

3.9: Amendments: Due Process and the Right to Privacy

Explain the extent to which states are limited by the due process clause from infringing upon individual rights.

1. Which of the following best explains why the passage of the Fourteenth Amendment has been called by some political scientists as a second revolution?

- a. The Bill of Rights were no longer subject to court interpretation
- b. The Bill of Rights were weakened
- c. Government power was centralized, weakening traditional federalism
- d. Government power was decentralized, strengthening state and local governments

2. Where would you find the words below?

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

- a. Tenth Amendment
- b. Fourteenth Amendment
- c. Sixteenth Amendment
- d. Twenty-Fourth Amendment

3. What constitutional clause did the Supreme Court use to justify selective incorporation, applying provisions of the Bill of Rights to the states?

- a. Due Process clause of the Fifth Amendment
- b. Due Process clause of the Fourteenth Amendment
- c. Equal Protection clause of the Fourteenth Amendment
- d. Necessary and Proper Clause

4. The Bill of Rights from the beginning only protected our civil liberties from being infringed by the national government. This Supreme Court decision made clear that the rights contained in the first ten amendments did not apply to the states.

- a. Marbury v. Madison (1803)
- b. McCulloch v. Maryland (1819)
- c. Gibbons v. Ogden (1824)
- d. Barron v. Baltimore (1833)

5. The arc of American government is a story characterized by

- a. Centralization
- b. De-centralization
- c. Centrifugal tendencies
- d. Increasing state and regional power

6. Why is the Incorporation Doctrine often called selective incorporation?

- a. The Supreme Court has applied the Bill of Rights little by little
- b. The Supreme Court has applied the Bill of Rights only in non-election years
- c. The Supreme Court has applied the Bill of Rights when encouraged by Democratic presidents
- d. The Supreme Court has applied the Bill of Rights one state at a time

7. Ultimately the U.S. Supreme Court is empowered to interpret what our laws and privileges mean. A number of landmark court cases have defined the meaning of our rights. Which of the following landmark court cases used the incorporation doctrine to extend the right to an attorney in State cases?

- a. Mapp v. Ohio (1961)
- b. Gideon v. Wainwright (1963)
- c. Griswold v. Connecticut (1965)
- d. Miranda v. Arizona (1966)

8. Ultimately the U.S. Supreme Court is empowered to interpret what our laws and privileges mean. A number of landmark court cases have defined the meaning of our rights. Which of the following landmark court cases defined privacy as a fundamental legal protection found implicitly in the Bill of Rights?

- a. Mapp v. Ohio (1961)
- b. Gideon v. Wainwright (1963)
- c. Griswold v. Connecticut (1965)
- d. Miranda v. Arizona (1966)

9. Ultimately the U.S. Supreme Court is empowered to interpret what our laws and privileges mean. A number of landmark court cases have defined the meaning of our rights. Which of the following landmark court cases extended privacy rights to include a woman's right to choose an abortion?

- a. Mapp v. Ohio (1961)
- b. Gideon v. Wainwright (1963)
- c. Griswold v. Connecticut (1965)
- d. Roe v. Wade (1973)

10. Where in the U.S. Constitution did the Supreme Court explicitly find the right to privacy?

- a. Third Amendment
- b. Ninth Amendment
- c. Fourteenth Amendment
- d. Privacy is not mentioned in the constitution