

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 for development of businesses. The city believed it was correct in taking the land because the public would benefit from **economic freedom** and the money earned from taxes. The Supreme Court upheld the city's right of eminent domain and the city developed the land. The Court decided that, because the businesses would collect sales taxes and pay property taxes, the taking of the property from the owner was justified because the businesses would contribute to the **public good** by paying taxes.

In another event that took place 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 assembling and marching from Selma, Alabama to Montgomery, Alabama to raise awareness about voting **discrimination** against African-Americans. The Alabama State Police gave the protesters a two-minute warning to break up the group. Before the two minutes were up the police attacked the protesters.

In another case, President Franklin Roosevelt issued Executive Order 9066 during World War II. This order forced thousands of Japanese Americans into **internment** camps. **Forced internment** is the confinement or detainment of people especially during wartime. Fred Korematsu, an American citizen of Japanese descent, believed that he was discriminated against because of his Japanese heritage (Korematsu was a U.S. citizen by birth). 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 view that the action was reasonable to protect society during wartime.

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

discrimination - unfair treatment

economic freedom - the freedom to produce, trade, or use any goods or services without use of force, fraud, or theft

eminent domain - the right of the government to take private property for public use; the Fifth Amendment requires that fair compensation be made when property is taken under eminent domain

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

internment - to detain or jail

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



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