

SS.7.C.3.6

Evaluate constitutional rights and their impact on individuals and society.

SS.7.C.3.6 Benchmark Clarification 3: Students will use scenarios to recognize and/or evaluate options for exercising constitutional rights.

The U.S. Supreme Court case *Kelo v. City of New London* (2005) focused on **property rights**. The city of New London, Connecticut, wanted to use **eminent domain** to take private property to start new businesses. The city believed it was correct in taking the land because the public would benefit from the **economic freedom** to start businesses, to create jobs, and for the government to earn money from taxes. The Supreme Court upheld (agreed with) the city's right of eminent domain, and the city was able to take the property. The Court decided that the new businesses would collect sales taxes and pay property taxes, which would contribute to the **public good** of the community. So, taking the property from the owner was constitutional.

In 1965, John Lewis and Hosea Williams committed **civil disobedience** by refusing to obey certain laws as a form of political protest. They were part of a larger group that got together and marched peacefully from Selma, Alabama to Montgomery, Alabama. They did this to make people more aware of voting **discrimination** against African-Americans. The Alabama State Police told the group that their assembly was against the law, but the protesters continued their march, even after the police began attacking them.

In another case, President Franklin Roosevelt issued Executive Order 9066 during World War II. This order forced thousands of Japanese Americans into **internment** camps that they were not allowed to leave (**forced internment**). Fred Korematsu, an American citizen of Japanese descent (a citizen by birth), believed that he was discriminated against because of his Japanese heritage. Korematsu also believed that the government did not have the right to force U.S. citizens into internment camps. In *Korematsu v. United States* (1944), the Supreme Court decided that the government's action was reasonable to protect the country during wartime.

civil disobedience - the refusal to obey certain laws as a form of political protest

discrimination - treating a person or group unfairly based on their race, religion, gender, disability, or other reasons

economic freedom - the freedom to produce, trade, or use any goods or services in a way that is legal

eminent domain - the right of the government to take private property for public use; the Fifth Amendment requires that people be paid fairly (compensated) for their property if it is taken by the government

forced internment - the confinement of a group of people, especially during a war

internment - to detain or jail someone

property rights - the right to own property; mentioned in the Fifth and Fourteenth Amendments

public good - beliefs or actions that are seen as a benefit to the larger community rather than individual interests, also known as the common good