

American Government: Stories of a Nation for the AP® Course

Guided Reading

Section 8.2: Selective Incorporation

Name _____
Date _____ Class _____

 **Before you read**

Before reading this section, take a moment to read the Learning Target and vocabulary terms you will encounter.

Learning Target: Explain the doctrine of selective incorporation.

AP® Key Concepts

due process clause

selective incorporation

 **While you read**

Use the following table to take notes as you read the section.

Causes of selective incorporation	Characteristics of selective incorporation	Effects of selective incorporation

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 **After you read**

Once you've finished reading the section, answer the following questions.

1. Which statement BEST describes Benjamin Gitlow's criticisms of America?
 - A. The political system in America was broken.
 - B. The economic system was unjust.
 - C. Communism was a real danger to the economic system.
 - D. The American system was responsible for World War II.

2. The case of *Gitlow v. New York* established that:
 - A. violent criminals do not have the right to due process.
 - B. there are legitimate restrictions on free speech and press if public welfare is threatened.
 - C. the use of speech can be considered a form of treason.
 - D. the punishment for treason should be hard labor in prison.

3. Which is a function of the due process clause?
 - A. a clause that restricts state governments from denying citizens their fundamental human rights without legal safeguards
 - B. a clause that allows citizens the right to a lawyer when being accused of a crime
 - C. a clause that allows the protections of the Bill of Rights to be extended to the state level
 - D. a clause that allows states to rescind certain protections only after a thorough legal process has been completed

4. Which statement BEST describes the system of selective incorporation?
 - A. a process by which the Supreme Court has affirmed all protections within the Bill of Rights to state governments
 - B. a process by which the Supreme Court has affirmed that the First Amendment must be incorporated within state laws
 - C. a process by which the Supreme Court has affirmed that almost all the protections in the Bill of Rights may be applied to state laws.
 - D. a process by which all protections under the Bill of Rights will gradually be incorporated into state laws.

5. Which right was incorporated with *McDonald v. Chicago* (2010)?
 - A. the right to keep and bear arms
 - B. the right to freedom of speech
 - C. the right to freedom of the press
 - D. the right not to have soldiers quartered in homes