

Defining key words and phrases is the process of determining their meaning as they are used in a text.

You define key words and phrases when you

- work out with your parents what an allowance means—is it something you have to earn, or is it just what your parents will give you?
- look over a list of tasks you are to perform while taking care of a pet whose owner is going on a trip, and you ask to clarify what she means by the phrase “provide plenty of exercise”
- know that the word *mean* has several different meanings—one in math, one in language arts, one in everyday life
- debate with a friend what “the right to bear arms” means

Defining Key Words and Phrases

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You will be defining key words and phrases as you read selections that address the cluster question.

Cluster Question: How well does federalism protect individual rights?

Directions: In Cluster 2 you will be reading about the topic of federalism as it affects individual rights. On the next screen, you can see how one reader defined key words and phrases from the selection by Nat Hentoff. You can define key words and phrases from the selection by Justice Arthur Goldberg.

First Reading: “The Doll Test and the Fourteenth Amendment,”
by Nat Hentoff

On May 17, 1954, the Court, in a unanimous decision delivered by Chief Justice Earl Warren, overturned *Plessy v. Ferguson*. To separate black children “from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone,” the Court declared. “Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority.” . . .
(continued on next screen)

First Reading, *continued*: “The Doll Test and the Fourteenth Amendment,” by Nat Hentoff

The Court continued: “We conclude that in the field of public education the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.”

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Defining Key Words and Phrases	The Doll Test and the Fourteenth Amendment
Key words and phrases to understand	feeling of inferiority, modern authority, separate but equal
Questions to clarify key words and phrases	feeling of inferiority —What exactly is a feeling of inferiority? How can it be measured? Does it vary from person to person? The Supreme Court opinion states that it is measurable.

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Defining Key Words and Phrases	The Doll Test and the Fourteenth Amendment
Questions to clarify key words and phrases	modern authority —What qualifications must a “modern authority” have to be considered an authority? (Elsewhere in the reading you learn that part of the modern authority referred to here is the work of psychologists Kenneth and Mamie Clark.)
Questions to clarify key words and phrases	separate but equal —Is it possible for separate to also be equal? The Supreme Court ruled that it is not, so there is no such thing as separate but equal.

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Second Reading (your chance to practice): “Privacy and the Ninth Amendment,” by Justice Arthur Goldberg

I agree fully with the Court that . . . the right of privacy is a fundamental personal right, emanating “from the totality of the constitutional scheme under which we live.” Mr. Justice Brandeis, dissenting in *Olmstead v. United States* 1929 . . . summarized the principles underlying the Constitution’s guarantees of privacy:

The protection guaranteed by the [Fourth and Fifth] Amendments is much broader in scope. The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized
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Second Reading, *continued*: “Privacy and the Ninth Amendment,”
by Justice Arthur Goldberg

the significance of man’s spiritual nature of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the Government, the right to be left alone—the most comprehensive of rights and the right most valued by civilized men.

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Defining Key Words and Phrases	Privacy and the Ninth Amendment
Key words and phrases to understand	right of privacy, pursuit of happiness
Questions to clarify key words and phrases	

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Defining Key Words and Phrases	Privacy and the Ninth Amendment
Key words and phrases to understand	right of privacy, pursuit of happiness
Questions to clarify key words and phrases	right of privacy —What is considered privacy and what is not? What kinds of privacy are recognized by the law? The Constitution guarantees spiritual, intellectual, and material privacy.

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Defining Key Words and Phrases	Privacy and the Ninth Amendment
Key words and phrases to understand	right of privacy, pursuit of happiness
Questions to clarify key words and phrases	<p>right of privacy—What is considered privacy and what is not? What kinds of privacy are recognized by the Law? The Constitution guarantees spiritual, intellectual, and material privacy.</p> <p>pursuit of happiness—What exactly is the “pursuit of happiness”? How do our thoughts, beliefs, emotions, and spiritual nature relate to the pursuit of happiness?</p>