

Democracy in America- Annenberg Civil Liberties

Name: _____

1. First Amendment Rights Are Not Absolute

The faculty advisor for the Blue Review newspaper supported the student editors, but Middlesex High's principal objected to the content and decided to suspend distribution

Questions:

- Should the press be allowed to publish anything?
- If there are limits on publication, can they be defined prior to publication?
- Should student publications be treated differently than privately held media outlets?
- Do school administrators have special responsibilities to censor student produced publications?

2. The Fourth Amendment and Student Drug Tests: The Case of Lindsay Earls

In recent years, out of concern about drug use, school administrators across the country have implemented random drug testing programs for students in school sports and other activities. Several court cases challenging these testing programs have required the courts to grapple with the Fourth Amendment's protections against unreasonable searches.

Questions:

- What constitutes an unreasonable search?
- Is mandatory drug testing an invasion of privacy?
- Should all students be required to submit to drug tests?
- Should faculty and administrators be required to submit to drug tests?

3. When Rights Collide: The Free Press Versus the Fair Trial

The Sixth Amendment guarantees criminal defendants a right to a fair trial, but the First Amendment guarantees the media the right to cover criminal trials as well. The potential conflict between two rights arose in the Sam Sheppard murder trial and subsequent appeal. Did harsh press coverage deny Sheppard his Sixth Amendment right to a fair trial?

Questions:

- Did Dr. Sheppard receive a fair trial?
- In the current media age, with its all-news channels, can any high-profile defendant receive a fair trial?
- What measures can be taken to guarantee high-profile defendants a fair trial?

4. What Other Constitutional Rights Do You (Or Should You) Have?

The Ninth Amendment states: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." What other rights or liberties not articulated in the Constitution should we enjoy?

A right to privacy, (Roe v. Wade - 1973)?

A right to education?

A right to health care?

A right to have fun as an extension of the unalienable right to the "pursuit of happiness"?

5. Why Worry About Civil Liberties If You Don't Have Anything To Hide?

"I don't mind drug searches in school, because I don't have anything to hide."
Do you agree with this statement?