



Civil

Liberties

Chapter Five

Civil Liberties

- Has the existence of a formal Bill of Rights really secured the freedoms of Americans?
- Does the Supreme Court's primacy in this area of public policy imply that democracy requires an institution of unelected judges for its protection? What other ways of protecting civil liberties might there be?
- What roles, if any, do Congress, the president, and the states play in defining civil liberties?
- Since the Bill of Rights does not mention "right of privacy," how can the Supreme Court deem privacy to be a fundamental constitutional right?



Nationalization of Civil Liberties

- Reining in majorities
- Bill of Rights checks majority rule
 - designed to limit the capacity of government to impose conformity costs on those individuals and minorities whose views differ from those of the majority

