

Lesson 1: What Is the First Amendment?

Rationale

This lesson provides an opportunity for students to learn what the First Amendment is and why it is important to them today. Students will compare and contrast the rights provided in the First Amendment with freedoms found or not found in other countries around the world.

Objectives

- Students will be introduced to the First Amendment text and components
- Students will compare the freedoms found in this Amendment with those found and not found in other countries

National Standards

This lesson includes material appropriate for art, civics, history, language arts and life skills classes. (See *Correlation of Lessons to National Standards* section.)

Requirements

Handouts/Support Documents:

- *First Amendment Survey*
- *State of the First Amendment Cartoon*
- *First Amendment*
- *What Exactly is the First Amendment?*
- *Freedom of Press Around the World*
- *Freedom of Religion Around the World*
- *Freedom of Speech, Assembly and Petition Around the World*
- *State of the First Amendment Cartoon: A Millennial's Response*

Other Materials: chalkboard and chalk, or dry erase board and markers; OPTIONAL: overhead projector and transparency sheets; computer with Internet access and LCD projector; color tacks or other items that can be used as markers

Time: One or two class periods

Techniques and Skills

Analyzing material, interpreting art, large-group discussion, presenting, researching, small-group work

Key Words

ensorship, compulsion, grievance, incitement, interference, orthodox, redress, suppression, unalienable

Procedures

Part I

1. Prior to the start of the lesson, prepare the following:
 - Copy the *First Amendment Survey*, *State of the First Amendment Cartoon*, *State of the First Amendment Cartoon: A Millennial's Response* and *What Exactly is the First Amendment?* handouts, one for each student.
 - Copy the *Freedom of Press around the World*, *Freedom of Religion around the World*, and *Freedom of Speech, Assembly and Petition around the World* handouts, one per student in corresponding small groups.
 - Review pages 1–2 of “*Future of the First Amendment*” Report at <http://firstamendment.jideas.org/downloads.php>.
 - OPTIONAL: Copy *First Amendment* and *What Exactly is the First Amendment?* handouts on transparency sheets, and set up overhead project and screen.
 - OPTIONAL: Connect the computer to an LCD projector and Internet browser.
2. Begin this lesson by distributing the *First Amendment Survey* to each student. Ask students to independently complete the survey, then review each item as a class, asking students to indicate by a show of hands how they answered. Keep a tally of the students' responses on the board. Ask students what patterns they notice or what surprises them about the class responses.

OPTIONAL: Instead of a show of hands, use a *Four Corners* response format: Assign each corner of the room one of the possible responses. Ask students to respond to each statement by moving to the corner of the room that reflects their response.
3. Explain that this survey is an excerpt of a larger survey that asked more than 100,000 high school students in 544 schools about what they know and how they feel about the First Amendment. Share the following survey results:
 - High school students tend to express little appreciation of the First Amendment. Nearly three-fourths say either they don't know how they feel about it or take it for granted.

- Students are less likely than adults to think that people should be allowed to express unpopular opinions or newspapers should be allowed to publish freely without government approval of stories.
- Students lack knowledge and understanding about key aspects of the First Amendment. Seventy-five percent incorrectly think that flag burning is illegal. Nearly half erroneously believe the government can restrict indecent material on the Internet.

NOTE: For information about all 12 key findings, download “*Future of the First Amendment*” Report at <http://firstamendment.jideas.org/downloads.php>. Tell students that they can compare their survey results against the 12 key findings in the report.

4. Distribute the *State of the First Amendment Cartoon* handout to students. Share that cartoonist Andrew Wahl does not seem to think that young people today value the First Amendment. Ask students the following questions: “To what extent does this cartoon relate to you? How does it make you feel?” Lead a 5–10 minute large-group discussion.

NOTE: This cartoon is not intended to ridicule youth, but to motivate them toward civic engagement.

