

Terms to Remember:

civil liberties
civil rights
unalienable rights
positive law
natural law
common-law right

Bill of Rights (Amendments 1-10)
prohibited powers
bill of attainder
ex post facto law
denial of habeas corpus
clauses
establishment clause
free exercise clause
due process clause

compelling interest

RFRA (Religious Freedom Restoration Act)
RLUIPA (Religious Land Use and Institutionalized Persons Act)

freedom of expression
free speech
symbolic speech
commercial speech
slander
libel
prior restraint

rights of accused persons
search warrant
probable cause
exclusionary rule
double jeopardy
self-incrimination
Miranda warning
plea bargain

property rights
economic liberty
eminent domain

privacy rights
undue burden test

Questions:

1. What is the difference between civil liberties and civil rights?
2. What are unalienable rights?
3. What is the difference between positive and natural law?
4. Why are things like bills of attainder and ex post facto laws prohibited by the *Constitution*?
5. Why is the free exercise clause an important protection?
6. What are slander and libel?
7. What is a common-law right?
8. Why are rights protecting individuals accused of crimes so important in a republic?
9. What is the undue burden test?
10. What is eminent domain?
11. Can you name one important component of the RLUIPA?

- Answers:
1. liberties are basic freedoms all human beings possess; rights are how much freedom ruling authority protects or denies to individuals
 2. rights that exist outside the laws of the state; rights retained by human beings to life, liberty, and property
 3. natural law is universal principles and rules that govern moral conduct, preexisting law of nature, discovered through rational analysis; positive law is human-made code, rules, regulations
 4. they put the government interests above the interests of the people, they circumvent due process protections and equal treatment rules; they give the government too much power
 5. it limits the ability of the government to control or restrict religious practices unless such practices infringe substantially on the life, liberty or property of another individual
 6. slander is to speak untrue things about someone; libel is to print untruths
 7. a right inherited from English legal precedent
 8. rights of the accused or due process insure that all individuals are treated equally in the justice system and they are not deprived of their life, their liberty of movement, or their property without just cause
 9. individual liberty may be restricted by the government if it does not present a substantial obstacle or undue burden on individual freedoms
 10. 5th Amendment protection; the government may not take an individual's property except for the public good and with fair compensation
 11. persons imprisoned may exercise religious freedoms in some forms unless government shows compelling need to enforce a restriction