When Votes Meet Rights

How majority decisions and constitutional protections work together

USG.C.6.2 "Explain how the Constitution of the United States of America provides majority rule with equal protection for the rights of individuals of the minority."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the council's majority decision, circle the two amendments that protect the smaller group, and label the message-based rule and the message-neutral rule 1 and 2. Use your marks to trace where the Constitution limits majority power.

A Vote at City Hall

1. At a city council meeting, five of seven members vote for a rule banning signs that criticize the council outside city hall. Supporters say the rule will make public meetings calmer. Two members object: a small neighborhood group plans to protest a decision to close its bus stop. The group has only twelve members, far fewer than the voters who elected the council. The vote follows the usual decision-making rule for the council: a proposal passes when most members support it. But does winning a vote give the council unlimited power over those who disagree?

2. The Constitution sets boundaries on what government may do, even after a majority votes. The First Amendment protects freedom of speech and the right to assemble peacefully. A rule that bans signs because they criticize officials targets a viewpoint, so the council cannot enforce it simply because five members approved it. The Fourteenth Amendment requires states to provide equal protection of the laws and helps make First Amendment protections apply to local governments. People in the neighborhood group can challenge the rule in court. Judges can review it against the Constitution, rather than counting which side has more supporters.

3. Suppose the council instead votes to keep the entrance clear by requiring all demonstrations to leave a path for people entering city hall. That rule addresses access, not the message on anyone's sign. It can apply to supporters and critics alike, provided it is enforced fairly and respects constitutional rights. The council can still make decisions by majority vote, including decisions the neighborhood group dislikes. Equal protection does not mean every group wins. It means the government must follow constitutional limits and cannot deny people legal protection just because their views or numbers differ.

2 ANSWER WITH EVIDENCE

Use the passage

1. The sign ban passed five to two. Why does that vote alone not make the ban enforceable?

2. How do the First and Fourteenth Amendments protect the neighborhood group despite its small size?

3. Why could the council vote to require a clear path at city hall even though it cannot ban signs that criticize it?

4. If the city required only critics to leave a clear path, how would that change the rule described in the passage?

3 YOUR TURN

Your own words

A city council votes six to one to ban peaceful signs supporting a proposed homeless shelter in a public park, but it allows signs opposing the shelter. In three or four sentences, explain how majority rule and constitutional protections apply, then propose a rule the council could apply to everyone.

ANSWER KEY

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HIGH SCHOOL · USG.C.6.2

PART 1 · READ AND MARK

Underline the council's majority decision, circle the two amendments that protect the smaller group, and label the message-based rule and the message-neutral rule 1 and 2. Use your marks to trace where the Constitution limits majority power. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	The sign ban passed five to two. Why does that vote alone not make the ban enforceable?	**A majority vote cannot override constitutional rights. The ban targets signs that criticize officials, a viewpoint protected by the First Amendment.**
2	How do the First and Fourteenth Amendments protect the neighborhood group despite its small size?	**The First Amendment protects its peaceful speech and assembly. The Fourteenth Amendment requires equal protection and helps make First Amendment protections apply to the city.**
3	Why could the council vote to require a clear path at city hall even though it cannot ban signs that criticize it?	**The path rule addresses access rather than a viewpoint. It can apply to all demonstrators if enforced fairly and in keeping with constitutional rights.**
4	If the city required only critics to leave a clear path, how would that change the rule described in the passage?	**The city would be enforcing the rule differently based on people's views, raising First Amendment and equal protection concerns.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The six-to-one vote shows majority rule, but a majority cannot erase constitutional rights. Banning only signs supporting the shelter targets a viewpoint and conflicts with First Amendment speech protections, which apply to local government through the Fourteenth Amendment. The city must also provide equal protection under the Fourteenth Amendment. It could require everyone to keep park walkways clear, regardless of what their signs say.

Accept answers that distinguish the council's power to decide by majority vote from its duty to respect constitutional rights. A proposed alternative should apply regardless of viewpoint and respect peaceful speech.