5. Display the text from *First Amendment* on the board or a screen. Ask a volunteer to read the text aloud.
6. Share the following information about the First Amendment:
 - It is often considered the most important amendment in the Bill of Rights because it protects rights essential to democracy.
 - It contains the rights that people in the U.S. hold most dear: freedom of religion, speech, the press, assembly and petition. These are collectively referred to as the “five freedoms.”
 - When the First Amendment was adopted on December 15, 1791, it became the law of the land.
7. Distribute *What Exactly is the First Amendment?* handout to students or project a transparency copy of this handout on the overhead projector. Provide an overview of the five freedoms. Mention that the second, third, fourth and fifth freedoms are collectively referred to as freedom of expression.

OPTIONAL: Use the National Constitutional Center’s Interactive Constitution (<http://www.constitutioncenter.org/constitution>) to guide students through the five different parts of the First Amendment.

Part II

8. Emphasize the importance of the First Amendment by sharing some or all of the following points (from *The First Amendment in Schools* by Charles C. Haynes et al. ASCD, 2000).
 - Between 1971 and 1990, 110 of the world’s 162 national constitutions were either written or extensively rewritten.
 - An average of five new constitutions are adopted somewhere in the world each year.

- Canada's most recent version was adopted in 1982.
 - France, a country whose first attempt at constitution writing mirrored the timing of our own, had to begin rewriting less than three years after they finished. Since 1789, the French have written and rewritten a total of 15 times.
 - By contrast, the U. S. Constitution has endured for more than 200 years, making it the oldest — and shortest — written constitution in the world.
9. Tell students that they will be reading about the ways in which different countries' address individual rights.

NOTE: This part of the lesson is not meant to disparage other countries and their peoples, or to suggest that the U.S. system is best. Rather, the purpose is for students to consider the unique nature of the U.S. First Amendment from a global perspective. Be sure to emphasize that some of the countries mentioned in the *Freedom around the World* handouts have a high level of respect for individual freedoms in many different areas.

10. Divide the class into four small groups, and assign each group one of the following topics: religion, press, speech or assembly and petition.
11. Distribute the *Freedom of Religion around the World*, *Freedom of Press around the World* and *Freedom of Speech, Assembly and Petition around the World* handouts, one for each student in their assigned small groups. Instruct students to read and discuss the questions that accompany the handout. OPTIONAL: If time is limited, assign this reading for homework and ask students to discuss in small groups during the next class.
12. Ask each group to present their responses to the class. OPTIONAL: Ask students to indicate each country's location on a map of the world, using tacks or other items as markers (one color per topic).
13. Lead a discussion about students' impressions of different countries' laws as they relate to the freedoms in the First Amendment.

OPTIONAL: Material in these handouts is taken from the *Freedom around the World* Web exhibit from The McCormick Tribute Freedom Museum at <http://www.freedommuseum.us>. Encourage students go online and view the exhibit for themselves.

Part III

14. Ask students to refer back to the *State of the First Amendment Cartoon* handout that was passed out earlier. Review what was discussed about this cartoon earlier in the lesson.
15. Distribute the *State of the First Amendment Cartoon: A Millennial's Response* handout. Explain to students that they belong to a generation that popular media refers to as the "Millennials" (following Generation Y). Millennials are described as having a wide array of positive social habits, focused on teamwork, achievement, modesty and good conduct.

NOTE: For more information about who the Millennials are, see *Millennials Rising: The Next Great Generation* (2000) by Neil Howe and William Strauss.

16. Instruct students to respond to the cartoon in the box provided and to answer the questions that follow. Divide students into small groups or lead a large-group discussion about their responses.

Extension Activities

Extension Activity One

December 15th was designated Bill of Rights Day in 1941 by President Franklin D. Roosevelt in celebration of the 150th anniversary of its ratification. President Roosevelt urged all U.S. citizens to display the flag on this date and to have ceremonies honoring the occasion. Ask students how they think U.S. citizens—specifically young people – should celebrate and honor the Bill of Rights today.

Extension Activity Two

Using either the lesson’s *First Amendment Survey* or the complete “Future of the First Amendment” High School Student Survey (see <http://firstamendment.jideas.org/students/students.php>), instruct students to poll students in their school or grade level about their knowledge and attitude toward the First Amendment. Ask students to compile and report their findings through a bulletin board presentation or at an all-school teacher or social studies department meeting, using a variety of visual diagrams, such as bar graphs and charts.

