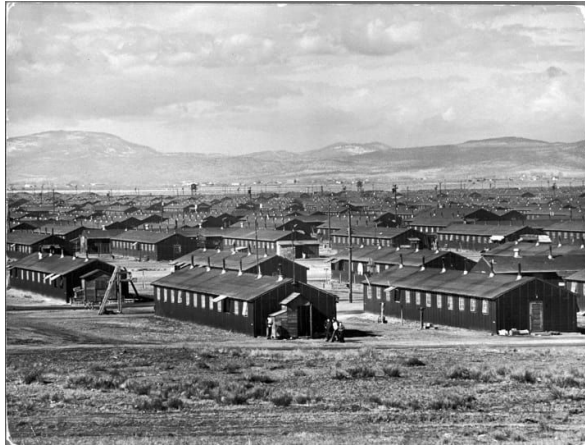
Right to trial by jury

Right to legal counsel

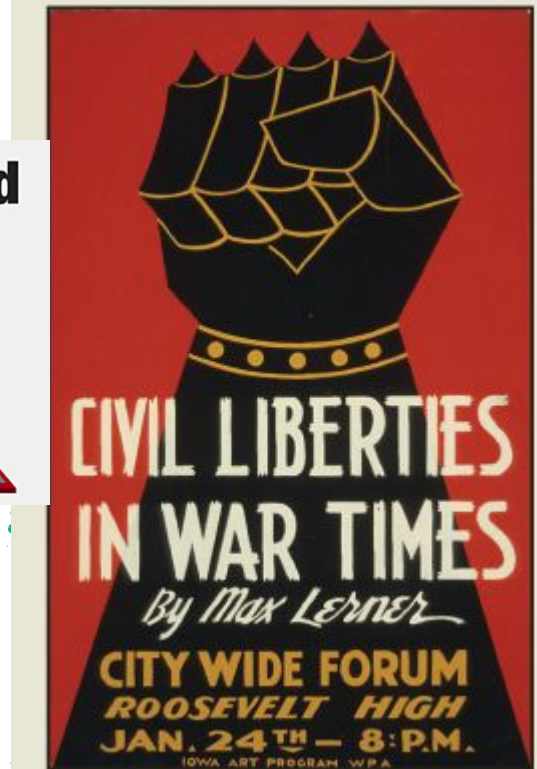
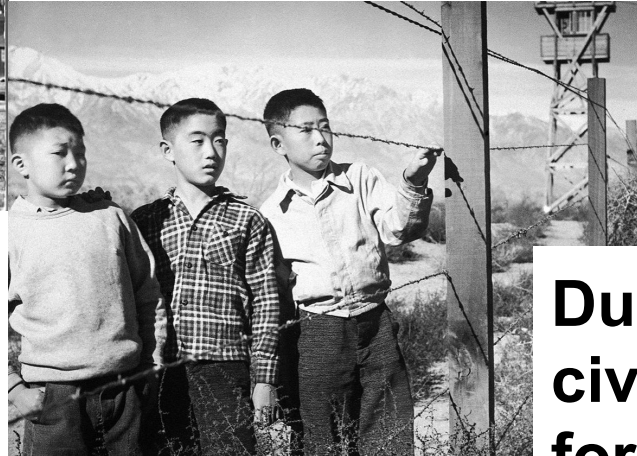
Right to vote

Right to petition the
government for a redress
of grievances

Civil Liberties in times of crisis



Japanese Internment Camps



During times of crisis, civil liberties weakens for national security