Rights in Balance

Compare how Supreme Court rulings expanded and limited protections.

SS24.US2.14c "Compare and contrast major Supreme Court decisions from the 1960s through the 1980s and explain how they reflect an ongoing national debate regarding the expansion and limits of civil liberties, civil rights, and constitutional protections."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the protection in each ruling, circle a limit or competing concern, and number two rulings that take different approaches to government power.

Where Do Protections Stop?

1. Clarence Gideon had to defend himself against a felony charge because he could not afford a lawyer. In Gideon v. Wainwright (1963), the Supreme Court required states to provide lawyers to defendants who could not afford them in felony cases. Miranda v. Arizona (1966) addressed an earlier stage of a criminal case: before custodial questioning, police must warn suspects of their rights to remain silent and to have an attorney. Both rulings placed duties on government officials to protect people accused of crimes.

2. School corridors raised different questions. In Tinker v. Des Moines (1969), students wore black armbands to protest the Vietnam War. The Court protected their expression because the school had not shown that it would substantially disrupt school activities. In New Jersey v. T.L.O. (1985), the Court allowed school officials to search a student's purse without a warrant when they had reasonable grounds to suspect a rule violation. The search also had to be reasonable in scope. Students had rights, but schools could act to maintain order.

3. Admissions offices faced another conflict. In Regents of the University of California v. Bakke (1978), the Court rejected a medical school's fixed quota that reserved seats for minority applicants, but allowed race to be considered as one factor in admissions. The ruling weighed an applicant's claim to equal treatment against a university's interest in a diverse student body. Unlike Gideon's clear requirement that states provide counsel in felony cases, Bakke allowed a practice while restricting how institutions could use it.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Gideon and Miranda protect people at different stages of a criminal case?

2. How did Tinker and T.L.O. differ in balancing student rights with a school's need to act?

3. Compare what Gideon and Bakke required or prohibited institutions to do.

4. What competing concerns shaped the rulings in T.L.O. and Bakke?

3 YOUR TURN

Your own words

A principal receives a specific report that a student has stolen headphones in a backpack. Write a short policy recommendation to a school board on whether school searches should require a warrant. Compare Tinker and T.L.O., and use one other ruling from the passage to explain why protections can vary by setting.

ANSWER KEY

Rights in Balance

GRADE 11 · SS24.US2.14c

PART 1 · READ AND MARK

Underline the protection in each ruling, circle a limit or competing concern, and number two rulings that take different approaches to government power. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Gideon and Miranda protect people at different stages of a criminal case?	**Gideon required states to provide counsel to defendants who could not afford it in felony cases. Miranda required police to warn suspects of their rights before custodial questioning.**
2	How did Tinker and T.L.O. differ in balancing student rights with a school's need to act?	**Tinker protected student expression when the school had not shown substantial disruption. T.L.O. permitted a school search without a warrant when officials had reasonable grounds to suspect a rule violation and the search was reasonable in scope.**
3	Compare what Gideon and Bakke required or prohibited institutions to do.	**Gideon required states to provide counsel to defendants who could not afford it in felony cases. Bakke prohibited a fixed admissions quota but allowed race as one admissions factor.**
4	What competing concerns shaped the rulings in T.L.O. and Bakke?	**T.L.O. balanced student privacy with a school's need to maintain order. Bakke weighed an applicant's claim to equal treatment against a university's interest in diversity.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The school board should not require a warrant for every backpack search, but it should require reasonable grounds to suspect a rule violation and a search limited to the suspected item. Under T.L.O., school officials could search without a warrant, but the search still had to be reasonable. Tinker took a different approach to student expression: a school could not restrict the armbands without showing substantial disruption. Miranda shows that the rules also change outside school. Police must give rights warnings before custodial questioning. In each setting, a protection remains, but its limits depend on the government action.

Accept accurate comparisons that distinguish the type of right, the government action, and the ruling's limit. For the policy task, students may support a stricter warrant rule if they accurately explain what T.L.O. permits.