First Amendment Survey

Student Handout

1. **The First Amendment became part of the U. S. Constitution more than 200 years ago.**

This is what it says:

“Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

Based on your own feelings about the First Amendment, indicate to what extent you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees.

Strongly agree Mildly agree Mildly disagree Strongly disagree

2. **Overall, do you think the press in the U.S. has too much freedom to do what it wants, too little freedom, or just the right amount of freedom?**

Too much freedom Too little freedom About right

3. **People should be allowed to express unpopular opinions.**

Strongly agree Mildly agree Mildly disagree Strongly disagree

4. **Musicians should be allowed to sing songs with lyrics that others might find offensive.**

Strongly agree Mildly agree Mildly disagree Strongly disagree

5. **Newspapers should be allowed to publish freely without government approval of a story.**

Strongly agree Mildly agree Mildly disagree Strongly disagree

6. **High school students should be allowed to report controversial issues in their student newspapers without the approval of school authorities.**

Strongly agree Mildly agree Mildly disagree Strongly disagree

The First Amendment in Public Schools

The following statements are about how people might try to exercise their rights under the First Amendment. Decide whether you think people in the U.S. have the right to do these things. Circle yes or no.

1. **Under current law, do Americans have the right to burn the U.S. flag as a means of political protest?**

Yes No

2. **Under current law, does the government have the right to restrict indecent material on the Internet?**

Yes No

3. **Under current law, does someone have the legal right to shout “fire” in a crowded area as a prank?**

Yes No

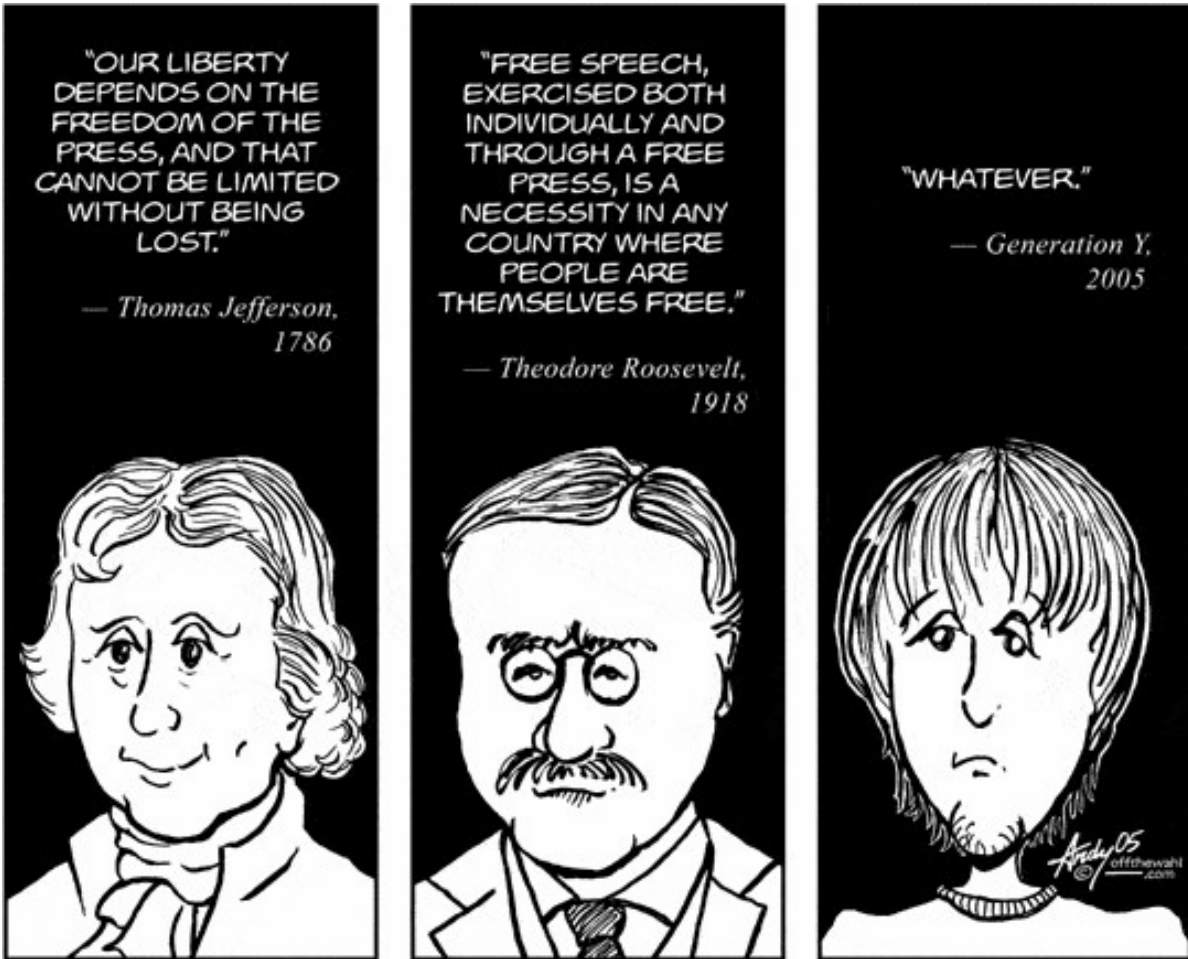
4. **Are the rights guaranteed by the First Amendment something you think about or are they something you take for granted?**

