



AMENDMENT 1:

FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY, AND PETITION

Grade Levels: 11-13+

20 minutes

CAMBRIDGE EDUCATIONAL 1998

DESCRIPTION

The First Amendment of the Constitution is arguably the most important, for it protects freedom of religion, speech, press, assembly, and petition under both the federal government and individual states. Explains each of the five components and cites important related Supreme Court decisions. Concludes with probing questions.

ACADEMIC STANDARDS

Subject Area: Civics

- ◆ Standard: Understands the central ideas of American constitutional government and how this form of government has shaped the character of American society
 - Benchmark: Knows opposing positions on current issues involving constitutional protection of individual rights such as limits on speech (e.g., hate speech, advertising), separation of church and state (e.g., school vouchers, prayer in public schools), cruel and unusual punishment (e.g., death penalty), search and seizure (e.g., warrantless searches), and privacy (e.g., national identification cards, wiretapping) (See Instructional Goals #2, #3, #4)

- ◆ Standard: Understands issues regarding personal, political, and economic rights
 - Benchmark: Knows what constitutes personal rights (e.g., freedom of conscience, freedom to marry whom one chooses, to have children, to associate with whomever one pleases, to live where one chooses, to travel freely, to emigrate) and the major documentary sources of personal rights (e.g., Declaration of Independence, United States Constitution including the Bill of Rights, state constitutions) (See Instructional Goals #1, #4)

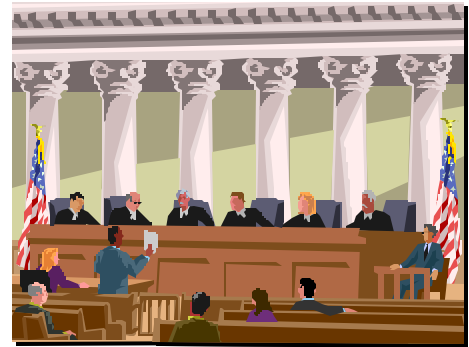


INSTRUCTIONAL GOALS

1. To present and discuss the five freedoms guaranteed in the First Amendment to the Constitution.
2. To examine various Supreme Court cases dealing with each freedom.
3. To stimulate discussion on the controversies surrounding the freedoms of religion, speech, press, petition and assembly.
4. To explore the historical significance of each clause of the First Amendment.

VOCABULARY

1. petition
2. entanglement
3. compulsory
4. conscientious objector
5. clear and present danger
6. imminent lawless action
7. free press
8. prior restraint



BEFORE SHOWING

1. Review the basic history of the American Constitution:
 - a. Articles of the Confederation
 - b. Constitutional Convention
 - c. Articles of the Constitution
 - d. The Bill of Rights
2. Explain the premise of each clause of the First Amendment:
 - a. Freedom of Religion
 - b. Freedom of Speech
 - c. Freedom of the Press
 - d. Freedom of Assembly
 - e. Freedom of Petition
3. Solicit various opinions as to which freedom is the most important.

DURING SHOWING

Discussion Items and Questions

1. View the video more than once, with one showing uninterrupted.
2. Pause after the segment on Freedom of Religion. Discuss:
 - a. The motivation behind the establishment of this clause.
 - b. The four circumstances where the government intervenes in religious matters.

3. Pause after the segment on Freedom of Speech. Discuss:
 - a. The motivation behind the establishment of this clause.
 - b. The forms of "speech" that are protected and those forms that are not.
4. Pause after the segment Freedom of Press. Discuss:
 - a. The motivation behind the establishment of this clause.
 - b. The two examples of litigation regarding this clause and the precedents in which they set.
5. Pause after the segment Freedom of Assembly and Petition. Discuss:
 - a. The motivation behind the establishment of this clause.
 - b. The "balancing approach" used by the courts today in dealing with cases involving this clause.

AFTER SHOWING

Discussion Items and Questions

1. For what purpose was the ability to amend the constitution established? Would the constitution be as enduring a document today without that ability?
2. To which governing bodies can the First Amendment be applied?
3. Why are the first ten amendments to the Constitution called the Bill of Rights?
4. Explain the reason that religion was so important to the colonists of America.
5. What are the two ways in which the First Amendment has been applied in the United States?
6. What types of expressions are protected under the First Amendment?
7. Explain what is meant by "clear and present danger." How is this applied to the First Amendment?
8. Discuss the reasoning that concludes that the Freedom of Speech clause to be the most important right.
9. "The most stringent protection of free speech would not protect a man in falsely shouting 'fire' in a crowded theater causing a panic." Explain why this type of expression is not protected.
10. What is the definition of the word press, and what purpose does the press serve in the United States?
11. What kind of situations can be petitioned to the government?
12. Describe a peaceful assembly. What conditions would make it unpeaceful?
13. How is the Freedom of Expression a prerequisite for the freedom and enjoyment of our other rights?



Applications and Activities

1. Locate articles in the newspaper that relate to the First Amendment.

- a. Explain which clause of the First Amendment each article refers to.
- b. Summarize the implications of each article for citizens' rights.
2. Imagine what America would be like without the First Amendment. Describe what might happen without its protection.
3. Structure a debate concerning the following topics:
 - a. School prayer
 - b. Wearing controversial "symbols"
 - c. Pornography
 - d. Book burning
 - e. The teaching of evolution in public schools
4. Write a paragraph explaining how the rights guaranteed by the First Amendment affect everyday life.
5. Design a poster that persuades others to think about and appreciate their First Amendment rights. Include pictures and text representing each of the clauses.
6. "Do we tolerate the abuses of the few to protect the freedoms of the many?" Or, "Do we restrict everyone's freedoms to punish the irresponsibility of a few?"
 - a. Explain under what circumstances it would be prudent to agree with each statement.
 - b. Analyze which statement is popular in America today.
7. Research the particulars of Supreme Court cases dealing with each of the five clauses of the First Amendment.
 - a. Saluting the American Flag
 - b. United States vs. Seeger, 1965
 - c. Schenck vs. United States, 1919
 - d. Brandenburg vs. Ohio, 1969
 - e. J.M. Near vs. Minnesota, 1931
 - f. New York Times Company vs. United States, 1971



RELATED RESOURCES

Captioned Media Program

- Amendment 2: Right to Bear Arms #3563
- Bill of Rights #3438
- Bill of Rights Today: The 4th Amendment #3010



World Wide Web



The following Web sites complement the contents of this guide; they were selected by professionals who have experience in teaching deaf and hard of hearing students. Every effort was made to select accurate, educationally relevant, and "kid-safe" sites. However, teachers should preview them before use. The U.S. Department of Education, the National Association of the Deaf, and the Captioned Media Program do not endorse the sites and are not responsible for their content.

- **FIRST AMENDMENT CYBER-TRIBUNE**

<http://w3.trib.com/FACT/>

An excellent site with links, information on the First Amendment, Supreme Court cases and tons more. Go here first!

- **FREEDOM OF EXPRESSION–NATIONAL ENDOWMENT FOR THE ARTS**

<http://www.csulb.edu/%7Ejvancamp/freedom1.html>

A "course" on the First Amendment with good explanations of the wording in the amendment and discussion questions.

- **FREE EXPRESSION CLEARINGHOUSE**

<http://www.freeexpression.org/>

Current information on First Amendment issues, mostly news articles.