First Amendment Basics

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.

The First Amendment is:

- Part of the Bill of Rights (the first 10 amendments to the U.S. Constitution).
- More than 200 years old. (It was ratified — made part of the Constitution — in 1791.)
- Our nation’s blueprint for freedom of expression and religious liberty for all.
- A statement that limits the government’s ability to restrict the rights of individuals.

Religion: The First Amendment protects the right to freely exercise any religious faith, or no religious faith. You can believe whatever you want to believe and practice your religion openly without fear of persecution.

The First Amendment also prohibits the government from establishing an official religion. That is why, for example, public school teachers are not allowed to lead their students in prayer. The Supreme Court has ruled that public school teachers leading prayers could make it appear that the government favors one religion over another.

These protections are often referred to as the Establishment Clause of the First Amendment.

Speech: The First Amendment protects the right to express your beliefs and ideas through words — written or spoken — and through symbolic speech. Symbolic speech uses images, actions or other non-verbal methods to communicate an idea. The First Amendment protects the right to express even unpopular or controversial ideas.

Press: The First Amendment protects the right to publish information in print, on television or on the Internet. For the most part, the news media are free to publish any information or opinion they desire with interference or censorship by the government.

Assembly: The First Amendment protects individuals’ freedom to gather together peacefully in groups. Working together, groups can have a much greater impact than an individual working alone.

Petition: The First Amendment protects the right to ask government at any level — local, state or federal — to change a policy, right a wrong or correct a problem. Individuals can petition the government using any legal, nonviolent methods of communicating their concerns, from traditional signed petitions to phone calls to Twitter.
First Amendment Basics, cont.

If we didn't have the First Amendment …
- Religious minorities could be persecuted.
- The government could establish a national religion.
- Individuals could be punished for expressing unpopular ideas.
- Protesters could be silenced.
- The press could be banned from criticizing government.
- Citizens could be prevented from gathering together to work for or against social change.

Sources for more information on the First Amendment:

First Amendment Schools: The five freedoms FAQs and key court cases
- Student- and school-centered overview of the five freedoms
- [http://www.firstamendmentschools.org/freedoms/speech.aspx](http://www.firstamendmentschools.org/freedoms/speech.aspx)

SCOTUSblog: First Amendment cases
- In-depth summaries and analyses of recent and current First Amendment cases before the Supreme Court

Oyez: First Amendment cases
- Summaries and decisions from historical and current First Amendment cases before the Supreme Court
- [http://www.oyez.org/issues/first_amendment](http://www.oyez.org/issues/first_amendment)
My Five Freedoms

How is the First Amendment important in your life? Use the boxes below to brainstorm ways in which you use or have already used each freedom and ways in which you could use the freedom in the future. Try to come up with at least one idea for each box.

<table>
<thead>
<tr>
<th>Freedom</th>
<th>How I use/have used this freedom:</th>
<th>How I could use this freedom in the future:</th>
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<tbody>
<tr>
<td>Religion</td>
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<td>Speech</td>
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<td>Press</td>
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<td>Petition</td>
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You Can’t Say That in School Gallery Guide

Visit the First Amendment Gallery (Level 4) to answer the following questions.

Pick one of the five freedoms (religion, speech, press, petition, assembly) to investigate.

Chosen freedom: ____________________________________________________________

Explain the meaning of the freedom and its origins: ______________________________________

Identify a pivotal Supreme Court case for the freedom and describe its impact:

Case: ________________________________________________________________

Impact: ________________________________________________________________

Identify two other examples of the freedom being used. Then explain if the First Amendment supports each example.

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Head to the Bart Simpson wall. Choose an example of a student using a First Amendment Freedom and describe the event.

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Washington, D.C., area school groups are sponsored by WTOP 103.5 FM.
Compare the student example with an example of your chosen freedom from the main display. How were the actions and consequences similar and different?

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How did the school respond to the student’s actions? In your opinion, were the student’s First Amendment rights violated? Explain your answer and use evidence from the display to support your argument.

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Should the First Amendment apply equally to students and the general public? Students attend school to get an education. What if using the five freedoms interfered with learning? Does that change your answer? Why or why not?

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Introduction to the First Amendment: Scenarios

Do any of these violate the First Amendment’s freedom of religion? Why or why not?
1. Your parents insist you attend a weekly religious service.
2. Your private school requires you to say a certain prayer each morning, even though you have a different faith.
3. Your public school begins a sporting event with a student-led prayer over the school’s PA system.
4. Your state passes a law that everyone must pay taxes to support a specific church.

Do any of these violate the First Amendment’s freedom of speech? Why or why not?
1. You work in a retail store after school and on weekends. Your boss says you have to stop talking so much while you’re working.
2. Your public school administrator suspends you for wearing a black armband to protest a war.
3. Your public school principal says you can’t come to school as long as your hair is dyed purple.
4. You do not wish to say the Pledge of Allegiance each morning and your principal expels you.

Do any of these violate the First Amendment’s freedom of the press? Why or why not?
1. You work in a restaurant. Your boss treats you unfairly and you write about what happened on your Facebook page. Your boss finds out what you wrote and fires you.
2. Your school newspaper is produced by the journalism class. Your public school principal objects to the content of an article and prevents it from being published.
3. Your parents won’t let you have a Facebook or Twitter account.
4. Police arrest a professional reporter for writing an article that criticizes the government.

Do any of these violate the First Amendment’s freedom of assembly and petition? Why or why not?
1. You belong to a service club in your neighborhood. You hope you’ll be chosen to lead an upcoming event. When you are not selected, you decide to gather signatures from other members urging the club leaders to change their minds. The club leaders refuse to accept your petition.
2. A neighborhood store sells you an iPod that doesn’t work. The cashier won’t give you a refund. You decide to go back into the store with some of your friends and stand just inside the front door with signs that say, “Don’t Shot Here!” The store owner makes you leave.
3. A white supremacist group applies for a city permit to have a march. The city says that they cannot have the permit unless they pay for a large insurance bond. Other groups are given permits for free.

4. Your public school principalpunishes you for attending a city-wide demonstration during school hours.
What’s a Violation?

How is the First Amendment important in your life? When does it protect your freedoms and when doesn’t it? Read the scenarios for each freedom and decide whether rights were violated.

Is freedom of religion violated in any of these scenarios? Explain.

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Is freedom of speech violated in any of these scenarios? Explain.

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Is freedom of the press violated in any of these scenarios? Explain.

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Are freedom of assembly and freedom of petition violated in any of these scenarios? Explain.

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