Personally think about Take for granted I don't know

Excerpted from “Future of the First Amendment,” a report conducted by researchers of the University of Connecticut and the John S. and James L. Knight Foundation. Reprinted with permission from J-Ideas, a project of the Ball State University.
http://firstamendment.jideas.org/downloads/future_final.pdf.

State of the First Amendment Cartoon

Student Handout



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STATE OF THE FIRST AMENDMENT

First Amendment

*Congress shall make no law respecting
an establishment of religion, or
prohibiting the free exercise thereof; or
abridging the freedom of speech, or of
the press; or the right of the people
peaceably to assemble, and to petition
the government for a redress of
grievances.*

What Exactly is the First Amendment?

Student Handout

First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Freedom of Religion

The First Amendment embraces two religious principles – separation and tolerance. It prevents the government from establishing an official religion, and it provides broad protection for an individual’s personal religious beliefs and practices. U.S. citizens are free to “exercise” their right to attend a synagogue, temple, church or mosque of their choice – or to choose not to attend. Religious practice should be free from government influence or compulsion.

Freedom of Speech

The First Amendment prevents government censorship of opinions and exchange of ideas. There are exceptions to the rule, but generally this right helps ensure that speech is not restricted because of its content. People also have the right to criticize the government.

Freedom of the Press

The government cannot control the media. Within certain parameters, it cannot control what is printed in newspapers, books, or the Internet, and what is broadcast on television or radio. We are allowed to get our information from any source. We can show our disagreement by speaking it, writing letters to newspaper editors, passing out leaflets or having our own Web pages, to name a few examples.

Freedom of Assembly

U.S. citizens have broad rights to peaceably come together, in public or private settings, to organize and advocate on behalf of things that matter to us. We can join groups for political, religious or social reasons, free from interference by the government.

Right to Petition

“To petition the government for a redress of grievances” means that we can ask the government for changes. We can do this, for example, by collecting signatures and sending them to our elected representatives, or by calling, writing or e-mailing those representatives.

Freedom of Press around the World

Student Handout

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of six countries' laws regarding freedom of the press. Your group's responsibility is to read and answer the questions that follow. Your group will share its responses with the class.

Belgium

Freedom of the press is guaranteed by the constitution and respected by the government.

Burma

Burmese media are among the most restricted in the world. A 1996 decree banned any speech that undermines national stability and it is forbidden for anyone to publicly express critical views about the regime. Journalists have been reported to be imprisoned for expressing dissident views.

