

# Reflections on the First Amendment

90 points

**EQ:** How have First Amendment interpretations by the Supreme Court affected you personally?

*(This EQ is the overall focus of the paper; you will need a more specific thesis depending on which options below you choose.)*

## Assignment:

Prepare a 2,100 to 2,450-word paper in which you:

1. A. Describe three of the five rights in the First Amendment then describe the facts, issues and an evaluation of the impact of a landmark case for each right. In your discussion of the right and its case, address the overall significance of the three right's protection of individual expression.

*One possible thesis: "The U.S. Supreme Court has ruled that the rights of free speech, press and assembly allow individuals to advance other civil liberties,"*

OR

- B. Describe one current First Amendment issue, connect the issue to at least three cases the significance of the issue and evaluation of the impact on society of the decision.

*See a list of questions for below:*

OR

- C. Discuss at least one case of significance related to three of the provisions of the First Amendment.

*Possible thesis: "The single case of \_\_\_\_\_ defined the three first Amendment rights of \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_"*

2. The paper should be in-depth, with numerous examples from current events, history and your own experience. Connect those examples to the thesis and the case. Make numerous citations and use the case's issue to analyze and apply the examples.
3. State an overall thesis and stick to it.
4. You may take a position and state the other side.
5. Because the assignment EQ asks "you", first person is OK. The title of the assignment is "Reflections" so reflect.
6. Therefore, personal examples are acceptable.

7. Cite the case(s) and texts frequently; be sure it's obvious how the citation fits in. Cite correctly using MLA, Supreme Court decisions have a unique citation system.
8. The assigned length is a 7 to 10 page, I am more interested in depth of ideas, however, and my expectation is a paper with numerous citations and application by example.

**Grading:** the paper will be graded in the following areas applying the definitions listed

Ideas (40 poss.)	Organization (20)	Fluency (20)	Conventions (10)	Total

Ideas =

Connections, assessments, evaluations and your own descriptions.
The content is comprehensive, accurate, and /or persuasive.
Numerous examples from the news and one's own life are related to the topic
A clear thesis statement is made.
A position is taken and its arguments are refuted.
The paper links theory to relevant examples.
Major points are stated clearly and are supported by specific details, examples, or analysis.

Fluency =

Ease to read
Citations are integrated to the paragraph structure.
Paper is interesting to read.
The thesis is clear throughout the paper.

Organization =

The paper develops a central theme or idea, directed toward the appropriate audience.
The introduction provides sufficient background on the topic and previews major points.
The conclusion is logical, flows from the body of the paper, and reviews the major points.
Transitions between sentences, paragraphs, and sections aid in maintaining the flow of thought.
The tone is appropriate to the content and assignment.

Conventions/Mechanics =

Citations of original works within the body of the paper follow MLA guidelines where appropriate.
The paper is laid out with effective use of headings, font styles, and white space.
Rules of grammar, usage, and punctuation are followed.
Sentences are complete, clear, concise, and varied.
Spelling is correct.

### **Some possible questions:**

- How does a free press protect the people from an abusive government?
- Is an official state language a violation of free speech?
- What are examples of the Supreme Court's decisions that define the interaction between the five rights of the First Amendment?
- Is obscenity protected as free expression?
- Should a school reflect the religious values of the community?
- How has freedom of assembly advanced other civil liberties?
- Should the First Amendment be limited during wartime?
- To what degree do students have First Amendment rights while at school?
- How does the Court define the occasional conflict between the Establishment and the Free Exercise clauses?
- What's more important, a community's right to be informed by the press during an important trial, or the individual's right to a fair trial and due process?

### **Establishment of Religion**

- How much can the government get involved with a religion?
  - Lemon v. Kurtzman, 403 U.S. 602, 616 (1971)
  - Religion in public places
    - Marsh v. Chambers 463 U.S. 783 (1983)
    - Lynch v. Donnelly 465 U.S. 668 (1984)
  - Prayer in schools
    - Abington School District v. Schempp 374 U.S. 203 (1963)
  - Prayer at graduations
    - Lee v. Weisman 505 U.S. 577 (1992)

### **Free Exercise of Religion**

- What can a person do (that might be illegal) and claim it is religious like polygamy?
  - Reynolds v. U.S. (1879)
- Can parents do or not do something for or to their kids and claim free exercise?
  - School attendance
    - Wisconsin v. Yoder 406 U.S. 205 (1972)
  - Flag salute
    - West Virginia State Board of Ed. v. Barnette 319 U.S. 624 (1943)