

# Civil Liberties: First Amendment Freedoms

## SECTION 1 *THE UNALIENABLE RIGHTS*

### TEXT SUMMARY

The Declaration of Independence states that people have certain unalienable rights, or individual freedoms that are theirs from birth. The first ten amendments to the Constitution, known as the **Bill of Rights**, list these rights.

The Constitution guarantees Americans both civil liberties and civil rights, terms that are often used interchangeably. However, **civil liberties** are protections against government acts while **civil rights** are positive acts of government that uphold the Constitution.

Each constitutional guarantee of civil liberty limits the power of government. However, Americans do not have total

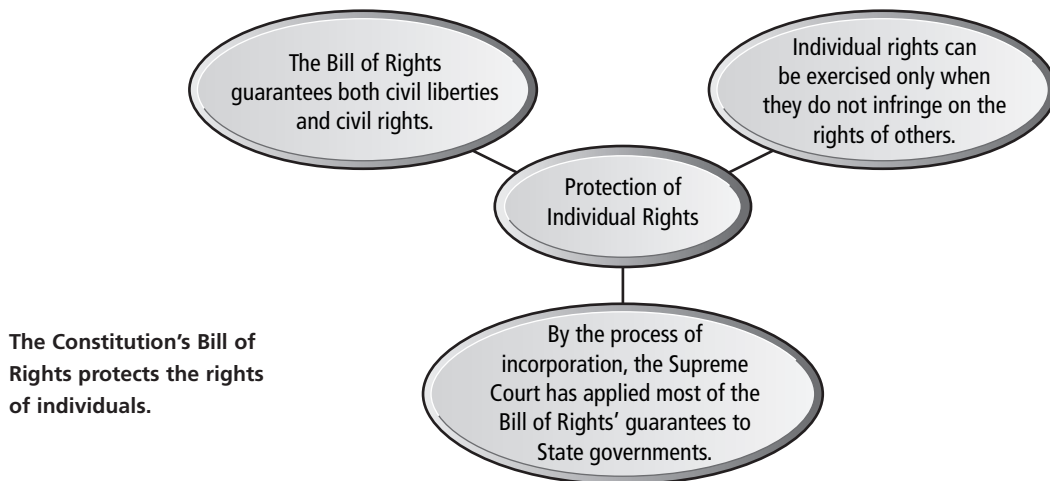
freedom. They may use their freedoms only in ways that do not infringe on others' rights. Most constitutional rights belong to all people living in the United States, including **aliens**—foreign-born residents or noncitizens.

The Bill of Rights applies only to the National Government. Most of its protections are applied to the State governments by the 14th Amendment's **Due Process Clause**. This clause says that "No State shall . . . deprive any person of life, liberty, or property, without due process of law." Through a series of cases, the Supreme Court has engaged in the **process of incorporation** by which most of the Bill of Rights' guarantees have been included in the Due Process Clause.

### THE BIG IDEA

Many of the Constitution's amendments guarantee the rights of the individual against the power of government.

### GRAPHIC SUMMARY: *The American Guarantee of Freedom*



### REVIEW QUESTIONS

1. What is the difference between civil liberties and civil rights?

2. **Diagram Skills** What is the result of the Supreme Court's use of the process of incorporation?