Mexico

Media in Mexico City and other large cities report often on sensitive political issues and criticize the government without interference. But it is reported that outside of these major cities, and especially along Mexico's northern border, journalists often face harassment, death threats and physical violence.

Namibia

Namibia is viewed as one of the most media-friendly countries in Africa and no serious abuses against the media have been reported for several years.

Sweden

Legal protection for freedom of the press dates back to 1766.

Venezuela

Venezuela has had a steady decline in press freedom over the past few years. The country ratified the Law of Social Responsibility in Radio and Television, which imposed large fines and possible closure if prohibited content was aired. Prohibited content includes anything that leads to "incitements to war," "disruptions of the public order," "disrespect toward legitimate institutions and authorities," or "threats to national security." There is a committee of eleven people that make decisions and the government appoints seven of the members.

From "Freedom Around the World" Web exhibit from The McCormick Tribute Freedom Museum at <http://www.freedommuseum.us>.

Freedom of Religion around the World

Student Handout

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of seven countries' laws regarding religion. Your group's responsibility is to read and answer the questions below. Your group will share its responses with the class.

Belarus

According to Article 31 of the Belarus Constitution, a citizen has "the right independently to determine his attitude towards religion." But some observers say that the government gives preference to the Orthodox Church by granting it special financial and tax advantages. The President has said that the preservation of the Orthodox Church is a "moral necessity." In 2002 a law was passed that limited the activities of evangelical Christians.

Canada

The Constitution Act of 1982 states that Canada recognizes the supremacy of God.

Chile

Chile's 1980 Constitution supports the separation of Church and state, but the Catholic Church gets preferential treatment. The U.S. State Department has received reports of public discrimination against Jews in Chile.

Cuba

The government requires religious groups to register. It is forbidden to construct new churches, so believers have to gather in private homes to worship. Worshipping in a private home is against the law and carries a \$3,000 penalty. These "safe houses" of worship can also be bulldozed if they are discovered.

Iran

The Constitution of Iran declares Islam as the official religion. Christianity and Judaism are considered minority faiths and are closely monitored and restricted. Muslims who have converted to another faith have been imprisoned or murdered. Christians are not allowed to publish literature in Iran.

North Korea

After WWII the communist regime of North Korea didn't allow any religious activity at all. This conflicts with Article 54 of the 1972 Constitution that states that citizens have religious freedom. It is reported that the government maintains a few religious organizations to maintain the appearance of religious freedom.

Swaziland

There aren't specific constitutional guarantees of religious freedom, but the government generally respects the rights of people to believe and practice as they wish.

From "Freedom Around the World" Web Exhibit from The McCormick Tribute Freedom Museum at <http://www.freedommuseum.us>.

Freedom of Speech, Assembly and Petition around the World

Student Handout

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of five countries' laws regarding freedom of speech, assembly and petition. Your group's responsibility is to read and answer the questions below. Your group will share its responses with the class.

Burma

Human rights groups around the world consider Burma as among the most repressive regimes in the world. It is often described as a "police state." It appears that there is no freedom of speech or assembly in the country. It has been reported that Burmese people are afraid to even speak to foreigners except in the most superficial of manners because they fear being taken in by authorities for questioning. Burmese people fear the "police state" and, thus, do not petition the government or offer any complaints openly regarding it.

Eritrea

Eritrea is one of the smallest and poorest nations in Africa. It is reported that officials in the country have cracked down on any outspoken critics of the government. Human rights observers have claimed that critics of the government have been arrested and held without trial and that thousands have been arrested for simply expressing dissenting views.

France

French law prohibits any speech or writings that incite racial or religious hatred. Law also forbids any speech or writing that denies the Holocaust.

Germany

Germany guarantees freedom of speech in article 5 of the German Grundgesetz, but some restrictions apply, including personal insults or hate speech. For instance, any promotion of neo-Nazi ideas and the use of Nazi symbols like the swastika are forbidden.

India

Article 19 of the Indian constitution says, "All citizens shall have the right to freedom of speech and expression." The freedom of speech is comparable to that in most Western European democracies.

