Room to March

Balancing free expression and public safety

USG.5.4 "Explain when and why the Constitution allows the government to limit individual rights, focusing on how such limits must balance individual liberty with public safety, order, and the common good."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB As you read, circle a protected freedom, underline a rule meant to protect safety, and write 1 and 2 beside two examples of rules that go too far or favor one viewpoint.

When a March Fills the Street

1. On a Saturday, a group plans to march through downtown to urge the city to build more affordable homes. The First Amendment protects their right to speak and assemble peacefully, even if many neighbors dislike their message. But a march that fills a street can also block buses, emergency vehicles, and people trying to get home. The Constitution does not give officials unlimited power to stop speech in the name of safety. It allows certain rules that protect the public while leaving people a meaningful chance to express their views.

2. Suppose the city requires a permit before any group closes a downtown street for a march. Officials use the same application deadlines and traffic standards for every group, no matter what its signs say. The city offers a route that keeps an ambulance entrance clear and provides a nearby place for speakers to address onlookers. Requiring a permit for closing a street helps officials plan for traffic and emergency access. A few people holding signs on an open sidewalk, however, should not need that street-closure permit just to speak there.

3. Now imagine officials deny the housing march because they disagree with its demands, while approving an equally large march on another issue. That choice targets a viewpoint, not a safety risk. Even a rule that treats all messages alike can go too far. If the city bans every protest throughout downtown for a month to keep one intersection clear, the ban restricts far more speech than the problem requires. A street-closure permit rule, applied fairly and with a usable alternative route, better balances the marchers' liberty with public safety and the community's need to travel.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why might the city require a permit to close a street for a march but not require that permit for a few people holding signs on an open sidewalk?

2. How do the city's route and its use of the same traffic standards for every group protect both the marchers' rights and public safety?

3. Why does denying the housing march while approving an equally large march on another issue fail to balance liberty and safety?

4. Why does a monthlong ban on all downtown protests go beyond what is needed to keep one intersection clear?

3 YOUR TURN

Your own words

A group wants to hold a peaceful rally with amplified speeches in a public park at 11 p.m. near homes. In four or five sentences, propose a rule for amplified sound that protects residents while leaving the group a meaningful way to share its message, and explain why banning the whole rally would go too far.

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PART 1 · READ AND MARK

As you read, circle a protected freedom, underline a rule meant to protect safety, and write 1 and 2 beside two examples of rules that go too far or favor one viewpoint. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why might the city require a permit to close a street for a march but not require that permit for a few people holding signs on an open sidewalk?	**Closing a street can disrupt traffic and emergency access, so a permit helps the city plan. The sidewalk speakers are not closing a street, so that permit would restrict their speech without serving the same need.**
2	How do the city's route and its use of the same traffic standards for every group protect both the marchers' rights and public safety?	**The route keeps an ambulance entrance clear while leaving the marchers a place to speak. Applying the same traffic standards to every group prevents officials from favoring a message.**
3	Why does denying the housing march while approving an equally large march on another issue fail to balance liberty and safety?	**The marches are equally large, but officials reject one because they dislike its demands. That targets a viewpoint rather than a safety risk.**
4	Why does a monthlong ban on all downtown protests go beyond what is needed to keep one intersection clear?	**It stops protests across all of downtown for a month when the stated problem concerns only one intersection. A more limited rule could protect access while allowing speech elsewhere.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The city could apply a rule that ends amplified sound in the park at 9 p.m. for every group, regardless of its message. This would protect nearby residents' sleep without targeting the rally's viewpoint. At 11 p.m., the group could still meet peacefully and speak without amplification, or schedule amplified speeches earlier. Banning the whole rally would stop more expression than the noise problem requires.

Accept other sound limits that apply regardless of viewpoint and leave a meaningful way to speak. Responses should connect the limit to residents' needs and explain why stopping the entire rally is broader than the noise concern.