Rights in Writing

Compare how two constitutions describe political participation.

E.P.2.1.A "Evaluate various significant documents from the United States of America and other nations to compare civic virtues and principles of political systems."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline one provision about expression and circle one provision about group action in each document. Number any words that state a limit, then use your marks to compare the documents.

Two Constitutions, Two Ways of Stating Rights

1. In 1791, the United States added the First Amendment to its Constitution as part of the Bill of Rights. Imagine a newspaper editor criticizing a new tax while neighbors gather outside the town hall. The amendment says Congress shall make no law abridging freedom of speech or of the press. It also names the right of the people to assemble peaceably and to petition the government for a redress of grievances. The words address Congress directly, not editors or marchers. The text does not name exceptions to its speech guarantee.

2. South Africa adopted a new Constitution in 1996 after apartheid, a system of legally enforced racial segregation and political exclusion. Section 16 says everyone has the right to freedom of expression, including freedom of the press and freedom to receive or share information or ideas. It says this right does not extend to propaganda for war, incitement of imminent violence, or advocacy of hatred based on race, ethnicity, gender, or religion that constitutes incitement to cause harm. Section 17 says everyone has the right, peacefully and unarmed, to assemble, demonstrate, picket, and present petitions.

3. Now consider two messages at a public meeting. One speaker asks the city council to replace a dangerous crossing near a school. Another urges people to attack council members that night. A comparison of constitutional documents must pay attention to who holds a right, what actions the text names, and whether the text states a limit. The words of a document are evidence for a comparison, but they are not a complete record of every court decision. When you evaluate a claim about either political system, point to a provision rather than assuming the two texts use identical language.

2 ANSWER WITH EVIDENCE

Use the passage

1. What shared civic principle about acting together can you infer from the First Amendment and section 17? Cite a phrase from each.

2. How do the documents differ in what they explicitly say about limits on expression? Use a detail from each.

3. A newspaper criticizes a government spending plan. What wording in each document supports its publication, and how does each document state the right differently?

4. Section 17 names picketing, but the First Amendment does not. Does that prove picketing is forbidden in the United States? Explain using the wording of both documents.

3 YOUR TURN

Your own words

A group wants to distribute flyers asking national lawmakers to protect a public forest. In five or six sentences, compare how the documents could support the group, cite a provision from each, explain one difference in their wording, and judge whether the texts alone establish that every possible flyer is protected.

ANSWER KEY

Rights in Writing

HIGH SCHOOL · E.P.2.1.A

PART 1 · READ AND MARK

Underline one provision about expression and circle one provision about group action in each document. Number any words that state a limit, then use your marks to compare the documents. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	What shared civic principle about acting together can you infer from the First Amendment and section 17? Cite a phrase from each.	**Both recognize a right to join others in public action and seek change. The First Amendment names peaceable assembly and petitions; section 17 names peaceful, unarmed assembly, demonstrations, and petitions.**
2	How do the documents differ in what they explicitly say about limits on expression? Use a detail from each.	**The First Amendment's text does not name exceptions to its speech guarantee. Section 16 expressly excludes forms of expression such as propaganda for war and incitement of imminent violence.**
3	A newspaper criticizes a government spending plan. What wording in each document supports its publication, and how does each document state the right differently?	**The First Amendment bars Congress from abridging freedom of the press. Section 16 grants everyone freedom of expression, including freedom of the press. One states a restriction on Congress; the other states a right held by everyone.**
4	Section 17 names picketing, but the First Amendment does not. Does that prove picketing is forbidden in the United States? Explain using the wording of both documents.	**No. Section 17 expressly names picketing, while the First Amendment names peaceable assembly and petitions without mentioning picketing. Not naming an action does not establish that it is forbidden.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The First Amendment bars Congress from abridging freedom of speech or of the press, which supports the group's use of flyers. It also protects petitions if the group sends its request to lawmakers. South Africa's section 16 protects everyone's freedom to share information or ideas, which also fits the flyers. Unlike the First Amendment's wording, section 16 expressly excludes propaganda for war and certain incitement. These texts support the group's policy message, but they do not establish that every possible flyer is protected.

Accept other accurate comparisons supported by provisions in the passage. Do not treat the First Amendment's failure to list an exception as proof that all expression is legally protected.