The First Amendment in Public Schools

Answer the following questions:

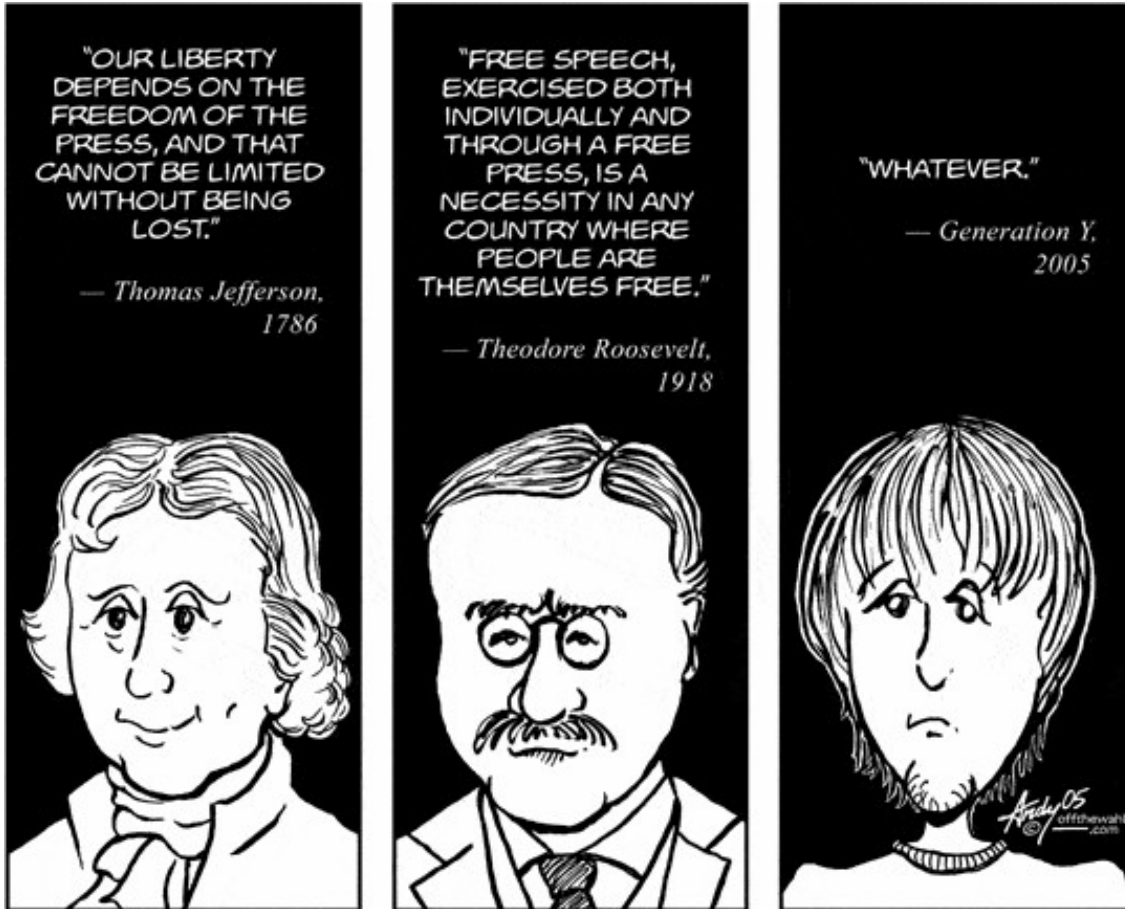
How are the rights of people in these countries similar or different from the rights of people in the U.S.?

How do you think it would feel to have some of the restrictions you just read about placed upon you? Which would most upset you? Why? (Each person in the group can have his or her own answer to these questions.)

State of the First Amendment Cartoon: A Millennial's Response

Student Handout

In the box below, provide your response to this cartoon, as a member of the Millennial generation. If you wish, you can also draw a self-portrait to accompany your response. Answer the questions that follow.



STATE OF THE FIRST AMENDMENT

The First Amendment in Public Schools

Answer the following questions:

Why is the response you have written important to you?

How is it similar or different from the other three quotes in the cartoon?
